

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNTY COUNCIL CHAMBERS, ST. GEORGE**  
**APRIL 1, 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 March 18, 2013, County Council Meeting
- Dorchester County Employee Longevity Program (*County Council will recognize employees that completed 5, 15, 20 & 25 years of service during the first quarter of 2013.*)
- Public Hearing for Submission of Community Development Block Grant Application for Sewer Lines on Coburn Town Road
- Adoption of Resolution #13-05, “Resolution and Authorization to File For Community Development Block Grant Application and To Provide Matching and Leveraged Funds”
- Request for Chairman’s Letters of Support from Trident Health for Two Projects to Accompany Certificate of Need Applications: Addition of Psychiatric Beds at Trident Medical Center and Addition of Rehabilitation Beds at Trident Medical Center
- Correspondence

**3. GUESTS**

- Mr. John Todaro, Executive Director of Lowcountry Regional EMS Council, Presentation to Dorchester County for Large EMS System of the Year for 2012 and for SC EMS Director for 2012
- Mrs. Mary Blunt, Dorchester County Probate Judge

**4. COUNCIL MEMBER'S TIME – MR. LARRY HARGETT**

- 1<sup>st</sup> Reading for “An Ordinance to Amend The Code of Ordinances, Dorchester County, South Carolina, So As To Delete the Text of Article IV, Sec. 2-365 (A) and Substitute New Text in Lieu Thereof So As To Increase the Membership of The County Transportation Committee from Seven (7) To Nine (9) Members”

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

- 3<sup>rd</sup> Reading for Ordinance #13-06, “An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, As Previously Amended, to Delete the Text of Article X, Section 10.4.2 (1) (e) and Substitute New Text In Lieu Thereof ”
- Request for Approval of Coroner’s Office Restructuring
- Approval of Human Resources Tasks and Requirements for Elected and Appointed Officials Pay Increases; Pay for Performance and Merit Increases; Reclassification and Compensation and Classification; and Employee Health and Dental Benefits
- 1<sup>st</sup> Reading for “An Ordinance to Amend The Code of Ordinances, Dorchester County, South Carolina, to Delete the Text of Article IV, Sec. 2-412 (a) and To Substitute New Text in Lieu Thereof so as to Change the Composition and Membership of the County Parks and Recreation Commission and To Delete the Text of Article IV, Sec. 2-415 so as to Delete the *Ex Officio* Membership in the Said Commission but To Reserve the Section Number”
- Approval of Recognition of Additional Current Year Revenues

**6. COMMITTEE REPORT**

- Water and Sewer Committee, Chairman William R. Hearn, Jr.
  - Request for New Sewer Service by Moses Simmons, Property Location: 125 Mose Circle, near Summerville, TMS #128-04-05-003

**7. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

- Approval of Solid Waste Collection Agreement for the Town of Ridgeville
- Request for Condemnation of Sewer Easement by Water and Sewer Department for Road Improvements By SCDOT, Location of Improvements: Intersection of Orangeburg Road and Embassy Drive, near Summerville; Location of Easement: 640 Orangeburg Road, TMS #144-06-07-017
- Executive Session
  - Confidential Economic Development Prospects
  - Legal Advice/Contractual Matter
    - Security for Ashley River Park
  - Legal Advice
    - Courthouse Space for Judge
    - Bannister FLSA Lawsuit
  - Contractual Matter – Emergency Operations Center Building

**9. ADJOURN**

WILLIAM R. HEARN, JR.  
CHAIRMAN

GEORGE H. BAILEY  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SALLY K. HEBERT  
INTERIM CLERK TO COUNCIL



JAY BYARS

DAVID CHINNIS

WILLIE DAVIS

CARROLL S. DUNCAN

LARRY S. HARGETT

## COUNTY COUNCIL OF DORCHESTER COUNTY

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

**MINUTES  
DORCHESTER COUNTY COUNCIL  
KENNETH F. WAGGONER SERVICES CENTER  
COUNCIL CHAMBERS, ST. GEORGE  
APRIL 1, 2013  
7:00 PM**

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

PRESENT: Mr. William R. Hearn, Jr., Chairman  
Mr. George H. Bailey, Vice Chairman  
Mr. Jay Byars  
Mr. David 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  
Ms. Sally Hebert, Interim Clerk to Council

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

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

Chairman Hearn thanked Vice Chairman Bailey for leading the Water and Sewer Committee meeting. He then announced that Mrs. Sandy Lawley verbally tendered her resignation as Clerk to Council to both he and Vice Chairman Bailey on Friday, March 29, 2013. He said that since the Clerk is appointed by County Council as a whole, he needed a motion to accept immediately her resignation.

