

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JANUARY 7, 2013
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

- Election of Chairman of County Council
- Election of Vice-Chairman of County Council
- Requests to Address Council
- Adoption of Minutes from the December 3, 2012, County Council Meeting
- Adoption of Resolution #13-01, "In Honor of Mr. George Tupper"
- Dorchester County Employee Longevity Program (*County Council will recognize employees that completed 5, 10, 20, 25, or 30 Years of service during the last quarter of 2012*)
- Dorchester County Retirement Recognition Program (*County Council will recognize employees that retired from employment with the county during calendar year 2012.*)
- Dorchester County Employee of the Year (*County Council will recognize the employee of the year as nominated by her peers.*)
- Correspondence

3. GUEST

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

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

- Request for New Sewer Service, Virginia Gadist, TMS #045-06-04-001, off of Brown St., St. George
- Ashley River Park Security
- Discussion of Facilitator for County Council Goal Setting Retreat

5. COMMITTEE REPORTS

Chairman George H. Bailey, Public Safety, Health and Human Services Committee Report 12-14-12

- Personnel Matters-Dorchester County Sheriff's Office

Chairman Bill Hearn, Planning, Development and Building Committee Report

- Public Hearing and Recommendation for 2nd Reading for an Amendment to Rezoning Request #452, which created the Drakesborough Planned Development under the "Dorchester County Zoning and Land Development Standards Ordinance #04-13, As Amended", (To Increase Maximum Gross Residential Density to 3.23 units per acre (+2.9%) and to Decrease Minimum lot size from 5,500 square feet to 4,250 square feet in the District)

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

WILLIAM R. HEARN, JR.
CHAIRMAN

GEORGE H. BAILEY
VICE-CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



WILLIE R. DAVIS

DAVID CHINNIS

LARRY S. HARGETT

CARROLL S. DUNCAN

JAY BYARS

COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET

ST. GEORGE, SOUTH CAROLINA 29477

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

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**MINUTES
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JANUARY 7, 2013
7:00 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 boards 24 hours before the meeting.

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

CHAIRMAN'S TIME- MR. LARRY S. HARGETT

Chairman Hargett called to order the meeting of Dorchester County Council and invited all to stand for the invocation given by Councilman Byars, which was followed by the Pledge of Allegiance. In addition, Chairman Hargett introduced and welcomed Council's newest member, and representative for Council District #5, Mrs. Carroll Duncan.

ELECTION OF CHAIRMAN OF COUNTY COUNCIL

Chairman Hargett opened the floor for nominations for Chairman of County Council. Councilman Chinnis nominated Councilman Hearn for Chairman of Council, and Councilman Bailey agreed by saying he seconded the nomination. Chairman Hargett asked if there were anymore nominations. Hearing none, Councilman Davis moved for the nominations to come to a close, and Councilman Chinnis agreed on the closure of the nominations. Chairman Hargett closed the nominations, and called for a vote.

1. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted six in favor, with one abstention, to elect Councilman Hearn as the new Chairman of County Council. Councilman Hearn abstained.

Former Chairman Hargett congratulated Chairman Hearn and the two changed seats. Chairman Hearn received a round of applause and thanked Council for giving him the opportunity and having the confidence in him to serve as their Chairman. He then welcomed Councilwoman Duncan and said he thought she was the first woman since 1988 to serve on Council, and he was happy to serve along with her. In addition, he thanked Councilman Hargett for the job he did over the past two years as Chairman, and said he would be relying on him for his expertise and passion in serving the County.

ELECTION OF VICE-CHAIRMAN OF COUNCIL

Chairman Hearn opened the floor for nominations for Vice Chairman.

2. Councilman Davis motioned to nominate Councilman Bailey for Vice-Chairman of Council, and Councilman Chinnis seconded. Chairman Hearn asked if there were any other nominations. Upon hearing none, he closed the nominations, and called for a vote. Council voted six in favor, with one abstention, for Councilman Bailey to serve as Vice-Chairman of Council. Councilman Bailey abstained.

Chairman Hearn congratulated Vice-Chairman Bailey. Councilman Bailey requested to say a few words. He first echoed what Chairman Hearn had said earlier and thanked Councilman Hargett for all he did as Chairman. He then welcomed Councilwoman Duncan aboard.

REQUEST TO ADDRESS COUNCIL

Chairman Hearn recognized the following citizen to address Council:

- Ms. Peggy Bangle, 114 Ravenwood Court, Summerville, addressed and encouraged Council to always look for the unintended consequences from all actions they take and to provide more information on all items addressed at Council meetings when possible.

ADOPTION OF DECEMBER 3, 2012, COUNTY COUNCIL MINUTES

3. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted unanimously to adopt the minutes from the December 3, 2012, County Council Meeting.

ADOPTION OF RESOLUTION #13-01, "IN HONOR OF MR. GEORGE TUPPER"

Chairman Hearn read Resolution #13-01, for Mr. Tupper out loud, and entertained a motion for adoption.

4. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to adopt Resolution #13-01, "In Honor of Mr. George Tupper", recognizing Mr. Tupper for his dedicated service to Dorchester County on the Economic Development Board.

Chairman Hearn congratulated Mr. Tupper and invited him, his family and friends to please come forward where Council could present Mr. Tupper with the framed Resolution. Mr. Tupper also took time and thanked Council and expressed how serving on the Economic Development Board and serving the County was a rewarding experience.

DORCHESTER COUNTY EMPLOYEE LONGEVITY PROGRAM

County Council recognized county employees for their years of dedicated service to the County for the last quarter of 2012.

DORCHESTER COUNTY RETIREMENT RECOGNITION PROGRAM

County Council recognized employees that retired from employment with the County during the calendar year 2012. Three employees had retired this past year; however only one was present, Ms. Perida Moultrie, Chief Deputy Coroner, who was honored on her retirement by Council.

DORCHESTER COUNTY'S EMPLOYEE OF THE YEAR

County Council recognized the 2012 Dorchester County Employee of the Year, as nominated by her peers. This year's winner was Ms. Jessica Metts Turner, an Admin III in the Water and Sewer Department. County Council took this time to congratulate her for being an outstanding employee.

CORRESPONDENCE

There was no correspondence to report.

GUEST

Mrs. Kara Gunter, Interim Budget and Finance Director, presented the Budget Report for the Month ended November 2012 to Council, which overall was a good report on the County's finances. Council thanked Mrs. Gunter for the report.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD
REQUEST FOR NEW SEWER SERVICE, VIRGINIA GADIST, TMS #045-06-04-001,
OFF OF BROWN STREET, ST. GEORGE

5. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to approve the request for new sewer service for Virginia Gadist, TMS #045-06-04-001, off of Brown Street, in St. George, as recommended by the Water and Sewer Director. It was stated that the property owner would pay for the boring and pay all related fees to establish service.

ASHLEY RIVER PARK SECURITY

Mr. Ward reported on concerns regarding vandalism, trespassing, and illegal dumping at the Ashley River Park property. He informed Council, after meeting with members of the Public Works Department and with Facilities Maintenance, several measures were being taken to improve the security of the property. Mr. Ward said the property was now checked daily by the same person who works at the Rosebrock Park. He stated he had County personnel take some security measures; however there were more costly measures, which could be taken for more security. Mr. Ward had Mr. Mike Goldston, Deputy Director of Public Works, present to Council some security precautions that the County took at the property to try and stop the vandalism, trespassing, and dumping. Mr. Goldston reported concerns he had about the issues, and showed Council pictures of the trash and other items that were dumped on the property. He informed them that the Public Works Department believed the vandalism was being done at nighttime and that trucks were being used to pull up the posts to get on the property and to tear down the entrances onto the property. Mr. Goldston showed Council the precautions the County was taking to improve the security. He informed them that the Department had installed surveillance cameras on the property and posted the property with no trespassing signs. He also discussed other options such as cutting the grass, where the property would be more visible from the road and several others options for consideration. Council agreed these would all help secure the property and asked all neighbors in the area and all county residents to report any vandalism and trespassing they saw to the Dorchester County Sheriff's Office. In addition, Council asked the media to make everyone aware of the surveillance cameras.

COUNTY ADMINISTRATOR'S TIME --CONTINUED

DISCUSSION OF FACILITATOR COUNTY COUNCIL GOAL SETTING RETREAT

Mr. Ward requested Council to consider hiring a facilitator for the day-long goal-setting retreat scheduled for February 8, 2013, at cost not to exceed \$1,200, from County Council Contingency.

6. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to hire Mr. William E. Tomes, Director of Governmental Research and Service with the Institute for Public Service and Policy Research, University of South Carolina, as a facilitator for the day-long Goal-Setting Retreat scheduled for February 8, 2013, at cost not to exceed \$1,200, from County Council Contingency Fund.

COMMITTEE REPORTS - PUBLIC SAFETY, HEALTH AND HUMAN SERVICES

COMMITTEE REPORT FROM 12-13-14, CHAIRMAN GEORGE H. BAILEY

PERSONNEL MATTERS - DORCHESTER COUNTY SHERIFF'S OFFICE

Chairman Bailey reported on the Public Safety, Health and Human Services Committee meeting that was held on December 14, 2012, and stated the center of the discussion was the need for four additional deputies by the Sheriff's Office. He said at that meeting the Sheriff made a presentation and explained the need for adding the four new positions, and two questions that arose were how this would be paid for and would it be a reoccurring expense in the next fiscal year. Chairman Bailey stated the Sheriff explained to the Committee and the Administrator that he was willing to forgo purchasing four new replacement vehicles in order to fund the four new positions for the remainder of the current fiscal year. Chairman Bailey stated in the next Fiscal Year Council would need to be sure it would fund the positions, if approval was given to the Sheriff to hire the deputies now. He further stated that he supported the Sheriff's request in using the replacement vehicle funds for the four additional positions; because he knew the need was there. Chairman Bailey stated he would make the motion to approve the Sheriff's request to use the funds as stated above and then support funding the positions in the upcoming FY Budget. After discussions among Council and the County Administrator took place, concerning the importance of public safety, revenues, state funding, the purchase of vehicles, and cash on hand, a vote was taken on the below motion.

7. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted six in favor, with one abstention, to approve the Sheriff's request to forgo purchasing four new replacement vehicles in order to fund four new Deputy Sheriff positions for the remainder of the current fiscal year, in the amount of \$235,000. Councilman Byars abstained.

Chairman Hearn then passed the gavel to Vice-Chairman Bailey in order to give his Committee Report.

PLANNING, DEVELOPMENT AND BUILDING COMMITTEE REPORT

CHAIRMAN BILL HEARN - PUBLIC HEARING AND RECOMMENDATION FOR 2ND

READING FOR AN AMENDMENT TO REZONING REQUEST #452, WHICH

CREATED THE DRAKESBOROUGH PLANNED DEVELOPMENT UNDER THE

"DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS

ORDINANCE #04-13, AS AMENDED", (TO INCREASE MAXIMUM GROSS

RESIDENTIAL DENSITY TO 3.23 UNITS PER ACRE (+2.9%) AND TO DECREASE

MINIMUM LOT SIZE FROM 5,500 SQUARE FEET TO 4,250 SQUARE FEET IN THE

DISTRICT)

8. Chairman Hearn reported the Committee received a briefing from Mr. Brebner, Planning and Zoning Manager, and a Public Hearing was held and the Committee's recommendation to Council was for 2nd Reading to be given for the Amendment to Rezoning Request #452, which created the Drakesborough Planned Development under the "Dorchester County Zoning and Land Development Standards Ordinance #04-13, As Amended". Council voted unanimously in favor of the recommendation.

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

APPOINTMENTS TO BOARDS AND COMMISSIONS
NEW APPOINTMENT AND REAPPOINTMENTS FOR
COUNCIL DISTRICT #4 TO BOARDS AND COMMISSIONS

9. On the motion of Councilman Hargett, seconded by Councilman Bailey, Council voted unanimously to approve the new appointment of Mr. Richard Symuleski to the Planning Commission, as representative for Council District #4, and to approve the following reappointments: Accommodations Tax Advisory Committee, Mr. Tracey Todd; Aeronautics Board, Mr. Jim Friar; Alcohol and Drug Abuse Commission, Dr. James Muscott; Assessment Appeals Board, Mr. Ted French; Economic Development Board, Dr. Jim Martin; Dorchester County Grievance Committee, Ms. Wendy Lee; Library Board of Trustees, Ms. Tammy McGuire; Procurement Appeals Board, Mr. Les Dial; Sales Tax Transportation Authority, Mr. Marvin Johnson; Dorchester Seniors, Inc., Mr. Marvin Johnson; Dorchester County Transportation Commission, Mr. Don Ruff; and Zoning Appeals Board, Mr. Brian E. Johnson.

REAPPOINTMENTS TO ALCOHOL AND DRUG COMMISSION AND LIBRARY
BOARD OF TRUSTEES FOR COUNCIL DISTRICT #5

10. On the motion of Councilwoman Duncan, seconded by Councilman Bailey, Council voted unanimously to approve the following two reappointments, as representatives for Council District #5: Ms. Suzie Davis to the Alcohol and Drug Abuse Commission, and Mr. Thomas Socha to the Dorchester County Library Board of Trustees.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON
REQUEST FOR ADOPTION OF RESOLUTION #13-02, "A RESOLUTION TO AMEND
THE EXISTING AMENDED AND RESTATED AGREEMENT FOR DEVELOPMENT
OF JOINT COUNTY INDUSTRIAL PARK BY AND BETWEEN DORCHESTER
COUNTY, SOUTH CAROLINA AND ORANGEBURG COUNTY, SOUTH CAROLINA
TO ENLARGE THE BOUNDARIES OF THE INDUSTRIAL PARK TO INCLUDE
CERTAIN ALBEMARLE CORPORATION PROPERTY LOCATED IN ORANGEBURG
COUNTY, SOUTH CAROLINA; AND AUTHORIZING OTHER RELATED MATTERS"

11. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to adopt Resolution #13-02, as stated above, approving the proposed amendment to the Joint Industrial Park Agreement that the County has with Orangeburg County. The County Attorney stated that all tracts were located in Orangeburg County.