1. On the motion of Councilman Hargett, seconded by Councilman Chinnis, Council voted unanimously to accept immediately the resignation of Mrs. Sandy Lawley, Clerk to Council.

Chairman Hearn thanked Mrs. Lawley for her years of service and dedication to Dorchester County. Vice Chairman Bailey noted that Mrs. Lawley offered to come back to work if needed.

Chairman Hearn said he would entertain a motion to appoint an Acting/Interim Clerk to Council until such time that Council makes a formal appointment to that position. By acclamation, Council nominated Ms. Sally Hebert.

2. Council voted unanimously to appoint Ms. Sally Hebert as Acting/Interim Clerk to Council.

**REQUESTS TO ADDRESS COUNCIL:** There were no requests to address Council.

**ADOPTION OF MINUTES, MARCH 18, 2013, DORCHESTER COUNTY COUNCIL**

3. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to adopt the minutes from the March 18, 2013, Dorchester County Council meeting.

**DORCHESTER COUNTY EMPLOYEE LONGEVITY PROGRAM**

Dorchester County recognized County employees with 5, 15, and 20 years of service. Mrs. Anne Ayer, Human Resources Director, along with County Council, presented the following employees, who attended the meeting, with certificates and pins: Mrs. Kara Gunter (5), Mr. Shawn Angelo (5), Mr. Justin Eaches (5), Mr. Jovan White (5), Ms. Kathleen O'Shields (15), Mr. Renold Steele (15), Mr. William Bense (15), Ms. Gail Elmore (20), Mr. Jerome Jones (20).

**PUBLIC HEARING FOR SUBMISSION OF COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR SEWER LINES ON COBURN TOWN ROAD**

Chairman Hearn opened the public hearing and recognized the following citizens:

- Mr. Darryl Bullock, Community and Economic Development Manager of the Berkeley-Charleston-Dorchester Council of Governments, said the proposed project is to run approximately 2,100 linear feet of sewer lines along Coburn Town Road, which is located near the Town of Ridgeville, off of School Road. The total project cost is approximately \$453,000.
- Ms. Angie Crum, 324 Coburn Town Road, Ridgeville, thanked County Council for the submission of the Community Development Block Grant Application for sewer lines on Coburn Town Road. She introduced several community members in attendance. Ms. Crum said that she and the residents have the following questions:
  1. Will the lines run on the main road Coburn Town, and Corbin Lane and Crum Lane?
  2. After putting the lines down, what will be the cost of the tap fee?
  3. Who is responsible for connecting from the tap to the residents' houses?
  4. Where will the funds come from, knowing the conditions of the community?
  5. Which Federal Poverty Guideline will Dorchester use to determine who will be eligible, if it comes to a cost?
  6. What do you anticipate will be the cost of sewer per resident's house, if it comes to cost?

Ms. Crum submitted nine copies of surveys completed by residents and asked that each receive a written response to the questions she posed as spokesperson for the community.

- Rev. Christopher Smith, 165 S. Railroad Avenue, Ridgeville, thanked Council for moving the project forward and investing in much needed improvements that will enhance the residents' quality of life in this approximately 88-year-old community. He said Coburn Town is one of four communities in which residents have been hoping and praying for a solution to come. The other three communities are Campbell Thicket, Red Hill and the community of residents located near the intersection of Highway 78 and Highway 27 behind Carter's gas station. He said the residents understand that because of budgetary restraints, Council cannot do all four projects all at once. The residents are willing to work with Council through the different phases to make this happen, he said.

In the absence of any additional requests to speak, Chairman Hearn closed the public hearing.