REQUEST TO APPROVE FUNDING FROM THE ECONOMIC DEVELOPMENT FUND
FOR ATTORNEY FEES RELATED TO THE REMOVAL OF PROPERTIES FROM
THE MULTI-COUNTY INDUSTRIAL PARK

12. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to approve the funding from the Economic Development Fund for attorney fees related to the removal of properties from the Multi-County Industrial Park, in the amount of \$6,500 as requested by the County Attorney.

REQUEST FOR EXECUTIVE SESSION

The County Attorney requested Council's consideration to enter into executive session to give legal advice on three items, the proposed Noise Ordinance, a potential lawsuit by former county employees, and the Compensation and Classification Study, and to discuss two contractual matters, ditch maintenance in the Town of St. George, and a potential real estate sale.

MOTION TO RECONSIDER

Councilman Byars requested that before Council vote to go into executive session for a motion to reconsider be made, on the item voted on earlier regarding the Sheriff's Deputies. He stated he supported Sheriff Knight and would like the opportunity to change his vote. Councilman Byars asked the County Attorney if it were possible for this request to be approved. Mr. Frampton stated it was possible, but a member of the prevailing party would need to make the motion to reconsider. At that time the following motion was made.

13. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to move to reconsider the vote to reapprove the Sheriff's request.
14. On the motion of Councilman Chinnis, seconded by Councilman Byars, Council voted unanimously to approve the Sheriff's request to forgo purchasing four new replacement vehicles in order to fund four new Deputy Sheriff Positions for the remainder of the current fiscal year, in the amount of \$235,000.

MOTION TO GO INTO EXECUTIVE SESSION 8:10 P.M.

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

RECONVENE FROM EXECUTIVE SESSION

Mr. Frampton reported Council discussed the previously announced items, but no action was taken.

COMPENSATION AND CLASSIFICATION STUDY

16. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to approve the following, as recommended by the Administrator, and for it to become effective as soon as Human Resources and Payroll can make all changes: Recommend that we hold ranges at 2.8% based on concerns from public safety about recruitment and retention of future and current employees, respectively, to remain more competitive; Recommend that we do not reduce salaries of current employees, but some salaries will have to be frozen based on experience and tenure in their positions; Recommend implementing range penetration based upon the Lockton scale with salary ranges including the 2.8% structure adjustment for those employees who have at least 3 years of tenure in their respective positions; Recommend implementing range penetration based upon salary ranges including the 2.8% structure adjustment for those employees with 1 – 2.99 years of tenure in their respective positions: Recommend addressing elected officials (Auditor, Clerk of Court, Coroner, Probate Judge, Register of Deeds, Sheriff, and Treasurer) and appointed officials (Administrator, Delinquent Tax Collector, Magistrate Judges, Master-in-Equity, etc.) separately.

ADJOURNMENT

17. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to adjourn. Time of adjournment was 10:34 p.m.

Sandy W. Lawley

Sandy Lawley, Clerk to Council

**AMENDED
AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
FEBRUARY 4, 2013
7:00 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. WILLIAM R. HEARN, JR.

- Requests to Address Council
- Adoption of Minutes from the January 22, 2013, County Council Meeting
- Revised Application to the State Transportation Infrastructure Bank*
- Correspondence

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

- Update on EMS Medic 2 Station Land Acquisition
- Planning Commission Recommendation on Voluntary Agricultural Districts
- Planning Commission Recommendation on the Rural Zoning Strategy

4. COMMITTEE REPORT

Chairman Larry Hargett, Public Works, Property and Utilities Committee Report

- Request for Approval of Menzi Muck Purchase by Public Works Department

5. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Public Hearing and 2nd Reading for “An Ordinance Authorizing (1) the Execution and Delivery of a First Amendment to the Fee Agreement by and Between Dorchester County, South Carolina (The “County”) and Knight’s Concrete Products, Inc. Dated as of December 19, 2003, to Provide for Certain Additional Special Source Revenue Credits in Connection with Investments in Certain Facilities in the County; and (2) Other Matters Relating Thereto”; *(If adopted, the additional Special Source Revenue Credits will reduce the tax liability of this industry.)*
- 2nd Reading for “An Ordinance to Provide For the Issuance and Sale of Not Exceeding Forty-Eight Million Dollars (\$48,000,000) Dorchester County, South Carolina, General Obligation Refunding Bonds (Transportation Projects), Series 2013A; To Prescribe the Purposes for Which the Proceeds Shall Be Expended; To Provide For The Payment Thereof; And Other Matters Relating Thereto”; *(This Ordinance will allow the County to refinance the callable Series 2006A Transportation Bonds and thereby accrue savings.)*
- 2nd Reading for “An Ordinance to Provide For the Issuance and Sale of Not Exceeding Ten Million Dollars (\$10,000,000) Dorchester County, South Carolina, General Obligation Refunding Bonds, Series 2013B; To Prescribe the Purposes for Which the Proceeds Shall Be Expended; To Provide For the Payment Thereof; And Other Matters Relating Thereto”; *(This ordinance will allow the County to refinance the callable Series 2006B Courthouse Bonds and thereby accrue savings.)*
- Executive Session Contractual Matters -County Attorney
-Knight's Concrete FILOT Amendment

7. ADJOURN

WILLIAM R. HEARN, JR.
CHAIRMAN

GEORGE H. BAILEY
VICE-CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



WILLIE R. DAVIS

DAVID CHINNIS

LARRY S. HARGETT

CARROLL S. DUNCAN

JAY BYARS

COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET
ST. GEORGE, SOUTH CAROLINA 29477
(843) 563-0196 FAX (843) 563-0137
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**MINUTES
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
FEBRUARY 4, 2013
7:03 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 boards 24 hours before the meeting.

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

CHAIRMAN'S TIME- MR. WILLIAM R. HEARN, JR.

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

REQUESTS TO ADDRESS COUNCIL

Chairman Hearn stated the following two citizens had filled out cards and requested to address Council.

REQUESTS TO ADDRESS COUNCIL-CONTINUED

- Mr. Jesse Britt, 571 2nd Texas Road, St. George, addressed Council and requested assistance in having the speed limit reduced on 2nd Texas Road where he lives. He explained that his home was located off of an S shaped curve that had a speed limit of 55 miles per hour. Mr. Britt explained how it was necessary to speed when exiting his driveway, due to the possibility of being hit by another vehicle coming around the curve. He stated that his wife was hit by another car sometime ago when pulling out of the driveway and that incident took her courage away and she has not driven since. Chairman Hearn asked Mr. Britt if he had ever reported this problem to any other authority. He stated he had reported it to SCDOT and they have done nothing about the problem, which was why he came before Council. The Chairman told Mr. Britt that the Administrator would look into this issue and check to see if the road was County or State and get back in touch with him on this issue. Councilmen Davis and Bailey spoke on Mr. Britt's behalf.
- Ms. Lisa Turansky, 328 East Bay Street, Charleston, Sustainable Agriculture Program Director for the Coastal Conservation League addressed Council. She stated it was part of her job to make sure that farmers and foresters were able to succeed and make a living in our state and a part of making that happen was securing our land base. Ms. Turansky said she believed that Voluntary Agricultural and Forest Districts/Communities were important and effective when made available to landowners who wished to continue farming the land. She made three points to Council. First was that Voluntary Agricultural Districts were not zoning, and they could exist in the absence of control zoning or in rural zoning codes. They are a voluntary program, which originates from the landowners and were not a result of the zoning code, she said. Secondly, she asked Council to consider setting up an Advisory Board that would work to create an outline for the best program possible for Dorchester County. Ms. Turansky said that the Advisory Board should be composed of farmers, land owners and foresters, as well as stakeholders who are looking to maintain their property in rural uses. Third, she stated that this was not something new, and these programs have been successful across the southeast, in other states like North Carolina and Virginia. In conclusion, she thanked Council for their attention to this very important cause.

ADOPTION OF JANUARY 22, 2013 COUNTY COUNCIL MINUTES

1. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to adopt the minutes from the January 22, 2013, County Council Meeting.

REVISED APPLICATION TO THE STATE TRANSPORTATION INFRASTRUCTURE BANK

Chairman Hearn reported he was asked to sign a letter on behalf of Council to endorse the revised application to the State Infrastructure Bank, giving the County's endorsement of the amended/revised application for the construction of the Berlin Myers Parkway Phase 3.

2. On the motion of Councilman Davis, seconded by Councilman Byars, Council voted unanimously to approve for the Chairman to sign the letter on behalf of Council endorsing the revised application to the State Infrastructure Bank.

CORRESPONDENCE

The County Administrator informed Council that the Lake Marion Regional Water Authority had submitted its application to the Rural Infrastructure Authority in the amount of \$3.8 million to go along with the \$3.5 million plus other available funds for the Holly Hill to Harleyville (extension of the water line) Reach.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD
UPDATE ON EMS MEDIC 2 STATION LAND ACQUISITION

Mr. Ward updated Council on the EMS Medic 2 Station. Medic 2 is currently housed in the Waring Fire Station. He reported that Mayor Collins had agreed to work with the County to subdivide the property where the Waring Fire Station is located to provide the County with a lot to build an EMS Medic 2 Station. Mr. Ward explained that the Capital Improvement Plan included \$500,000 in the FY 2013 Council Approved Budget for this project and an additional \$500,000 in the FY 2014 Budget for this project for a total of \$1 Million for land acquisition, design, construction, and equipment for the building. Mr. Ward said this project would provide a two-bay station with an office, day room, bunk rooms for men and women, and separate restrooms with shower facilities for men and women. In addition, the call volume in this district indicated the need for a prime time unit in this area. Mr. Ward requested Council's approval of the project in concept, stating that after a negotiated price was reached he would come back to Council for final approval for the purchase of the property at an agreed upon price. After discussion by Council with the Administrator, the following action was taken.

3. On the motion of Councilman Davis, seconded by Councilman Byars, Council voted unanimously to authorize the EMS Medic 2 Station Land Acquisition and to approve the project as described in concept by the Administrator.

PLANNING COMMISSION RECOMMENDATION ON VOLUNTARY
AGRICULTURAL DISTRICTS

Mr. Ward presented the Planning Commission's recommendation to Council, along with additional information concerning the creation of ad hoc committees.

4. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to refer the Planning Commission's recommendation on the Voluntary Agricultural Districts, that County Council appoint a committee of citizens to study these Districts, to the Planning, Development, and Building Committee for further consideration, with a recommendation back to County Council including the number of members to serve on the ad hoc committee.

PLANNING COMMISSION RECOMMENDATION ON RURAL ZONING STRATEGY

Mr. Ward presented the recommendation of the Planning Commission regarding the areas identified in the *draft* Rural Zoning Strategy as Rural Economic Development District. Mr. Ward recommended that Council refer this to the Planning, Development, and Building Committee for further consideration and a recommendation back to County Council. Councilman Bailey stated that he and Councilman Davis had met with the Planning Director and the Chairman of the Planning Commission and discussed their concern of citizens placing their property in the Rural Economic Development District and having their property taxes escalate.

5. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted unanimously to refer the recommendation of the Planning Commission on the Rural Zoning Strategy to the Planning, Development, and Building Committee for further consideration, with a recommendation back to County Council.

COMMITTEE REPORT

PUBLIC WORKS, PROPERTY, AND UTILITIES COMMITTEE REPORT

CHAIRMAN LARRY S. HARGETT - REQUEST FOR APPROVAL OF MENZI MUCK PURCHASE BY PUBLIC WORK DEPARTMENT

6. Chairman Hargett reported the Public Works Committee met earlier with only one item on the agenda, which was a request from the Public Works Department to purchase a Menzi Muck. He explained the county's old Menzi Muck was damaged in a fire on August 7, 2012, in a ditch off Archdale Boulevard. Chairman Hargett explained the Menzi Muck was a specialized piece of heavy equipment used to clean ditches and without it the Department had a growing list of work orders to complete. He reported the Committee's recommendation to Council was to approve the request for the Public Works Department and to authorize the expenditure of \$240,000 for the purchase of a new A61 2X4 Menzi Muck with operator training included. Council voted unanimously in favor of the recommendation

APPOINTMENTS TO BOARDS AND COMMISSIONS

DORCHESTER COUNTY LIBRARY BOARD

7. On the motion of Councilman Hargett, seconded by Councilman Bailey, Council voted unanimously to appoint Dr. G. Warren McCarl, to the Dorchester County Library Board. Councilman Hargett stated Dr. McCarl would replace Ms. Tammy McGuire, who resigned from the board, who was his appointee.