**ADOPTION OF RESOLUTION #13-05**

4. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to adopt Resolution #13-05, "Resolution and Authorization to File For Community Development Block Grant Application and To Provide Matching and Leveraged Funds."

This resolution authorizes the submission of a CDBG application and authorizes and directs the County Administrator to make available \$50,000 to match CDBG funds for the Coburn Town Road Sewer Line Project.

**REQUEST FOR CHAIRMAN'S LETTERS OF SUPPORT FROM TRIDENT HEALTH**

Chairman Hearn recognized Ms. Deb Campeau, Assistant Vice President, Business Development, HCA/ Trident Health, to describe the request. She said there are needs for two kinds of specialized beds that they would like to have added on the premises of Trident Medical Center. The first request is for 18 psychiatric inpatient beds. Because of severe cuts to mental health services throughout the state over a period of almost 40 years, the hospital is feeling that impact more frequently in the emergency room. She said the hospital would like to manage more of that in-house rather than having Sheriff Knight transport patients to Columbia repeatedly. She said the hospital would like to be able to provide the appropriate services for people with behavioral health issues instead of just making sure they are safe. Secondly, she said the hospital would like to add 14 physical rehabilitation beds at Trident so patients with long rehabilitations can have the support of their family and friends in a more accessible and convenient way. The application process requires letters of support from community leaders and stakeholders. Ms. Campeau asked for two letters of support from the Chairman.

5. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to approve two letters of support for two projects to accompany Certificate of Need Applications: Addition of Psychiatric Beds at Trident Medical Center and Addition of Rehabilitation Beds at Trident Medical Center.

**CORRESPONDENCE:** Mr. Ward reported that items of correspondence were forwarded to the Chairman before the meeting.

**GUESTS**

**MR. JOHN TODARO, EXECUTIVE DIRECTOR OF LOWCOUNTRY REGIONAL EMS COUNCIL, PRESENTATION OF AWARDS**

Mr. Todaro presented three awards to Dorchester County EMS.

- 2013 Paramedic Competition Lowcountry Regional Championship Award to Austin Mandeville and Justin Miles
- South Carolina EMS Director of the Year (2012) Award to Doug Warren.
- South Carolina EMS Large System of the Year (2012) Award to Dorchester County EMS

Council posed for pictures with Mr. Todaro and EMS employees in attendance. Mr. Warren, Dorchester County EMS Director, thanked County Council, Mr. Ward and Ms. Jacobs for their support. He said achieving Accreditation from the Commission on Accreditation of Ambulance Services (CAAS) was a major contributor in helping the Department win this state award. He thanked the County Attorney, Mr. Frampton, and all the County Department Heads who helped in the accreditation process, saying it was a team effort, including Communications in the Sheriff's Office, Fleet Maintenance, HR, Finance and others. But most importantly, he said he wanted to thank the men and women of Dorchester County EMS who walk the walk and make the commitment to excellence every day.

**THE HONORABLE MARY BLUNT, DORCHESTER COUNTY PROBATE JUDGE**

Judge Blunt said one of her duties is to protect the Probate Court and insure the Court has adequate space to serve all of the constituents. She said Dorchester County's demographics are booming with this County being one of the fastest growing in the state and the number of over 60 residents projected to double between 2000 and 2030 as baby boomers become senior citizens. She said all of this means more and more families coming to Probate needing services. We are a heavily used, high traffic, public service office, said Judge Blunt. She asked that before any final decisions are made on anything that might impact the space of the Probate Court that she have reasonable notice and an opportunity to respond publicly about those decisions.

Chairman Hearn thanked Judge Blunt and congratulated her staff on the wonderful job they do.

Vice Chairman Bailey said in January he learned that the County would have a new Circuit Court Judge At Large in Dorchester County. He gave some background on the issue, and said he would not be voting to build an addition onto the new Courthouse. Instead, he said space needs to be reallocated in the new Courthouse to make room for the new Judge. After much consideration about how to reallocate space, he said he learned that by law the Clerk of Court is the one charged with assigning space in the Courthouse. He recommended that she meet with the Clerk of Court on this issue. Vice Chairman Bailey thanked Judge Blunt for coming and said he understands her concerns.

Judge Blunt said her intent is not to air dirty laundry or go into a lot of details. She said she simply asks that if anything is put forward regarding space that the Probate Court have a timely opportunity to respond. She said some facts of law were misstated and that this would best be discussed one-on-one. She said she has made numerous attempts to speak both with the Clerk of Court and with Judge Murphy and has been unable to do so. She said she completely agrees that would be a prudent and normal path that anyone would take, but she has been unable to accomplish that. She said she asks that Council keep her informed, so she can protect the Probate Court.

Councilman Hargett noted that this issue would be further discussed in Executive Session and invited Judge Blunt to stay.

Chairman Hearn said to clarify to the public that the Clerk of Court does indeed make the decision as to the allocation of space but County Council still has a say with regard to the money, and that is the reason it will be discussed later in Executive Session.

Councilwoman Duncan thanked Judge Blunt for giving her and Councilman Hargett a tour of the Courthouse.

**COUNCIL MEMBER'S TIME – MR. LARRY HARGETT**

Councilman Hargett invited Mr. Les Dempsey, Chairman of the Dorchester County Transportation Committee (CTC), to brief Council on some of the Committee's issues. Mr. Dempsey said his background is as a mechanical engineer who has been employed with Roper Hospital and the Medical University of South Carolina for 34 years. He said he has served on the CTC for 10 years with perfect attendance and as Chairman for a couple of years. He said the CTC has 1,269 miles of road to maintain. He said the CTC receives \$1.4 million a year from the state from the gas tax. Out of that, 25 percent must be spent on state roads, 10 percent goes to a bond taken out in 1997, three percent goes to administrative costs, said Mr. Dempsey. So out of the \$1.4 million, the CTC has approximately \$850,000 to maintain almost 1,300 miles of roads in Dorchester County. He said there are six other members of the Committee who are all fine members, but sometimes there is a problem getting a quorum. He said he frequently has to call members to remind them to attend in order to get a quorum. He said when spending the money, the CTC works to get the biggest bang for the buck. He said he also serves as a Dorchester County representative on the CHATS and Council of Governments. Mr. Dempsey said he discovered Berkeley County was getting all of the Rural Guides share money for the past eight or nine years, and we now have Dorchester County as the next in line to

receive that money. He said he needs the help of a strong Committee, and there is power in numbers. He asked for support in expanding the CTC from seven members to nine members. There was additional discussion among Council members and Mr. Dempsey.

**1<sup>ST</sup> READING TO INCREASE THE MEMBERSHIP OF THE COUNTY TRANSPORTATION COMMITTEE FROM SEVEN (7) TO NINE (9) MEMBERS**

6. On the motion of Councilman Hargett, seconded by Councilman Bailey, Council voted four in favor to approve 1<sup>st</sup> Reading for "An Ordinance to Amend The Code of Ordinances, Dorchester County, South Carolina, So As To Delete the Text of Article IV, Sec. 2-365 (A) and Substitute New Text in Lieu Thereof So As To Increase the Membership of the County Transportation Committee from Seven (7) to Nine (9) Members. The motion passed.

Councilman Chinnis, Councilman Davis and Councilwoman Duncan voted against the motion.

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

**3<sup>RD</sup> READING FOR ORDINANCE #13-06, "AN ORDINANCE TO AMEND DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE NUMBER 04-13, AS PREVIOUSLY AMENDED, TO DELETE THE TEXT OF ARTICLE X, SECTION 10.4.2 (1) (e) AND SUBSTITUTE NEW TEXT IN LIEU THEREOF"**

7. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to give 3<sup>rd</sup> Reading for Ordinance #13-06, "An Ordinance To Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, As Previously amended, to Delete the Text of Article X, Section 10.4.2 (1) (e) and Substitute New Text In Lieu Thereof.

Mr. Ward said this ordinance sets forth a tiered set of limits on the size of accessory structures based on lot size in residential zoning districts.