DORCHESTER COUNTY GRIEVANCE COMMITTEE, DORCHESTER COUNTY ACCOMMODATIONS TAX ADVISORY COMMITTEE AND THE DORCHESTER COUNTY SALES TAX TRANSPORTATION AUTHORITY

8. On the motion of Councilwoman Duncan, seconded by Councilman Bailey, Council voted unanimously to approve the following appointments for Councilwoman Duncan as requested: reappoint Mrs. Cynthia Busby to the Dorchester County Grievance Committee; appoint Ms. Tracie Tucker Ray to the Dorchester County Accommodations Tax Advisory Committee; and reappoint Mr. Mark Pilgrim to the Dorchester County Sales Tax Transportation Authority.

FOSTER CARE REVIEW BOARD 1-B

9. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to make a recommendation to the Governor for the reappointment of Ms. Betty J. Profit to the Foster Care Review Board 1-B. Her term expired December 31, 2012.

**DORCHESTER COUNTY BOARD OF ZONING APPEALS
DORCHESTER SENIORS INC., BOARD OF DIRECTORS**

10. On the motion of Councilman Hargett, seconded by Councilman Davis, Council voted unanimously to approve the following appointments made by Chairman Hearn. The appointment of Mr. Mike Murphree to the Dorchester County Board of Zoning Appeals, and the reappointment of Mrs. Faith Sellers to the Dorchester Seniors Inc., Board of Directors.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON
PUBLIC HEARING AND 2ND READING FOR “AN ORDINANCE
AUTHORIZING (1) THE EXECUTION AND DELIVERY OF A FIRST
AMENDMENT TO THE FEE AGREEMENT BY AND BETWEEN
DORCHESTER COUNTY, SOUTH CAROLINA (THE “COUNTY”) AND
KNIGHT’S CONCRETE PRODUCTS, INC. DATED AS OF DECEMBER 19,
2003, TO PROVIDE FOR CERTAIN ADDITIONAL SPECIAL SOURCE
REVENUE CREDITS IN CONNECTION WITH INVESTMENTS IN
CERTAIN FACILITIES IN THE COUNTY; AND (2) OTHER MATTERS
RELATING THERETO” AS AMENDED

The County Attorney requested Council conduct a public hearing on the Fee Agreement between Dorchester County and Knight’s Concrete Products, Inc., authorizing a first amendment to this FILOT agreement. Mr. Frampton further explained that since Council gave 1st Reading to the Ordinance, several minor changes were made, and Council was aware of those changes, and they were incorporated in the documents, which Council received. He explained the two changes made, which were basically the County would not forgive penalties in full and Company would present acceptable documents to the County for inclusion into the Multi-County Park. Mr. Frampton then requested that a Public Hearing be heard on the above named Ordinance, as amended.

Chairman Hearn called the Public Hearing to order and asked if anyone from the public would like to speak. Upon hearing no comments, the Chairman closed the Public Hearing.

11. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to give 2nd Reading to “An Ordinance Authorizing (1) the Execution and Delivery of a First Amendment to the Fee Agreement by and Between Dorchester County, South Carolina (The “County”) and Knight’s Concrete Products, Inc. Dated as of December 19, 2003, to Provide for Certain Additional Special Source Revenue Credits in Connection with Investments in Certain Facilities in the County; and (2) Other Matters Relating Thereto”, as Amended.

2ND READING FOR “AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE
OF NOT EXCEEDING FORTY-EIGHT MILLION DOLLARS (\$48,000,000)
DORCHESTER COUNTY, SOUTH CAROLINA, GENERAL OBLIGATION REFUNDING
BONDS (TRANSPORTATION PROJECTS), SERIES 2013A; TO PRESCRIBE THE
PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR
THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO”

12. On the motion of Councilman Davis, seconded by Councilman Byars, Council voted unanimously to give 2nd Reading for “An Ordinance To Provide For The Issuance and Sale of Not Exceeding Forty-Eight Million Dollars (\$48,000,000) Dorchester County, South Carolina, General Obligation Refunding Bonds (Transportation Projects), Series 2013A; To Prescribe The Purposes For Which The Proceeds Shall Be Expended; To Provide For The Payment Thereof; And Other Matters Relating Thereto”. This Ordinance will allow the County to refinance the callable Series 2006A Transportation Bonds and thereby accrue savings. This Ordinance was recommended by the County’s Financial Advisers and Bond Counsel. The estimated “net present savings value” from refinancing these bonds is \$2,478,281.

2ND READING FOR "AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING TEN MILLION DOLLARS (\$10,000,000) DORCHESTER COUNTY, SOUTH CAROLINA, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013B; TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO"

13. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to give 2nd Reading for "An Ordinance To Provide For The Issuance And Sale Of Not Exceeding Ten Million Dollars (\$10,000,000) Dorchester County, South Carolina, General Obligation Refunding Bonds, Series 2013B; To Prescribe The Purposes For Which The Proceeds Shall Be Expended; To Provide For The Payment Thereof; And Other Matters Relating Thereto". This Ordinance will allow the County to refinance the callable Series 2006B Courthouse Bonds and thereby accrue savings and was recommended by the County's Financial Advisers and Bond Counsel. The estimated "net present savings value" from refinancing these bonds is \$554,444.

It was stated that the two Ordinances (motion #12 and 13) were simply the refinancing of existing bonds, due to the improved bond rating recently received by the County and with the lower interest rates the County would save money by having reduced bond payments.

REQUEST FOR EXECUTIVE SESSION

The County Attorney requested Council's consideration to enter into executive session to discuss two contractual matters, the first he stated dealing with himself, as County Attorney, and the second dealing with the Amendment to a Fee in Lieu of Taxes Agreement with Knight's Concrete Products, Inc.

EXECUTIVE SESSION 7:29 P.M.

14. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted unanimously to enter into Executive Session as requested by the County Attorney.

RECONVENE FROM EXECUTIVE SESSION 8:32 P.M.

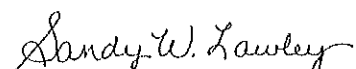
Mr. Frampton reported Council discussed the previously announced two items, but no action was taken.

COUNTY ATTORNEY'S CONTRACT

15. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to approve the conversion of the current contract with the County Attorney from an hourly basis to a contract for full-time employment and authorize the County Administrator to execute a new contract with the County Attorney as a full-time position, incorporating the proposed terms for full-time employment, as presented and discussed in Executive Session.

ADJOURNMENT

16. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to adjourn. Time of adjournment was 8:34 p.m.



Sandy Lawley, Clerk to Council

**AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNTY COUNCIL CHAMBERS, ST. GEORGE
FEBRUARY 19, 2013
7:00 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. WILLIAM R. HEARN, JR.

- Requests to Address Council
- Adoption of Minutes from the February 4, 2013, County Council Meeting
- Adoption of Proclamation #13-01, "Irish-American Heritage Month"
- Discussion of Space for Circuit Court Judge At-Large, Seat 15 Position
- Correspondence

3. GUESTS

- Mrs. Phyllis Hughes, Discussion of County Museum
- Mrs. Kara Gunter, Interim Budget and Finance Director, Budget Report for Month Ended January 31, 2013
- Mr. Mark Pilgrim, Dorchester County Sales Tax Transportation Authority Commitment to Construct and Dorchester County Commitment to Maintain Bacons Bridge Road Noise Abatement Walls

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

- Request from Town of Ridgeville for Fire Funds

5. COMMITTEE REPORTS

Chairman David Chinnis, Planning, Development and Building Committee

- Public Hearing and 2nd Reading for "An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, As Previously Amended, to Amend Article X, Section 10.4.2(1) (e) so as to Decrease the Acreage Requirements from 3 Acres to 1 Acre"; *(To allow accessory structures totaling 3,000 square feet in total floor area on residential lots between 1 and 3 acres, up from 1,500 square feet.)*

Chairman William R. Hearn, Jr., Budget, Finance and Purchasing Committee

- Mr. Samuel Stephens, Procurement Director, Consideration of Design and Construction Procurement Methodology: Design-Build vs. Design-Bid-Build New Jail

Chairman William R. Hearn, Jr., Water and Sewer Committee

- Request for New Water and Sewer Service to TMS #162-02-01-023, for Malphrus Development, Inc., Property Location: Intersection of Parlor Drive and Old Fort Drive, in front of existing Tranquil Hill Plantation Subdivision near Oakbrook

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Request for Adoption of Resolution #13-04, "Confirming the Intention of Dorchester County, South Carolina, to be Reimbursed for Certain Expenditures Related to the Acquisition of Vehicles to be Financed By a Lease Purchase Obligation"
- 1st Reading for "An Ordinance to Authorize the Execution and Delivery of a Lease Purchase Agreement in Order To Provide for the Acquisition of Certain Vehicles; to Authorize the Execution and Delivery of Various Documents in Connection Therewith; and Other Matters Relating Thereto"
- Public Hearing and 2nd Reading for "An Ordinance Amending and Supplementing the Code of Ordinances, Dorchester County, South Carolina, By Amending Sections 34-107, 34-108 and 34-109 and Adding a New Section 34-110 and 34-111 to Chapter 34, Article IV, Litter Control, Providing for Litter Control in the Unincorporated Areas of Dorchester County" *(If adopted, this amendment will restore Code Enforcement's ability to issue uniform summons for county litter violations.)*

COUNTY ATTORNEY'S TIME- CONTINUED

- 3rd Reading for Ordinance #13-01, "An Ordinance Authorizing (1) the Execution and Delivery of a First Amendment to the Fee Agreement by and Between Dorchester County, South Carolina (The "County") and Knight's Concrete Products, Inc. Dated as of December 19, 2003, to Provide For Certain Additional Special Source Revenue Credits in Connection with Investments in Certain Facilities in the County; and (2) Other Matters Relating Thereto" as amended; *(If adopted, the additional Special Source Revenue Credits will reduce the tax liability of this industry.)*
- Public Hearing and 3rd Reading for Ordinance #13-02, "An Ordinance to Provide For the Issuance and Sale of Not Exceeding Forty-Eight Million Dollars (\$48,000,000) Dorchester County, South Carolina, General Obligation Refunding Bonds (Transportation Projects), Series 2013A; To Prescribe the Purposes for Which the Proceeds Shall Be Expended; To Provide For The Payment Thereof; And Other Matters Relating Thereto"; *(This ordinance will allow the County to refinance the callable Series 2006A Transportation Bonds and thereby accrue savings.)*
- Public Hearing and 3rd Reading for Ordinance #13-03, "An Ordinance to Provide For the Issuance and Sale of Not Exceeding Ten Million Dollars (\$10,000,000) Dorchester County, South Carolina, General Obligation Refunding Bonds, Series 2013B; To Prescribe the Purposes for Which the Proceeds Shall Be Expended; To Provide For the Payment Thereof; And Other Matters Relating Thereto"; *(This ordinance will allow the County to refinance the callable Series 2006B Courthouse Bonds and thereby accrue savings.)*
- Executive Session Contractual Matters
 - Easement Donation for Highway 27 Sewer Diversion
 - Potential Sale of Real Estate

8. ADJOURN

WILLIAM R. HEARN, JR.
CHAIRMAN

GEORGE H. BAILEY
VICE-CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



WILLIE R. DAVIS

DAVID CHINNIS

LARRY S. HARGETT

CARROLL S. DUNCAN

JAY BYARS

COUNTY COUNCIL OF DORCHESTER COUNTY

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

**MINUTES
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
FEBRUARY 19, 2013
7:02 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 boards 24 hours before the meeting.

PRESENT: Mr. William R. Hearn, Jr., Chairman
Mr. George H. Bailey, Vice Chairman
Mr. Willie Davis
Mr. Davis Chinnis
Mr. Larry S. Hargett
Mrs. Carroll S. Duncan
Mr. Jay Byars
Ms. Ashley Jacobs, Deputy Administrator
Mr. John Frampton, County Attorney
Mrs. Sandy W. Lawley, Clerk to Council
ABSENT: Mr. Jason Ward, Administrator

CHAIRMAN'S TIME- MR. WILLIAM R. HEARN, JR.

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

REQUESTS TO ADDRESS COUNCIL

Chairman Hearn stated the following citizens had filled out cards and requested to address Council:

REQUESTS TO ADDRESS COUNCIL-CONTINUED

- Mr. Tom Smith, 128 Summerset Lane, Summerville, stated he was present to request Council lower to $\frac{3}{4}$ acre rather than 1 acre on the proposed Ordinance up for recommendation for 2nd Reading to Council from the earlier held Planning, Development and Building Committee. He stated that he spoke at the Public Hearing at that meeting and made the same request regarding the amendment to the County's Zoning and Land Development Standards Ordinance #04-13. Mr. Smith explained his reason for requesting the change in the Ordinance was he had recently purchased two lots near his home, which he had combined into one lot totaling .78 acre to build a garage on for storage purposes.
- Mr. Wes Birt, 104 Laurens Court, Summerville, requested to reserve his time to address Council after Mr. Mark Pilgrim speaks, under the "Guests" portion of the agenda, since they are speaking on the same subject. Mr. Birt stated that Mr. George Barber and Mr. Henry Proctor, also listed on his card, were yielding their time to him. The Chairman asked the County Attorney's opinion on the proper protocol for this request. Mr. Frampton stated it would be fine to allow him to speak at that time.
- Ms. Jennifer Armenti, 321 Bertram Road, Summerville on the Ashley, addressed Council about noise abatement walls for her neighborhood, along Bacons Bridge Road. Ms. Armenti first provided Council with some history on the walls. She said in 2009, when public meetings were held for the Bacons Bridge Road widening project the noise abatement walls were included in the plan for their neighborhood. However, sometime after the public meetings were held, SCDOT took the noise walls out of the plan. She stated since the noise walls were included in the plan and presumed approved, no one said anything at the public meetings, and since no one spoke about the noise walls, state and federal officials had them removed, due to a lack of public support. Ms. Armenti stated that her neighborhood was small, with no homeowner's association to help in the fight for their walls or to cover the cost of the maintenance of the walls; however, the residents did get petitions signed back in 2010 requesting the noise walls be put back in the plans. In conclusion, Ms. Armenti stated that was why she was here requesting Council's support to maintain the walls once built, or at least help find some other option for the cost of the maintenance.