**REQUEST FOR APPROVAL OF CORONER'S OFFICE RESTRUCTURING**

8. On the motion of Councilman Hargett, seconded by Councilman Bailey, Council voted unanimously to approve the Coroner's Office restructuring request, which includes the approval of a grade 13 Chief Deputy Coroner position, changes two grade 11 Chief Deputy Coroner positions to Deputy Coroner, and includes the update of and support position to Admin II to be included in the Fiscal Year 2013-2014 budget.

Councilman Chinnis noted that this is a budget increase. Chairman Hearn referenced Judge Blunt's comments about Dorchester County's rapid growth in population and the aging of the population, which has increased the call volume of the Coroner's Office. Mr. Ward said a long-time Chief Deputy Coroner retired and two very long-time employees retired as well and that the additional support is very much required.

**APPROVAL OF HUMAN RESOURCES TASKS AND REQUIREMENTS FOR ELECTED AND APPOINTED OFFICIALS PAY INCREASES; PAY FOR PERFORMANCE AND MERIT INCREASES; RECLASSIFICATION AND COMPENSATION AND CLASSIFICATION; AND EMPLOYEE HEALTH AND DENTAL BENEFITS**

9. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to approve Human Resources Tasks and Requirements for Elected and Appointed Officials Pay Increases; Pay for Performance and Merit Increases; Reclassification and Compensation and Classification; and Employee Health and Dental Benefits.

**1<sup>ST</sup> READING FOR "AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, DORCHESTER COUNTY, SOUTH CAROLINA, TO DELETE THE TEXT OF ARTICLE IV, SEC. 2-412 (a) AND TO SUBSTITUTE NEW TEXT IN LIEU THEREOF SO AS TO CHANGE THE COMPOSITION AND MEMBERSHIP OF THE COUNTY PARKS AND**

**RECREATION COMMISSION AND TO DELETE THE TEXT OF ARTICLE IV, SEC. 2-415 SO AS TO DELETE THE *EX OFFICIO* MEMBERSHIP IN THE SAID COMMISSION BUT TO RESERVE THE SECTION NUMBER**

10. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to give 1<sup>st</sup> Reading for "An Ordinance to Amend The Code Of Ordinances, Dorchester County, South Carolina, to Delete the Text of Article IV, Sec. 2-412(a) and To Substitute New Text in Lieu Thereof so as to Change The Composition and Membership of the County Parks and Recreation Commission and To Delete The Text of Article IV, Sec. 2-415 so as to Delete the *Ex Officio* Membership in the Said Commission but To Reserve the Section Number.

Mr. Ward said this Ordinance would provide each Council District a representative on the Parks and Recreation Commission and keep a member of County Council, appointed by County Council, on the Commission while eliminating ex officio members. Councilman Chinnis noted that an even number of members on the Commission could result in tied votes. Mr. Ward said that at such time when the Parks and Recreation Commission has an Executive Director and administrative support, it is anticipated that the Ordinance would then be amended to make the Council member a non-voting member. But at this time, the Commission needs the continuity of leadership, he said.

**APPROVAL OF RECOGNITION OF ADDITIONAL CURRENT YEAR REVENUES**

11. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to approve recognition of additional current year revenues and the associated expenditures for the General Fund, Victims Advocates Fund, the Coroner's Office restructuring, and the Risk Management and Safety Office for drug testing expenses.

**COMMITTEE REPORTS**

**WATER AND SEWER COMMITTEE**

Vice Chairman Bailey reported that the Water and Sewer Committee met prior to this Council meeting and recommends the new sewer service request by Moses Simmons be approved by Council.

12. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to approve the request for new sewer service by Moses Simmons, Property Location: 125 Mose Circle, near Summerville, TMS #128-04-05-003.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

**ACCOMMODATIONS TAX ADVISORY COMMITTEE**

13. On the motion of Chairman Hearn, seconded by Councilman Davis, Council voted unanimously to appoint Mr. Ron Jaicks, General Manager of Wingate by Wyndham who lives in Ashborough East, to the Dorchester County Accommodations Tax Advisory Committee.
14. On the motion of Councilman Bailey, seconded by Councilman Chinnis, Council voted unanimously to recommend Mr. Jack Harrison to the Governor for a three-year reappointment to the Trident Technical College Area Commission.

**COUNTY ATTORNEY'S TIME**

**APPROVAL OF SOLID WASTE COLLECTION AGREEMENT FOR THE TOWN OF RIDGEVILLE**

15. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to approve the Solid Waste Collection Agreement with the Town of Ridgeville.



**REQUEST FOR CONDEMNATION OF SEWER EASEMENT**

16. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to approve the request for condemnation of sewer easement by Water and Sewer Department for road improvements by SCDOT, location of improvements: intersection of Orangeburg Road and Embassy Drive, near Summerville; location of easement: Orangeburg Road, TMS #144-06-07-017.

**EXECUTIVE SESSION**

The County Attorney requested Council's consideration to enter into Executive Session to discuss:

- Confidential Economic Development Prospects
  - Legal Advice/Contractual Matter – Security for Ashley River Park
  - Legal Advice – Courthouse Space for Judge  
– Bannister FLSA Lawsuit
  - Contractual Matter – Emergency Operations Center Building
17. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted unanimously to enter into Executive Session to discuss the above listed items.

**RECONVENE FROM EXECUTIVE SESSION**

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

**EMERGENCY OPERATIONS CENTER BUILDING**

18. On the motion of Councilman Chinnis, seconded by Councilman Hargett, Council voted unanimously to approve the Emergency Operations Center project concept.

**ADJOURNMENT**

19. On the motion of Councilman Davis, seconded by Councilman Chinnis, the Committee voted unanimously to adjourn.

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Sally Hebert, Interim Clerk to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**SPECIAL CALLED COUNCIL MEETING**  
**DORCHESTER COUNTY EMS HEADQUARTERS/MEDIC-1 STATION**  
**CONFERENCE ROOM/SUMMERVILLE**  
**APRIL 11, 2013**  
**9:00 A.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

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

- Discussion of Conversion to Countywide Fire
- Update on EMS Stations
- Update on Detention Center Architectural and Engineering RFQ
- KWB/HSB Security

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

- |                    |                       |                                  |
|--------------------|-----------------------|----------------------------------|
| -Executive Session | - Contractual Matters | -Reevesville Fire Contract       |
|                    |                       | -St. George Fire Contract        |
|                    |                       | -Potential Real Estate Purchase  |
|                    | Legal Advice          | -Fire Service (North Charleston) |

**4. ADJOURN**

WILLIAM R. HEARN, JR.  
CHAIRMAN

GEORGE H. BAILEY  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SALLY K. HEBERT  
INTERIM CLERK TO COUNCIL



JAY BYARS

DAVID CHINNIS

WILLIE DAVIS

CARROLL S. DUNCAN

LARRY S. HARGETT

## 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  
SPECIAL CALLED COUNCIL MEETING  
EMS HEADQUARTERS/MEDIC-1 STATION  
CONFERENCE ROOM, SUMMERVILLE  
APRIL 11, 2013  
9:00 AM**

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

PRESENT: Mr. William R. Hearn, Jr., Chairman  
Mr. George H. Bailey, Vice Chairman  
Mr. Jay Byars  
Mr. David 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  
Ms. Sally Hebert, Interim Clerk to Council

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

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

Chairman Hearn thanked everyone for attending. He turned the meeting over to County staff for updates and discussion on the following items: Conversion to Countywide Fire, EMS Stations, Detention Center Architectural and Engineering RFQ, and Security at the Kenneth F. Waggoner Building in St. George and the Human Services Building in Summerville.

**EXECUTIVE SESSION**

The County Attorney requested Council's consideration to enter into Executive Session to discuss contractual matters and receive legal advice on the following items:

- Contractual Matters
  - Reevesville Fire Contract
  - St. George Fire Contract
  - Potential Real Estate Purchase
- Legal Advice
  - Fire Service (North Charleston)

1. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to enter into Executive Session to receive legal advice on the above listed items.