ADOPTION OF FEBRUARY 4, 2013, COUNTY COUNCIL MINUTES

1. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted unanimously to adopt the minutes from the February 4, 2013, County Council Meeting.

ADOPTION OF PROCLAMATION #13-01, "IRISH-AMERICAN HERITAGE MONTH"

Chairman Hearn read aloud Proclamation #13-01, designating March 2013, as Irish-American Heritage Month in Dorchester County. He then entertained a motion for adoption.

2. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to adopt Proclamation #13-01, "Irish-American Heritage Month", designating March 2013 as Irish-American Heritage Month in Dorchester County.

Mr. Larry Papineau, President, and Mr. Jim O'Rourke, Recording Secretary, both of the newly formed Dorchester County, Division 1 Chapter, representing the Ancient Order of Hibernians, came forward to accept the Proclamation. This new Chapter is based in Summerville.

DISCUSSION OF SPACE FOR CIRCUIT COURT JUDGE AT-LARGE, SEAT 15 POSITION

Chairman Hearn stated there was a request to provide space in the Dorchester County Courthouse for the new Circuit Court Judge At-Large, Seat 15 Position. He asked Council Members if they had any comments on this issue. Councilman Bailey stated he did; however, he asked the Chairman to recognize the Clerk of Court, Ms. Cheryl Graham, who was in attendance, to be allowed to address Council first. Ms. Graham stated she had sent a letter to Chairman Hearn, dated February 5th, 2013, Reference: Judges Chamber's Request, and asked that the letter be made a part of the record, (**attachment A**). Chairman Hearn replied that he had the letter circulated to all members of Council. Ms. Graham said the County was very privileged to have the second sitting Circuit Court Judge, and she looked forward to working with Judge Murphy. She then requested Council's help and assistance in locating office space and a Judge's Chamber for Judge Murphy, in the Courthouse, pursuant to the County's obligation under state law. Chairman Hearn thanked Ms. Graham for taking time to attend and speak to Council on this important issue.

Councilman Bailey also made comments. He started by explaining once he knew Judge Murphy was to be chosen as the new Circuit Court Judge At-Large, he met with her, after he had spoken to Chairman Hearn, and Mr. Ward, and the County Attorney for guidance on the issue. Councilman Bailey also addressed discussion about the possibility of an addition being added to the Courthouse and stated that was not an option that he or any member of Council was considering. Next, he stated as Chairman of the Public Safety, Health and Human Services Committee, he met with Councilman Chinnis, as Chairman of the Planning, Development and Building Committee, at the Courthouse for several hours looking at the building and the offices and discussing possible options. Councilman Bailey stated he held another meeting on February 14th with Ms. Cheryl Graham and Judge Murphy and discussed several ideas. He said during this time period he spoke to Councilman Byars and Councilman Chinnis, plus Mr. Jackie Walters, Director of Facilities Maintenance and Grounds, Sheriff Knight and Judge Stephens, about office space for Judge Murphy. In conclusion, Councilman Bailey thanked everyone who was helpful in the start of the search for space, and added that now he has the floor plans for the new Courthouse building and would be studying them for the possibility of considering some reconstruction in the building, in order to create the new office space from within. Councilman Bailey requested that this item be placed in the Public Safety, Health and Human Services Committee for more study. Chairman Hearn agreed and placed the item in that Committee.

CORRESPONDENCE: There was no correspondence to report.

GUESTS: MRS. PHYLLIS HUGHES
DORCHESTER COUNTY ARCHIVES AND HISTORY CENTER

Mrs. Phyllis Hughes addressed Council on behalf of a group of residents to propose that Council allow the Upper Dorchester County Historical Society to use a section of the old Courthouse, located at 101 Ridge Street, St. George, to create a Dorchester County Archives and History Center. She stated that the space they were requesting consisted of the main entrance hall and the adjoining fireproof room that was formally the Register of Deeds offices. Mrs. Hughes stated the reason for requesting that location was it was the most desirable in the County because of the walk-in safe and fireproof vault room that would protect the documents housed. She stated this project would enhance tourism and exposure for the County. Mrs. Hughes explained that their group has been offered countless records dating back to the 1700s from families and individuals that want a safe place to keep these very important documents and family records in Dorchester County and they want us to provide one. If not, they are considering donating out of Dorchester County. In conclusion, the Dorchester County Historical Society is a

DORCHESTER COUNTY ARCHIVES AND HISTORY CENTER-CONTINUED

non-profit chartered organization and has published three books, and restored the Koger House, which is a treasure for the County, said Mrs. Hughes. She ended by asking Council to please consider the request. Councilman Bailey stated this group was a true asset and has achieved many accomplishments for Dorchester County. Councilman Chinnis stated his main concern was the preservation of the documents and requested for Mrs. Hughes to have the Historical Society present a plan on how they would preserve the documents. Chairman Hearn thanked Mrs. Hughes and the group for all of their hard work.

3. On the motion of Councilman Bailey, seconded by Councilman Chinnis, Council voted unanimously to place this request in the Planning, Development and Building Committee for further consideration.

MRS. KARA GUNTER, INTERIM BUDGET AND FINANCE DIRECTOR, BUDGET REPORT FOR MONTH ENDED JANUARY 31, 2013

Mrs. Kara Gunter, Interim Budget and Finance Director, presented the Budget Report for the Month ended January 31, 2013, to Council. Mrs. Gunter gave a summary of the report that Council received in their packets. She stated that taxes were coming in for both the General Fund and Capital Fund as expected, and receipts from January 16th – 31st were posted on February 15th, 2013, and after posting, the General Fund tax collections were at 85%. In addition, she said that Building Permits continued a light upward trend for the month of January. Mrs. Gunter also gave updates on the Capital Fund, which she reported posted on February 8th, 2013. The other updates included were the water and sewer fees, solid waste and stormwater, which were all coming in as expected. In conclusion, she stated that there was a positive cash balance for all the major funds, and both stormwater and water and sewer have funds that are committed to various projects and the list and updates were included in the packets for the projects. Mrs. Gunter received and answered questions from Council.

MR. DONNIE DUKES, DAVIS AND FLOYD- DC SALES TAX TRANSPORTATION AUTHORITY TO CONSTRUCT AND DORCHESTER COUNTY COMMITMENT TO MAINTAIN BACONS BRIDGE ROAD NOISE ABATEMENT WALL

Chairman Hearn announced that Mr. Donnie Dukes, Senior Vice President of Davis and Floyd Engineering would address Council in place of Mr. Mark Pilgrim, Vice-Chairman of the Sales Tax Transportation Authority. He also stated, after Mr. Dukes spoke, Mr. Wes Birt would be recognized to speak to Council.

Mr. Dukes addressed Council about the position the Dorchester County Sales Tax Transportation Authority has about placing two noise abatement walls along Bacons Bridge Road and the County giving consideration to maintaining the two walls if the South Carolina Department of Transportation makes an exception to their noise policy to allow the walls to be constructed on state right-of-way through a SCDOT Encroachment Permit issued to the County. The analysis showed that these noise walls were cost effective and feasible and should be included in the project. In the public hearing process, the walls were presented in the material that was given to the public. At that time, there did not appear to be much public interest in the walls even though they were showed as part of the project, said Mr. Dukes. DOT and the Federal Highway Administration, in reviewing the records of the hearing, determined that the interest was not there and also Bacons Bridge Road was a non-controlled access road, which made it difficult for a noise wall as far as their policy. Therefore, they basically turned it down and did not allow it to be included in the project. Now since then, there has been a lot of interest in this as Ms. Armentti spoke

COMMITMENT TO CONSTRUCT AND DORCHESTER COUNTY COMMITMENT TO MAINTAIN BACONS BRIDGE ROAD NOISE ABATEMENT WALLS- CONTINUED

about. They came to the Authority back in June, and presented a very good case. The Authority felt that there is public interest, and it should be included in the project. The Sales Tax Transportation Authority sent DOT a letter saying it had determined there was adequate public interest for the walls and asking DOT to include them in the Bacons Bridge improvement project. DOT responded and said if you want to do that you have to do a reevaluation of the wall, because there is a new policy in effect, as far as noise abatement walls being constructed on state right-of-ways. We did a quick reassessment of that with the new policy and that basically would not allow the walls to be built from a technical basis. In talking to the Department of Transportation to find out what other options we would have to include the walls in the project, they gave us advice to request an exception to their policy and that the County use local funds to build the wall, the county accept maintenance of the walls, the walls be built according to Department of Transportation standards and be allowed to be built on highway right-of-way through an encroachment permit. That is what you see before you right now, the letter DCTA has prepared for the County to send requesting this. There are several enclosures in your packet that kind of explains how we got to this point. We are asking for the exception. The DCTA wants to include the walls in the project and would use only the tax money and none of the federal money. The walls are estimated to cost approximately \$300,000. They will be a total of around 900 feet, two segments, approximately 8-feet high. The request to Council is that this material be sent to SCDOT with this request letter asking for the exception, and we would move ahead and include the walls in the ongoing construction project.

After his presentation, Mr. Dukes and Council held discussions regarding the walls, the time to decide, the responsibility for repairs and the cost. They also discussed the differences in the two walls, as discussed earlier. In addition, Chairman Hearn stated it seemed that there were 3 major issues that needed to be addressed, which were engineering studies, insurance cost and a timetable, however, he stated he would defer this to Council to see what their pleasure was. Councilman Byars asked Mr. Dukes to give Council a brief summary of what the process was to get approval for a noise wall. Mr. Dukes explained the process in summary, which included noise studies, (and if the numbers come out right), then a number of public hearings, next would be the FONSI process, which is a federal process where they decide if an impact study is needed (FONSI - finding of no significant impact), and then more public meetings, and environmental, federal, and state studies, all types of tests to meet standards. Mr. Dukes stated there is a lot of oversight that goes into getting approval for a noise abatement wall, until you get to the point of the actual building of the wall, which is where we are at on the Dorchester Road wall. He stated that the Dorchester Road wall was a large project and is 6,000 feet of wall and behind schedule, but he hopes it will not affect the completion date for the wall. Councilman Byars asked Mr. Dukes who exactly made the decision to take out the walls on Bacons Bridge Road, and Mr. Dukes answered that it was DOT and the Federal Highway Administration. He said when they originally presented the project back in 2009, for the Bacons Bridge Road widening project the walls were included and technically showed the walls to be feasible. Council continued the discussion of SCDOT maintaining the Dorchester Road wall versus not wanting to maintain the Bacons Bridge Road walls. In the end, Councilman Chinnis asked for a time estimate from Mr. Dukes for Council to make a decision on this issue. Mr. Dukes stated 6 months. He stated that way the same contractor who is currently building the Dorchester Road wall and is mobilized could be used for the project if approved.

WES BIRT COMMENTS NOISE ABATEMENT WALLS-

- Mr. Wes Birt, of Ashborough, addressed Council and stated he was named the Chairman of the “Sound Wall along Dorchester Road” Group, by his Homeowner’s Association, and was speaking on their behalf. He reported the sound wall installation was not going like his group would like because “they were missing some pieces”, and he had a petition that was circulated and signed by over 80% of the homeowners in the neighborhood, stating they wanted a sound wall for all of Dorchester Road. He said, however, he was not here to undermine the engineer’s position, because what Mr. Dukes was requesting was the maintenance of the sound wall. Mr. Birt discussed his views on how his HOA planned on taking care of the wall being built outside of their subdivision. He stated they thought it would become the property of the Homeowner’s Association/Subdivision, because they have insurance policies to cover repairs, and they planned on planting ivy to cover the wall, which would deter vandals from painting graffiti on the wall. Mr. Birt stated the main reason for his attendance was to inform Council that later on he would present the petition, he had mentioned earlier, to Council and to inform Council that his group supported what Council was trying to do, by having the Department of Transportation maintain the walls, which he said was an exception to the rule, and may impact their request for the sound wall for Ashborough west.

Chairman Hearn thanked Mr. Birt and stated he did raise an interesting question. Chairman Hearn asked the County Attorney, if all the proposed walls were going to be in the right-of way. Mr. Frampton stated that his understanding was that they were and if so an encroachment permit would be required. He further stated he presumed DOT would request in exchange for an encroachment permit, a written document stating you will maintain, and assumes any and all liability for etc... Chairman Hearn also questioned if the maintenance could be transferable to the HOA? Mr. Frampton stated that if anything were to happen, he felt they would look towards the County, however the County could try to transfer it. After more discussions were held with Mr. Dukes and Council, the following motion was made.

4. On the motion of Councilman Hargett, seconded by Councilman Bailey, Council voted unanimously to defer the decision on the sound walls for 60 days.

**COUNTY ADMINISTRATOR’S TIME – MS. ASHLEY JACOBS
REQUEST FROM TOWN OF RIDGEVILLE FOR FIRE FUNDS**

5. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to approve the request from the Town of Ridgeville for fire funds, in the amount of \$3,000, to put toward the construction of a new fire station within the town limits.

**COMMITTEE REPORTS - PLANNING, DEVELOPMENT AND BUILDING
CHAIRMAN DAVID CHINNIS- PUBLIC HEARING AND 2ND READING FOR “AN
ORDINANCE TO AMEND DORCHESTER COUNTY ZONING AND LAND
DEVELOPMENT STANDARDS ORDINANCE NUMBER 04-13, AS PREVIOUSLY
AMENDED, TO AMEND ARTICLE X, SECTION 10.4.2 (1) (e) SO AS TO DECREASE
THE ACREAGE REQUIREMENTS FROM 3 ACRES TO 1 ACRE”**

Chairman Chinnis reported the Committee had one item on the agenda. He said the Committee held a Public Hearing and voted two in favor, with one abstention to make a recommendation to Council for 2nd Reading on “An Ordinance to Amend the Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, As Previously Amended, to Amend Article X, Section 10.4.2 (1) (e) so as to Decrease the Acreage Requirements from 3 Acres to 1 Acre”. Chairman Hearn asked Council if they had any questions on the Committee’s recommendation. Councilman Bailey asked Councilman Chinnis if the Planning and Zoning Manger had an opinion on Mr. Tom Smith’s case. Mr. Smith spoke at the Public

PDB CONTINUED-2ND READING FOR "AN ORDINANCE TO AMEND DC ETC..."

Hearing and addressed Council about his property and how this Ordinance would affect his situation. Councilman Chinnis spoke about this issue and stated that it was discussed with Mr. Brebner and Councilwoman Duncan, who was a former member of the Planning Commission. Council also discussed the ¾ acre versus the 1 acre decision, which was the recommendation to the Planning Commission from the Zoning Appeals Board. After more discussion the following motion was made.

6. On the motion of Councilman Chinnis, seconded by Councilman Hargett, Council voted unanimously to postpone 2nd Reading for "An Ordinance to Amend the Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, As Previously Amended, to Amend Article X, Section 10.4.2 (1) (e) so as to Decrease the Acreage Requirements from 3 Acres to 1 Acre", until the second meeting in March, upon receipt of additional input regarding ordinance language from the Planning and Zoning Manager.

Chairman Hearn passed the gavel to Vice-Chairman Bailey in order to give his Committee Reports.

BUDGET, FINANCE, AND PURCHASING COMMITTEE REPORT
CHAIRMAN WILLIAM R. HEARN, JR.
CONSIDERATION OF DESIGN AND CONSTRUCTION PROCUREMENT
METHODOLOGY: DESIGN-BUILD VS. DESIGN-BID-BUILD NEW JAIL

Chairman Hearn reported the Budget, Finance and Purchasing Committee met earlier and received information from the Procurement Director, Mr. Samuel Stephens, on the procurement methods, "Design-Bid-Build versus the Design-Build" for the new jail, and no action was taken.

7. On the motion of Councilman Hargett, seconded by Councilman Davis, Council voted unanimously to instruct staff to issue an RFP "Request for Proposal" for architectural services, and to use the Design-Bid-Build approach for building our new detention center.

WATER & SEWER COMMITTEE REPORT, CHAIRMAN WILLIAM R. HEARN, JR.
REQUEST FOR NEW WATER AND SEWER SERVICE TO TMS #162-02-01-023 FOR
MALPHRUS DEVELOPMENT, INC., PROPERTY LOCATION: INTERSECTION OF
PARLOR DRIVE AND OLD FORT DRIVE IN FRONT OF THE EXISTING TRANQUIL
HILL PLANTATION SUBDIVISION NEAR OAKBROOK

8. Chairman Hearn reported the Water and Sewer Committee voted unanimously to make a recommendation to Council for approval of the request for new water and sewer service from Malphrus Development, Inc., to property identified by TMS #162-02-01-023, located at the intersection of Parlor Drive and Old Fort Drive, in front of the existing Tranquil Hill Plantation Subdivision near Oakbrook. Council voted unanimously in favor of the recommendation.

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

APPOINTMENTS TO BOARDS AND COMMISSIONS
DORCHESTER COUNTY SALES TAX TRANSPORTATION AUTHORITY

9. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted unanimously to approve Chairman Hearn's reappointment of Mr. J.D. Allston to the Dorchester County Sales Tax Transportation Authority.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON
REQUEST FOR ADOPTION OF RESOLUTION #13-04, "CONFIRMING THE
INTENTION OF DORCHESTER COUNTY, SOUTH CAROLINA, TO BE
REIMBURSED FOR CERTAIN EXPENDITURES RELATED TO THE
ACQUISITION OF VEHICLES TO BE FINANCED BY A LEASE PURCHASE
OBLIGATION"

10. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to adopt Resolution #13-04, "Confirming the Intention of Dorchester County, South Carolina, to be Reimbursed for Certain Expenditures Related to the Acquisition of Vehicles to be Financed By a Lease Purchase Obligation". This Resolution will allow the County to be reimbursed from lease proceeds for vehicles that have been purchased. During the FY2013 Budget process, County Council approved the use of lease purchase for two ambulances and 11 replacement vehicles to provide cash flow for EMS projects and a transfer to the General Fund.

1ST READING FOR "AN ORDINANCE TO AUTHORIZE THE EXECUTION
AND DELIVERY OF A LEASE PURCHASE AGREEMENT IN ORDER TO
PROVIDE FOR THE ACQUISITION OF CERTAIN VEHICLES; TO
AUTHORIZE THE EXECUTION AND DELIVERY OF VARIOUS
DOCUMENTS IN CONNECTION THEREWITH; AND OTHER MATTERS
RELATING THERETO"

11. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to give 1st Reading for "An Ordinance to Authorize the Execution and Delivery of a Lease Purchase Agreement in Order To Provide for the Acquisition of Certain Vehicles; to Authorize the Execution and Delivery of Various Documents in Connection Therewith; and Other Matters Relating Thereto".

PUBLIC HEARING AND 2ND READING FOR "AN ORDINANCE AMENDING AND
SUPPLEMENTING THE CODE OF ORDINANCES, DORCHESTER COUNTY, SOUTH
CAROLINA, BY AMENDING SECTIONS 34-107, 34-108 AND 34-109 AND ADDING A
NEW SECTION 34-110 AND 34-111 TO CHAPTER 34, ARTICLE IV, LITTER
CONTROL, PROVIDING FOR LITTER CONTROL IN THE UNINCORPORATED
AREAS OF DORCHESTER COUNTY"

The County Attorney requested the Chairman to open a Public Hearing for the above named Ordinance, which if adopted would restore the Code Enforcement's ability to issue uniform summons for county litter violations.

Chairman Hearn opened the Public Hearing for public comments. Upon hearing no comments, he closed the public hearing.

12. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to give 2nd Reading to "An Ordinance Amending and Supplementing the Code of Ordinances, Dorchester County, South Carolina, By Amending Sections 34-107, 34-108 and 34-109 and Adding a New Section 34-110 and 34-111 to Chapter 34, Article IV, Litter Control, Providing for Litter Control in the Unincorporated Areas of Dorchester County".

COUNTY ATTORNEY'S TIME-CONTINUED
3RD READING FOR ORDINANCE #13-01, "AN ORDINANCE AUTHORIZING
(1) THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO THE
FEE AGREEMENT BY AND BETWEEN DORCHESTER COUNTY, SOUTH
CAROLINA (THE "COUNTY") AND KNIGHT'S CONCRETE PRODUCTS,
INC. DATED AS OF DECEMBER 19, 2003, TO PROVIDE FOR CERTAIN
ADDITIONAL SPECIAL SOURCE REVENUE CREDITS IN CONNECTION
WITH INVESTMENTS IN CERTAIN FACILITIES IN THE COUNTY; AND (2)
OTHER MATTERS RELATING THERETO" AS AMENDED

Mr. Frampton stated, as seen on the agenda, the Ordinance Authorizing the Execution and Delivery of a First Amendment to the Fee Agreement by and Between Dorchester County, South Carolina and Knight's Concrete Products, Inc., as amended, is up for 3rd Reading, and he would request for Council to postpone 3rd Reading until the first meeting in March, because of some unforeseen circumstances, and he is not ready to recommend Council to give 3rd Reading.

13. On the motion of Councilman Chinnis, seconded by Councilman Hargett, Council voted unanimously to postpone 3rd Reading to the above named Ordinance as requested by the County Attorney until the first meeting in March.

PUBLIC HEARING AND 3RD READING FOR ORDINANCE #13-02, "AN ORDINANCE
TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING FORTY-EIGHT
MILLION DOLLARS (\$48,000,000) DORCHESTER COUNTY, SOUTH CAROLINA,
GENERAL OBLIGATION REFUNDING BONDS (TRANSPORTATION PROJECTS),
SERIES 2013A; TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL
BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER
MATTERS RELATING THERETO"

The County Attorney requested the Chairman to open a Public Hearing for the above stated Ordinance. He also stated that this ordinance will allow the County to refinance the callable Series 2006A Transportation Bonds and thereby accrue savings.

Chairman Hearn opened the Public Hearing for public comments, and stated that this Ordinance was recommended by the County's Financial Advisers and our Bond Counsel, and the estimated savings value from refinancing these bonds is \$2,478,281. Upon hearing no comments, he closed the public hearing.

14. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to give 3rd Reading for Ordinance #13-02, "An Ordinance To Provide For The Issuance And Sale Of Not Exceeding Forty-Eight Million Dollars (\$48,000,000) Dorchester County, South Carolina, General Obligation Refunding Bonds (Transportation Projects), Series 2013A; To Prescribe The Purposes For Which The Proceeds Shall Be Expended; To Provide For The Payment Thereof; And Other Matters Relating Thereto".

PUBLIC HEARING AND 3RD READING FOR ORDINANCE #13-03, "AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING TEN MILLION DOLLARS (\$10,000,000) DORCHESTER COUNTY, SOUTH CAROLINA, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013B; TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO"

The County Attorney requested the Chairman to open a Public Hearing for the above named Ordinance, which if adopted will allow the County to refinance the callable Series 2006B Courthouse Bonds and thereby accrue savings.

Chairman Hearn opened the Public Hearing for public comments and stated that this Ordinance was recommended by our Financial Advisers and Bond Counsel, and the estimated savings value by refinancing these bonds is \$554,444. Upon hearing no comments, he closed the public hearing.

15. On the motion of Councilman Chinnis, seconded by Councilman Bailey, Council voted unanimously to give 3rd Reading to Ordinance #13-03, "An Ordinance To Provide For The Issuance And Sale Of Not Exceeding Ten Million Dollars (\$10,000,000) Dorchester County, South Carolina, General Obligation Refunding Bonds, Series 2013B; To Prescribe The Purposes For Which The Proceeds Shall Be Expended; To Provide For The Payment Thereof; And Other Matters Relating Thereto".

REQUEST FOR EXECUTIVE SESSION

The County Attorney requested Council's consideration to enter into executive session to discuss two contractual matters, the first being the easement donation for Highway 27 Sewer Diversion, and the second being the sale of certain real estate owned by the county.

EXECUTIVE SESSION 8:35 P.M.

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

RECONVENE FROM EXECUTIVE SESSION 9:56 P.M.

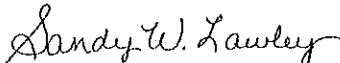
Mr. Frampton reported Council discussed the two announced contractual matters, but no action was taken.

EASEMENT DONATION FOR HIGHWAY 27 SEWER DIVERSION

17. On the motion of Councilman Byars, seconded by Councilman Bailey, Council voted unanimously to approve the relocation of the easement for the SC Hwy 27 Sewer Diversion across the lands of MWV East Edisto Dorchester, LLC.

ADJOURNMENT

18. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted unanimously to adjourn. Time of adjournment was 9:59 p.m.



Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
MARCH 4, 2013
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. WILLIAM R. HEARN, JR.

- Requests to Address Council
- Adoption of Minutes from the February 19, 2013, County Council Meeting
- Correspondence

3. GUESTS

- Mr. Clayborn Pendarvis, Dorchester County Chief Building Official, Proposal to Continue to Provide Towns with Codes Enforcement Services
- Mr. John Henderson, SCAC, Director of Risk Management Services, Presentations of the Sustained Excellence Award and the Service Award

4. COUNCIL MEMBER'S TIME – COUNCILMAN LARRY HARGETT

- SCDOT Requirement that MPOs and COGs Must Utilize Twenty Percent of Their Guideshare Allocations for Resurfacing of Federally Eligible State-owned Roads

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

- Request for Approval of Clemson University County Extension Program Support Agreement
- Request to Issue RFP for Givhans Fire Station
- Request to Issue RFP for Taylor Pond Road Fire Station
- Request to Sell Old Fire Apparatus and to Deposit Proceeds into the Capital Budget for Future Equipment Purchases
- Request for Approval of Full-Time Temporary Position to Cover Family Medical Leave Absences in the County Auditor's Office
- Authorization of Transfer from Capital Fund to Capital Projects Fund for SC Hwy 165 SCTIB Project

**6. COMMITTEE REPORT Chairman George Bailey, Public Safety, Health and Human Services
County Attorney's Time -Executive Session Legal Advice - Assignment of Space in County Courthouse**

7. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- 3rd Reading for Ordinance #13-01, "An Ordinance Authorizing (1) the Execution and Delivery of a First Amendment to the Fee Agreement by and Between Dorchester County, South Carolina (The "County") and Knight's Concrete Products, Inc. Dated as of December 19, 2003, to Provide For Certain Additional Special Source Revenue Credits in Connection with Investments in Certain Facilities in the County; and (2) Other Matters Relating Thereto" as amended; *(If adopted, the additional Special Source Revenue Credits will reduce the tax liability of this industry.)*
- 2nd Reading for "An Ordinance to Authorize the Execution and Delivery of a Lease Purchase Agreement in Order To Provide for the Acquisition of Certain Vehicles; to Authorize the Execution and Delivery of Various Documents in Connection Therewith; and Other Matters Relating Thereto"
- 3rd Reading for Ordinance #13-04, for "An Ordinance Amending and Supplementing the Code of Ordinances, Dorchester County, South Carolina, By Amending Sections 34-107, 34-108 and 34-109 and Adding a New Section 34-110 and 34-111 to Chapter 34, Article IV, Litter Control, Providing for Litter Control in the Unincorporated Areas of Dorchester County" *(If adopted, this amendment will restore Code Enforcement's ability to issue uniform summons for county litter violations.)*

9. ADJOURN

WILLIAM R. HEARN, JR.
CHAIRMAN

GEORGE H. BAILEY
VICE-CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



WILLIE R. DAVIS

DAVID CHINNIS

LARRY S. HARGETT

CARROLL S. DUNCAN

JAY BYARS

COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET

ST. GEORGE, SOUTH CAROLINA 29477

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

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

MINUTES

DORCHESTER COUNTY COUNCIL

DORCHESTER COUNTY HUMAN SERVICES BUILDING

COUNCIL CHAMBERS, SUMMERVILLE

MARCH 4, 2013

7:06 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 boards 24 hours before the meeting.

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

CHAIRMAN'S TIME- MR. WILLIAM R. HEARN, JR.

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

REQUESTS TO ADDRESS COUNCIL

Chairman Hearn stated the following citizens had filled out cards and requested to address Council:

REQUESTS TO ADDRESS COUNCIL-CONTINUED

- Ms. Evyonne Thurman, 3004 Trotter's Club Way, Summerville, addressed Council about problems with flooding, over flow of sewage, and water damage in Trotter's Ridge Subdivision. She gave Council photos to view showing the different problems listed above. Ms. Thurman said she and her neighbors have had these problems for years with no end in sight. She explained the temporary measures used by the County's Water and Sewer Department and stated they may help, but would not fix the problems permanently. Mrs. Thurman said she was tired of the conditions and had been tolerant while waiting, but now wanted answers from Council on how these problems could be solved. In conclusion, she offered several options she felt might alleviate the problems, which was for the County to keep the retention ponds clean, keep the water from over flowing Rumphs Hill Creek, stop trying to fix the old system and put in a new system, and stop issuing permits for new development until the infrastructure can handle what it has now.
- Ms. Jeanette Rehrig, 3012 Trotter's Club Way, Summerville, addressed Council and said she had the same issues as her neighbor, Ms. Thurman; however her family has only lived in the Trotter's Ridge area since 2010. She explained her problem was with the Water and Sewer Department and getting a direct answer. Ms. Rehrig stated that she is always told that the department has to run test to find out where the break in the line is or something else and never gets a call back with the answer on if the test was run and what the results were. She also expressed concerns that Council had approved new development, which ties into this same system. In conclusion, Ms. Rehrig, stated what she was really looking for was answers and simple data to make her feel better about the sewer system, new development being added to this system, and where this sewer was going to end up.

Chairman Hearn asked if this system was under the jurisdiction of Summerville, and it was stated that it was not. He then asked Ms. Kristen Champagne, Water and Sewer Director, if she would address this issue.

Ms. Champagne stated she certainly appreciated the concerns of the residents in the area. She explained modifications that the Department was taking to try an alleviate some of the problems. First, she stated that an agreement was in place with permits and construction plans to divert approximately 103,000 gallons of sewer to Summerville CPW. The construction for this will be done in-house and start soon. Ms. Champagne also explained the reason new developments were recommended to Council for approval was due to prior commitments and agreements made with developers because previous Councils had already approved earlier phases, therefore these had to be approved also. Ms. Champagne discussed the testing the Department does on the system, such as smoke testing and camera inspections to see if stormwater drains are illegally tied into the system. Councilman Chinnis asked if there were penalties for tying these two systems together. She stated there were penalties; however, there was no way of knowing who joined the systems together. Councilman Hargett asked her to place this issue at a high priority level, because Council Members were getting calls about this problem. Ms. Champagne stated she would, however due to the location of the subdivision, flooding would always be a problem, because of its location in a floodway. She stated that the County could also look at Rumphs Hill Creek; however, it does fall under the jurisdiction of the Army Corps of Engineers. Councilman Hargett stated that he would appreciate her looking into that. Councilman Byars asked Mr. Ward if he also could address this issue. Mr. Ward stated the new Public Works Director had been out to the creek, starting at this particular subdivision and had evaluated and walked the creek line to Summerset Acres and was aware of the situation and looking at what he thought could be done to help with the flooding. Mr. Ward stated they had discussed maybe a portion of the creek needed to be widened or deepened to help with the overflow problems, but this would all need to be cleared with the Corp of Engineers. Councilman Bailey questioned if this problem was the sole reasonability of the County or a joint problem. Mr. Ward and Council continued to discuss this issue.

At this time, Chairman Hearn introduced and welcomed the County's new Public Works Director, Mr. Matt Halter. Mr. Halter started to work with the County in February.

REQUESTS TO ADDRESS COUNCIL-CONTINUED

- Ms. Peggy Bangle, 114 Ravenwood Court, Summerville, addressed Council and asked them to take a step back before they take action and always look for the unintended consequences. She listed several issues that arose tonight, which were unintended and reminded Council how things just pop up. Ms. Bangle asked Council not to always say no when something is suggested to them, but to take time to look at alternative ways of doing things. One suggestion she offered was using community service workers for certain projects. In addition, Ms. Bangle, spoke about the new County Parks and the cost associated with the parks. In conclusion, Ms. Bangle stated that unintended consequences takes money out of her pockets.

ADOPTION OF FEBRUARY 19, 2013, COUNTY COUNCIL MINUTES

1. On the motion of Councilman Chinnis, seconded by Councilman Bailey, Council voted unanimously to adopt the minutes from the February 19, 2013, County Council Meeting.

CORRESPONDENCE: Mr. Ward stated there were no items of correspondence.

GUESTS

MR. CLAYBORN PENDARVIS, DORCHESTER COUNTY CHIEF BUILDING OFFICIAL, PROPOSAL TO CONTINUE TO PROVIDE TOWNS WITH CODES ENFORCEMENT SERVICES

Mr. Clayborn Pendarvis, Dorchester County's Chief Building Official, addressed Council and stated that the County has been in discussions with the towns of Ridgeville, Harleyville, Reevesville, and St. George regarding providing Codes Enforcement services, as the County currently does, on a yearly contract basis, since 2005. He stated that since the downturn in the economy the towns are finding it hard to continue paying the contract in the amount charged to provide the services. Mr. Pendarvis stated the current services that the County provides, which are as follows: Building Plans Review; Building Inspections; Property Maintenance Services; Planning and Zoning Services including Plat Reviews; Unsafe Building Inspections; and Issuance of the Certificate of Occupancy. Mr. Pendarvis explained that Mayor Anne Johnston, sent a letter, dated January 14, 2013, to Mr. Ward, and in the letter she stated that the Town does not have the money to fulfill the contract, but offered a proposal, whereas the County still offers the services, but more on an as needed basis.

Mr. Pendarvis stated that based on the letter he developed a proposed plan where the County charges the towns by the hour for the services, if the towns are agreeable to pay for the services that have been rendered by the county during the current fiscal year and through the remainder of this fiscal year. He stated that the following proposal was for Dorchester County to provide codes enforcement services to the Towns of St. George, Harleyville, Ridgeville and Reevesville on an as-need basis, with the County being reimbursed for such services on an hourly basis. Mr. Pendarvis stated the fee would be set at \$30 per hour for the basic services, and \$40 per hour for supervisory services. This way, the County provides the necessary experienced personnel and services to the towns on an as-needed basis. He asked that this item be placed in the proper Committee for consideration. In addition, Mr. Pendarvis asked that the position and the Officer that holds the position be kept.

2. On the motion of Councilman Chinnis, seconded by Councilman Bailey, Council voted unanimously to refer this item to the Budget, Finance, and Purchasing Committee for further consideration.

GUESTS- CONTINUED MR. JOHN HENDERSON, SCAC, DIRECTOR OF RISK MANAGEMENT SERVICES, PRESENTATIONS OF THE SUSTAINED EXCELLENCE AWARD AND THE SERVICE AWARD

Mr. John Henderson, South Carolina Association of Counties, Director of Risk Management Services, first presented the Dorchester County Safety Officer, Mr. Leroy Blake, with the Service Award in recognition of his contributions and leadership in Dorchester County. He also stated Mr. Blake has provided assistance to Lancaster County, Orangeburg County, and Colleton County in the field of risk management and safety. He then presented the Dorchester County Risk Management and Safety Office with a Sustained Excellence Award in recognition of the County's adherence to the South Carolina Counties Workers' Compensation Trusts Basic Risk Management Standards. This award was presented to Mrs. Amy Dixon and Mr. Leroy Blake, Safety Officer. Council congratulated both Mr. Blake and Mrs. Dixon.

**COUNCIL MEMBER'S TIME – COUNCILMAN LARRY HARGETT
SCDOT REQUIREMENT THAT MPOS AND COGS MUST UTILIZE TWENTY PERCENT OF THEIR GUIDESHARE ALLOCATIONS FOR RESURFACING OF FEDERALLY ELIGIBLE STATE-OWNED ROADS**

Councilman Hargett stated that at the last meeting of CHATS he heard that the South Carolina Department of Transportation was not going to reconsider their decision requiring that 20% of awarded funding by the US Department of Transportation now be allocated for resurfacing projects of Federally allowed eligible State Highways and he wanted to ask Council to have a Chairman's letter sent regarding this action. (See below motion)

3. On the motion of Councilman Hargett, seconded by Councilman Bailey, Council voted unanimously to authorize the Chairman of County Council to send a letter to the South Carolina Department of Transportation requesting a waiver for the BCDCOG and CHATS program from this recently adopted policy, which requires MPOs (Metropolitan Planning Organizations) and COGs (Councils of Governments) to use Twenty Percent of their Guideshare Allocations for Resurfacing of Federally Eligible State-owned Roads. Councilman Hargett added that a copy of this letter be sent to Charleston and to Berkeley County.

**COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD
REQUEST FOR APPROVAL OF CLEMSON UNIVERSITY COUNTY EXTENSION PROGRAM SUPPORT AGREEMENT**

4. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to authorize the Administrator to execute Clemson University County Extension Program Support Agreement for a one-year period beginning July 1, 2013 and ending June 30, 2014 at the same cost as the current year, \$13,647.

REQUEST TO ISSUE RFP FOR GIVHANS FIRE STATION

5. On the motion of Councilman Chinnis, seconded by Councilman Bailey, Council voted unanimously to authorize the issuance of the request for proposals "RFP" for the Givhans Fire Station as recommended by Fire Chief and Deputy Administrator. The County has the funds to proceed with design and construction of the station, however, staff will seek County Council approval prior to design and construction. The Administrator reported that the current Givhans Station is 40 years old.

REQUEST TO ISSUE RFP FOR TAYLOR POND ROAD FIRE STATION

6. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to refer the issuance of the request for proposals "RFP" for the Taylor Pond Road Fire Station to the Budget, Finance and Purchasing Committee for further consideration.

REQUEST TO SELL OLD FIRE APPARATUS AND TO DEPOSIT PROCEEDS INTO THE CAPITAL BUDGET FOR FUTURE EQUIPMENT PURCHASES

7. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to approve the request to authorize the sale of the five fire apparatus and to deposit the proceeds into the Capital Budget for future equipment purchases, as recommended by the Fire Chief and Deputy Administrator. This equipment is old and no longer required by the county's fire service.

REQUEST FOR APPROVAL OF FULL-TIME TEMPORARY POSITION TO COVER FAMILY MEDICAL LEAVE ABSENCES IN THE COUNTY AUDITOR'S OFFICE

8. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to authorize the request for the full-time temporary position to cover "Family Medical Leave Absences" in the County Auditor's Office for 12 weeks at cost of \$6,294.60.

AUTHORIZATION OF TRANSFER FROM CAPITAL FUND TO CAPITAL PROJECTS FUND FOR SC HWY 165 SCTIB PROJECT

9. On the motion of Councilman Hargett, seconded by Councilman Chinnis, Council voted unanimously to authorize the County Administrator to transfer not exceeding \$350,000 from the Capital Fund to the Capital Projects Fund for the SC Hwy 165 South Carolina Transportation Infrastructure Bank "SCTIB" Project. These funds will be used for cash flow purposes to Dennis Corporation for work performed through July 2013. Upon their receipt of evidence of payment and invoices by the County, the "SCTIB" will reimburse the County from the \$13 Million grant they awarded for this project.

COMMITTEE REPORT- PUBLIC SAFETY, HEALTH, AND HUMAN SERVICES COMMITTEE, CHAIRMAN GEORGE BAILEY EXECUTIVE SESSION - LEGAL ADVICE – ASSIGNMENT OF SPACE IN COUNTY COURTHOUSE

Chairman Bailey reported that at 6:15 p.m. the Committee met and had one item on the agenda, which was under the County Attorney's time to receive legal advice in executive session, and no action was taken.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were no appointments made to boards or commissions, however, Chairman Hearn announced two openings, one on the Dorchester County Library Board of Trustees and the other on the Accommodations Tax Advisory Committee.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

3RD READING FOR ORDINANCE #13-01, "AN ORDINANCE AUTHORIZING (1) THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO THE FEE AGREEMENT BY AND BETWEEN DORCHESTER COUNTY, SOUTH CAROLINA (THE "COUNTY") AND KNIGHT'S CONCRETE PRODUCTS, INC. DATED AS OF DECEMBER 19, 2003, TO PROVIDE FOR CERTAIN ADDITIONAL SPECIAL SOURCE REVENUE CREDITS IN CONNECTION WITH INVESTMENTS IN CERTAIN FACILITIES IN THE COUNTY; AND (2) OTHER MATTERS RELATING THERETO" AS AMENDED

10. On the motion of Councilman Bailey, seconded by Councilman Chinnis, Council voted unanimously to give 3rd Reading to Ordinance #13-01, "An Ordinance Authorizing (1) the Execution and Delivery of a First Amendment to the Fee Agreement by and Between Dorchester County, South Carolina (The "County") and Knight's Concrete Products, Inc. Dated as of December 19, 2003, to Provide For Certain Additional Special Source Revenue Credits in Connection with Investments in Certain Facilities in the County; and (2) Other Matters Relating Thereto" as amended. Mr. Frampton stated that this amendment will provide Special Source Revenue Credits to Knights in order to bring their tax liability under their current 8% FILOT in line with a 6% FILOT. The 6% FILOT is standard for other industries in Dorchester County.

2ND READING FOR "AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF A LEASE PURCHASE AGREEMENT IN ORDER TO PROVIDE FOR THE ACQUISITION OF CERTAIN VEHICLES; TO AUTHORIZE THE EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION THEREWITH; AND OTHER MATTERS RELATING THERETO"

11. On the motion of Councilman Davis, seconded by Councilman Byars, Council voted unanimously to give 2nd Reading for "An Ordinance to Authorize the Execution and Delivery of a Lease Purchase Agreement in Order To Provide for the Acquisition of Certain Vehicles; to Authorize the Execution and Delivery of Various Documents in Connection Therewith; and Other Matters Relating Thereto".

3RD READING FOR ORDINANCE #13-04, FOR "AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF ORDINANCES, DORCHESTER COUNTY, SOUTH CAROLINA, BY AMENDING SECTIONS 34-107, 34-108 AND 34-109 AND ADDING A NEW SECTION 34-110 AND 34-111 TO CHAPTER 34, ARTICLE IV, LITTER CONTROL, PROVIDING FOR LITTER CONTROL IN THE UNINCORPORATED AREAS OF DORCHESTER COUNTY"

12. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to give 3rd Reading for Ordinance #13-04, for "An Ordinance Amending and Supplementing the Code of Ordinances, Dorchester County, South Carolina, By Amending Sections 34-107, 34-108 and 34-109 and Adding a New Section 34-110 and 34-111 to Chapter 34, Article IV, Litter Control, Providing for Litter Control in the Unincorporated Areas of Dorchester County". The County Attorney explained that when Council adopted the Code of Ordinances, substantial portions of our Litter Control Ordinance were deleted since they mimicked state law, and Code Enforcement, lost the ability to issue a uniform summons for litter violations in the unincorporated areas of the county since we no longer had a county ordinance that covered a number of violations. This will incorporate the regulations from our Litter Control Ordinance into the Code of Ordinances and allow our Code Enforcement Officers to issue a uniform summons for a violation.

ADJOURNMENT

13. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to adjourn. Time of adjournment was 8:04 p.m.

Sandy W. Lawley

Sandy Lawley, Clerk to Council

WILLIAM R. HEARN, JR.
CHAIRMAN

GEORGE H. BAILEY
VICE-CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



WILLIE R. DAVIS

DAVID CHINNIS

LARRY S. HARGETT

CARROLL S. DUNCAN

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

MARCH 18, 2013

7:00 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 boards 24 hours before the meeting.

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

CHAIRMAN'S TIME- MR. WILLIAM R. HEARN, JR.

Chairman Hearn called to order the meeting and invited all to stand for the invocation given by Councilman Davis. Before the invocation was given, Chairman Hearn announced that Council was honored to have in attendance the young men of Boy Scout Troop #730, from St. Paul's Church, and their Scoutmaster, Mr. John Szostak. He stated after the invocation two of the Scouts would lead everyone in the Pledge of Allegiance. Councilman Hearn stated the Troop was attending tonight's meeting while working towards their Merit Badge for Citizenship in the community.

REQUESTS TO ADDRESS COUNCIL

Chairman Hearn stated the following citizens had filled out cards and requested to address Council:

- Mr. A.W. Hilton, 257 School Street, Ridgeville, addressed Council and stated he had a question regarding property he owns, located at 296 School Street, near his home that he wanted to rent, but was informed by the County's Codes Department that he could not do so, and he wanted to know why. Mr. Hilton explained he wanted to rent the lot to a man working temporarily at Showa Denko, as they are expanding, who has a RV (camper) that he wanted to place on the lot. Mr. Hilton stated that the property had a septic tank, deep water well (all approved by DHEC), and SCE&G has already approved it for electricity, however, Mr. Alec Brebner, Planning and Zoning Manager, had informed him that he could not approve the request. Mr. Hilton stated that was why he came here tonight, which was to ask Council why the request could not be approved. Councilman Bailey asked Mr. Hilton what was on the lot previously, and he stated that his daughter had lived there in her mobile home for several years, until he moved the home for her to Knightsville. In addition, Councilman Bailey asked when the move took place. He replied it had been 8 months. Mr. Hilton informed Council that the couple, who want to rent the lot, was also present to address Council.
- Mr. and Mrs. Michael Jackson, 1734 Southwind Road, Dillon, SC, appeared before Council. Mr. Jackson thanked Council for allowing him to time to speak about this situation. He said their 36-foot-long RV was very nice and was their home away from home. Mr. Jackson stated they always paid the taxes and kept the insurance up to date and wanted to rent the lot from Mr. Hilton to be closer to his work, at Showa Denko, for at least a year to eighteen months. In closing, Mr. Jackson asked Council for any help they could provide in resolving this issue. Chairman Hearn thanked Mr. Jackson and informed him that this issue would be discussed later.
- Mr. Larry Myers, 109 Mikel Court, Summerville, addressed Council about property owners' rights. He stated he purchased his home seven years ago, in the Quail Arbor Subdivision, and took his time and money to restore the home and was now interested in selling it. However, after contacting a realtor, he was told that the appearance of his neighbor's home could affect the value of his home. Mr. Myers gave Council a copy of pictures of his neighbor's yard, displaying a boat, an old golf cart, a motor home and a car all parked in the surrounding area of the front of the home. Mr. Myers stated after going to the County's Codes Office and being told there was nothing that could be done about this situation, he decided to come to Council for assistance. Chairman Hearn stated that someone would look into this situation and give Mr. Myers a call.
- Mr. Rudd Smith, 201 South Hickory, Summerville, addressed Council as the County's representative on the Trident Technical College Area Commission and gave each Council member a brochure on the college filled with information. In addition, he thanked Council for their support and stated he was proud to serve on this Board. He also received and answered questions from Council regarding the College. Mr. Smith also addressed the Charleston Regional Development Alliance and stated that he was an advocate of what the Alliance does and said what the County really needed was to create more sites for industrial use. In conclusion, Mr. Smith requested to speak to Council at a later date regarding this issue.
- Mr. Tony Oglietti, a member of the Dorchester Seniors Inc., Board, addressed Council and stated he was speaking as a representative of the Board, to seek clarification regarding Council being concerned that the Faith Sellers Senior Center was not available for rent anymore. Mr. Oglietti stated that the mission of the Center was to provide services to the seniors of the County and not to rent a building. After a long discussion between members of Council and Mr. Oglietti, Chairman Hearn stated maybe another forum would be better for this discussion, between Council and the entire Dorchester Seniors, Inc., Board, and suggested that all members of Council get together with their appointees and discuss the issues at hand.

ADOPTION OF MARCH 4, 2013, COUNTY COUNCIL MINUTES

1. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted unanimously to adopt the minutes from the March 4, 2013, County Council Meeting.

OVERAGE MONEY FROM DELINQUENT TAX SALES TO BE TURNED OVER TO THE COUNTY GENERAL FUND

Chairman Hearn recognized Ms. Suzie Davis, Delinquent Tax Collector, who addressed Council with news about additional monies to be turned over to the General Fund. She stated there was a State Law stating that after she had collected the money for the Tax Sales and it goes to deed, then the money can go to the defaulting taxpayer, however after five-years if that money was not collected by the individual, the money can be turned over to the County's General Fund. Ms. Davis further explained when going over her records, she realized that this had not been done for several years, and once she contacted the Treasurer, she stated she could justify for tax sale years, 2004, 2005, and 2006 a sum of \$418,951.67 in overage, with an additional \$154,850.91 in interest that will be turned over to the General Fund. In addition, for the 2007 Tax Sale, there is currently an overage of \$98,388.44 in addition to the interest accrued. That amount, less any overage picked up by 5:00 p.m., October 6, 2013, will be turned over to the General Fund on that day. Council thanked Ms. Davis for this wonderful news.

CORRESPONDENCE

Mr. Ward informed Council he had one item of correspondence to discuss reference the Community Development Block Grant (CDBG) Application for the "Coburn Town Road Sewer Project", which is a time-sensitive issue. He stated he gave each member a copy of a letter, dated March 15, 2013, to Ms. Lisa Kalabeck, Assistant Director, Federal Programs, South Carolina Department of Commerce, regarding the County's CDBG Application and also a pre-application for funds for the "Coburn Town Road Sewer Project", which is in the Ridgeville area. He stated other documents attached to the letter and to the application dated back from January 2013, when Council held the Community Needs Assessment at a January Council meeting. He stated that "Colburn Town Road" was one of the areas of concern that was listed for "Community Needs" for the lack of public water and sewer in the rural areas, and for the health problems this presented to the citizens and the need to establish water and sewer service to Coburn Town Road. This community needed help as they were one of the low income areas. Mr. Ward informed Council that this was a time-sensitive issue, and a public hearing needed to be advertised, where the hearing could be held at the next County Council Meeting and a Resolution placed on the next agenda. Council stated that they had no objection to him having the Clerk to Council advertise the Public Hearing and to move forward with placing these items on the next regular scheduled meeting agenda.

GUESTS

MR. DAVID PASCOE, 1ST CIRCUIT SOLICITOR, SOLICITOR'S OFFICE BUDGET

Mr. Pascoe addressed Council regarding the Solicitor's Office budget for FY 2013-2014 and stated his reason for coming before Council tonight was to request the consideration of an increase in his budget. He stated due to the increase in population in the County, and the increase in the case load, it has become necessary to request an increase in budget funds. However, Mr. Pascoe stated that predominantly the request was due to the reduction in state funding over the last several years, which equals a 59% reduction in his budget. He explained that the solicitor's funding from Dorchester County had remained flat with the exception of the funding that was provided for the Summary Court Attorney in fiscal year 2012, which was \$40,000 and fiscal year 2013, which was \$55,000. Solicitor Pascoe gave Council a handout that listed all the programs under his office, personnel, and a breakdown of the changes over the last

GUESTS CONTINUED
SOLICITOR'S OFFICE BUDGET-CONTINUED

several years and spoke about the number of cases that each prosecutor has to handle, which was from 450 to 600 each year, just to break even. In addition, Solicitor Pascoe received and answered questions from Council. Council thanked Mr. Pascoe for all the work he and his staff does for Dorchester County. Chairman Hearn placed the consideration of an increase for the Solicitor's Office Budget Request for FY 2013-2014 in the Budget, Finance, and Purchasing Committee for further consideration.

REQUEST TO ADDRESS COUNCIL

Ms. Nancyjean Nettles, Chair, Greater Summerville/Dorchester County Chamber of Commerce, addressed Council, and requested to read a letter, dated March 18, 2013, written to Chairman Hearn, thanking all of Council, on behalf of the Board of Directors. The letter commended Council for their fiscal responsibility in saving taxpayers dollars at its February 19, 2013, meeting, when Council refinanced bonds issued to pay for the construction of road projects (approved by a 2004 Referendum), which saved taxpayers \$2.5 million, and when Council refinanced bonds issued for the construction of the new Courthouse, which saved taxpayers a half-million dollars. Council thanked her and the Board for this kind letter. Council stated credit needed to go to the Administrator, Mr. Jason Ward. In addition, Mr. Ward said thanks needed to be given to Mrs. Kara Gunter, Interim Budget and Finance Director, and to Mrs. Jessica Shuler of the Finance Department and to Council for allowing him to hire good financial advisors and bond counsel.

MRS. KARA GUNTER, INTERIM BUDGET AND FINANCE DIRECTOR, BUDGET REPORT FOR MONTH ENDED FEBRUARY 28, 2013

Mrs. Gunter gave a summary of the Budget report to Council for the month ended February 28, 2013. She stated the General Fund expenditures were as expected, and that taxes were coming in for the General and Capital Fund as expected. In addition, she reported the collections through January 31st had been posted. She stated the Capital Fund revenues included capital lease proceeds received for the purchase of cardiac monitors, with a majority of the Capital Fund expenditures budgeted ordered, and some received and fully expended, as of February 28, 2013. She reported the water and sewer charges for services were on budget and the total revenues included contributions for projects driving the total revenue percentage received to 85%, as of February 28, 2013. Mrs. Gunter stated expenditures were also as expected for the water and sewer fund and for the stormwater revenues, as well as the operating and personnel expenditures for stormwater. However, she explained that the capital expenditures included various projects that were in process. Solid Waste revenues and expenditures were also as expected, said Mrs. Gunter. In addition, the cash balance for the County showed an increase in cash flows over the January report, which was reflective of the January tax revenues being posted in February. She stated the reduction in the Capital Improvement, as well as the increase to Capital Projects cash was reflective of funds being transferred from Capital Improvement Fund to Capital Projects Fund. Council thanked Mrs. Gunter for her report.

MRS. KARA GUNTER
RECOMMENDATION AND REPORT ON ESTIMATED COST TO PROVIDE OPEB TO
EMPLOYEES WITH LESS THAN 10 YEARS OF SERVICE AS OF JANUARY 1, 2012

Mrs. Gunter presented information from a report provided to Council prepared by BenAssist Solutions LLC. She stated that the County currently provided healthcare insurance for eligible retirees and their spouses through the County's group health insurance plan and all eligible retirees as of December 31, 2011, will receive health insurance benefits for their lifetime. Mrs. Gunter stated that eligible retirees with 10 or more years of service with Dorchester County effective January 1, 2012, will receive health insurance benefits until age 65 or until Medicare eligible, however, employees with fewer than 10 years of service at January 1, 2012, and all employees hired after January 1, 2012, will not receive any retiree health benefits upon retirement. She stated the estimated additional cost would be \$186,103 to provide eligible retirees with fewer than 10 years of service at January 1, 2012, health insurance benefits until age 65 or until Medicare eligible. She stated this would result as an increase in the Annual Required Contribution for FY 2013 and that figure would vary from year to year, however the additional cost has been included in the FY 2014 proposed budget request. Therefore, she along with Mr. Ward requested County Council to consider funding for this benefit in the FY 2014 Budget. After her presentation, Mr. Ward discussed the request with Council and expressed his appreciation for Council's consideration to authorize this benefit to provide OPEB coverage to approximately 541 additional county employees. After discussion by Council, the following motion was made:

2. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to authorize this benefit to provide OPEB coverage to approximately 541 additional county employees at an Annual OPEB cost of \$186,103. This amount will be included in FY 2013-2014 Budget. This will be added to the county's Annual OPEB cost of \$361,190.

MS. Z. ALICIA FOSSÉ, DIRECTOR OF STRATEGY, AMERICAN BOARD FOR
TEACHER EXCELLENCE PRESENTATION

Chairman Hearn announced that Ms. Fossé's flight was cancelled and she was unable to attend the meeting to make her presentation.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD
REQUEST FOR APPROVAL OF FIRE SERVICE CONTRACT WITH THE TOWN OF
HARLEYVILLE

3. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to authorize the Administrator to execute the contract with the Town of Harleyville for Fire Services. This contract is for the County to provide fire protection to the town and has been approved by the Harleyville Town Council.

REQUEST FOR APPROVAL OF FIRE SERVICE CONTRACT WITH THE TOWN OF
RIDGEVILLE

4. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to authorize the Administrator to execute the contract with the Town of Ridgeville for Fire Services. This contract is for the county to provide fire protection to the town and has been approved by the Ridgeville Town Council.

COUNTY ADMINISTRATOR'S TIME –CONTINUED

REQUEST FOR APPROVAL OF LEASE AGREEMENT WITH THE TOWN OF RIDGEVILLE

5. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to approve the lease agreement with the Town of Ridgeville at a cost of \$3,000 per-year for five-years and to authorize the Administrator to execute the agreement. This Lease was approved by the Ridgeville Town Council, and the County will be responsible for any taxes, fees, maintenance and utilities.

REQUEST FOR APPROVAL OF LEASE AGREEMENT WITH CATTLE CREEK

6. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to approve the lease agreement with Cattle Creek, approved by the owner, Ms. Hazel Reeves, at a cost of \$1 per-year, for five-years, and to authorize the Administrator to execute the agreement. The county will be responsible for taxes, fees, maintenance and utilities.

REQUEST FOR STREET NAME CHANGE BY PROPERTY OWNER FROM "OWENS FARM LANE" TO "RANCHO HIPPEY WAY", LOCATED AT THE INTERSECTION OF OWENS FARM LANE AND HORSE TRAIL ROAD, NEAR ST. GEORGE

7. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to authorize the request for the "Street Name Change" by the property owner from "Owens Farm Lane" to "Rancho Hippey Way", located at the intersection of Owens Farm Lane and Horse Trail Road, near St. George, as recommended by the Planning Commission and staff.

REQUEST FOR APPROVAL OF EDF FUNDING OF PROPOSAL FOR DORCHESTER COUNTY ECONOMIC DEVELOPMENT WEBSITE DEVELOPMENT, SEO, SOCIAL MEDIA STRATEGY, BRANDING, AND DIGITAL COMMUNICATION STRATEGY

8. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to approve the request of the use of \$50,000 in Economic Development Fund money to fund the proposal for a Dorchester County Economic Development Website Development, SEO, Social Media Strategy, Branding, and Digital Communication Strategy, as recommended by the Economic Development Board and the Economic Development Director.

COMMITTEE REPORTS - PLANNING, DEVELOPMENT AND BUILDING
CHAIRMAN DAVID CHINNIS -2ND READING FOR "AN ORDINANCE TO AMEND
DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS
ORDINANCE NUMBER 04-13, AS PREVIOUSLY AMENDED, TO AMEND ARTICLE X,
SECTION 10.4.2 (1) (e) SO AS TO DECREASE THE ACREAGE REQUIREMENTS
FROM 3 ACRES TO 1 ACRE" AS AMENDED

Chairman Chinnis reported the Committee had one item on the agenda, which was 2nd Reading for "An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, As Previously Amended, to Amend Article X, Section 10.4.2 (1) (e) so as to Decrease the Acreage Requirements from 3 Acres to 1 Acre"; however, he stated that this was sent back to Mr. Brebner, Dorchester County's Planning and Zoning Manager, after a Public Hearing was held on March 18, 2013, before it was given 2nd Reading.

9. Chairman Chinnis reported to Council that Mr. Brebner gave the Committee a new staff report at the Committee meeting and the Committee accepted the new staff recommendation and would like to amend and recommend 2nd Reading as amended to Council: "An Ordinance to Amend the Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, As Previously Amended, to Amend Article X, Section 10.4.2 (1) (e) so as to create a tiered approach by repealing the existing Subsection 10.4.2 (e) (1) and replacing with the following: For a lot containing less than 14,500 square feet accessory structures shall not exceed 1,000 in total floor area. For a lot of 14,500 square feet or more, but less than 3/4-acre, accessory structures shall not exceed 1,500 square feet in total floor area. For lots of 3/4-acre or more, but less than 2 acres, accessory structures shall not exceed 2,000 square feet in total floor area. For lots of 2 acres or more, but less than 5 acres, accessory structures shall not exceed 3,000 square feet in total floor area. For lots containing 5 acres or more, but less than 10 acres, accessory structures shall not exceed 5,000 square feet in total floor area. For lots containing 10 acres or more, but less than 15 acres, accessory structures shall not exceed 12,000 square feet in total floor area. For lots containing 15 acres or more, accessory structures shall not exceed 15,000 square feet in total floor area. Notwithstanding any of the above, no accessory structures may be used for a home occupation (See 10.4.3(a), and for lots of 3 acres and above the Ordinance does not change". Council voted unanimously in favor of the recommendation for 2nd Reading as amended.

Chairman Hearn passed the gavel to Vice-Chairman Bailey in order to give his Committee Reports.

WATER & SEWER COMMITTEE REPORT, CHAIRMAN WILLIAM R. HEARN, JR.
REQUEST FOR NEW SEWER SERVICE BY JOHN PHELAN, PROPERTY LOCATION:
1511 WEST 5TH NORTH STREET, NEAR SUMMERSVILLE, TMS #129-12-04-013

10. Chairman Hearn reported the Committee voted unanimously to make a recommendation to Council for approval of the request by John Phelan for new sewer service, to property located at 1511 West 5th North Street, near Summersville, identified by TMS #129-12-04-013. Council voted unanimously in favor of the recommendation.

WATER & SEWER COMMITTEE REPORT- CONTINUED
REQUEST FOR NEW SEWER SERVICE BY RESOLUTE PROPERTIES, FOR A 5,000
SQUARE FOOT OFFICE BUILDING, PROPERTY LOCATION: OUTPARCEL OF
PALMETTO PAVILION SHOPPING CENTER ON DORCHESTER ROAD NEAR
ASHLEY PHOSPHATE ROAD, CITY OF NORTH CHARLESTON, TMS #181-00-00-102

11. Chairman Hearn reported the Committee voted unanimously to make a recommendation to Council for approval of the request by Resolute Properties for new sewer service, for a 5,000 square foot office building, on property located on an outparcel of Palmetto Pavilion shopping center on Dorchester Road near Ashley Phosphate Road, in the City of North Charleston, identified by TMS #181-00-00-102. Council voted unanimously in favor of the recommendation.

REQUEST FOR APPROVAL OF RESERVATION OF SEWER CAPACITY
AGREEMENT BY AND BETWEEN DORCHESTER COUNTY AND BAK BAR
BUTTERNUT, LLC

12. Chairman Hearn reported the Committee voted unanimously to recommend to Council the approval of this sewer capacity agreement by and Between Dorchester County and Bak Bar Butternut, LLC, as drafted by the County Attorney, which is an amendment to the previous request, allowing the developer as requested the option to make the payment to the County after June 16, 2013, for the reservation of sewer service for 140 residential units in the Reminisce Subdivision. Council voted unanimously in favor of the recommendation.

REQUEST FOR APPROVAL FOR THE USE OF SEWER IMPACT FEES FOR
HIGHWAY 27 DIVERSION PROJECT

13. Chairman Hearn reported the Committee voted unanimously to recommend to Council for approval to use an additional \$3,281,200 in sewer impact fees for the Highway 27 Diversion Project and to authorize the County Administrator to award the contract. Council voted unanimously in favor of both recommendations.

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

APPOINTMENTS TO BOARDS AND COMMISSIONS
DORCHESTER COUNTY TRANSPORTATION COMMISSION

Councilwoman Duncan requested Council's consideration of a new appointment to the County's Transportation Commission (Gas Tax), however she stated that she first wanted to thank Mr. Jim Tuten for his years of service to the commission. Her new appointee was Mr. Randall "Webb" Charpia.

14. On the motion of Councilwoman Duncan, seconded by Councilman Bailey, Council voted unanimously to appoint Mr. Randall "Webb" Charpia to the Dorchester County Transportation Commission, as the representative for District #5.

DORCHESTER COUNTY BOARD OF ZONING APPEALS

15. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to reappoint Dr. Brunson Westbury to the Dorchester County Board of Zoning Appeals, as the representative for District #5, as recommended by Councilwoman Duncan.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON
3RD READING FOR ORDINANCE #13-05, "AN ORDINANCE TO AUTHORIZE
THE EXECUTION AND DELIVERY OF A LEASE PURCHASE AGREEMENT
IN ORDER TO PROVIDE FOR THE ACQUISITION OF CERTAIN
VEHICLES; TO AUTHORIZE THE EXECUTION AND DELIVERY OF
VARIOUS DOCUMENTS IN CONNECTION THEREWITH; AND OTHER
MATTERS RELATING THERETO"

16. On the motion of Councilman Chinnis, seconded by Councilman Hargett, Council voted unanimously to give 3rd Reading to Ordinance #13-05, "An Ordinance to Authorize the Execution and Delivery of a Lease Purchase Agreement in Order To Provide for the Acquisition of Certain Vehicles; to Authorize the Execution and Delivery of Various Documents in Connection Therewith; and Other Matters Relating Thereto". This Ordinance is approving a lease purchase agreement for \$700,000 for two ambulances and 11 replacement vehicles as indicated in "Exhibit A" of the Ordinance. The fixed interest rate of 1.17% per year is offered by First Citizens Bank and Trust Company, Inc., and is the most acceptable proposal. This is a four-year lease with total interest of \$20,594.

REQUEST FOR EXECUTIVE SESSION

The County Attorney requested Council's consideration to enter into executive session to discuss one contractual matter, concerning the Economic Development Public Private Partnership, and to give legal advice on the use of recreational vehicles as temporary housing.

EXECUTIVE SESSION 8:23 P.M.

17. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted unanimously to enter into Executive Session as requested by the County Attorney.

Council recognized and welcomed the attendance of Senator Sean Bennett and the Mayor of Harleyville, Mr. Charles Ackerman.

RECONVENE FROM EXECUTIVE SESSION 9:28 P.M.

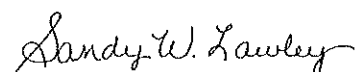
Mr. Frampton reported Council discussed the previously announced two items prior to going into executive session, but no action was taken.

ECONOMIC DEVELOPMENT PUBLIC PRIVATE PARTNERSHIP

18. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted unanimously to authorize the Economic Development Director to proceed with merging the Dorchester County Development Corporation and the Economic Development Board into a new 501 (c) (3) non-profit corporation for economic development.

ADJOURNMENT

19. On the motion of Councilman Bailey, seconded by Councilman Chinnis, Council voted unanimously to adjourn. Time of adjournment was 9:30 p.m.



Sandy Lawley, Clerk to Council