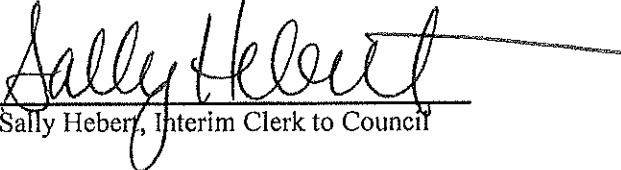
**RECONVENE FROM EXECUTIVE SESSION**

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

2. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to authorize a Request for Proposals for the construction of the Taylor Pond Road Fire Station at a cost not to exceed \$80,000.

**ADJOURNMENT**

3. On the motion of Councilman Bailey, seconded by Councilman Byars, the Committee voted unanimously to adjourn at approximately 11:35 a.m.

  
Sally Heber, Interim Clerk to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNTY COUNCIL CHAMBERS, ST. GEORGE**  
**APRIL 15, 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 April 1, 2013, County Council Meeting
- Discussion of Process to Fill the Clerk to Council Position
- Correspondence

**3. GUEST**

- Mrs. Kara Gunter, Interim Budget and Finance Director, March 2013 Budget Report

**4. COUNCIL MEMBER'S TIME – MR. LARRY HARGETT**

- 2<sup>nd</sup> Reading for “An Ordinance to Amend The Code of Ordinances, Dorchester County, South Carolina, So As To Delete the Text of Article IV, Sec. 2-365 (A) and Substitute New Text in Lieu Thereof So As To Increase the Membership of The County Transportation Committee from Seven (7) To Nine (9) Members”
- Constituent Complaints Regarding Noise from Kennels in Old Fort Estates

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

- 2<sup>nd</sup> Reading for “An Ordinance to Amend The Code of Ordinances, Dorchester County, South Carolina, to Delete the Text of Article IV, Sec. 2-412 (a) and To Substitute New Text in Lieu Thereof so as to Change the Composition and Membership of the County Parks and Recreation Commission and To Delete the Text of Article IV, Sec. 2-415 so as to Delete the *Ex Officio* Membership in the Said Commission but To Reserve the Section Number”
- Discussion of Pine Trace Property and Request for Approval of Payment for Tree Removal
- 1<sup>st</sup> Reading and Referral to Planning, Development and Building Committee for Rezoning Request #668 for Kathleen Fender for TMS #145-09-06-006. [*This request is to rezone a 2/3-acre residential lot from General Commercial (CG) to Single-Family Residential (R-1).*]
- Request for Approval to Negotiate, Sell and Replace the Harleyville and Givhans Fire Engines and Replace Indian Field Fire Engines from the Proceeds

**6. COMMITTEE REPORTS**

- Water and Sewer Committee, Chairman William R. Hearn, Jr.
  - Request for New Sewer Service by Josephine Gowdy for 101 Gowdy Lane, near Ridgeville, TMS #109-00-00-039
- Budget, Finance and Purchasing Committee, Chairman William R. Hearn, Jr.
  - Recommendation for Approval of Proposal to Continue to Provide Towns with Codes Enforcement Services

**7. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

- Transfer of Lease Agreement/PILOT for Raisio Staest to Avoca, Inc.
- Executive Session
  - Legal Advice – Bannister FLSA Lawsuit
  - Composition of County Transportation Committee

**9. ADJOURN**

WILLIAM R. HEARN, JR.  
CHAIRMAN

GEORGE H. BAILEY  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SALLY K. HEBERT  
CLERK TO COUNCIL



JAY BYARS

DAVID CHINNIS

WILLIE DAVIS

CARROLL S. DUNCAN

LARRY S. HARGETT

## COUNTY COUNCIL OF DORCHESTER COUNTY

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

**MINUTES**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**APRIL 15, 2013**  
**7:00 PM**

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

PRESENT: Mr. William R. Hearn, Jr., Chairman  
Mr. George H. Bailey, Vice Chairman  
Mr. Jay Byars  
Mr. David 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  
Ms. Sally Hebert, Clerk to Council

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

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

**REQUESTS TO ADDRESS COUNCIL:** There were no requests to address Council.

### **ADOPTION OF MINUTES, APRIL 1, 2013, DORCHESTER COUNTY COUNCIL**

1. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to adopt the minutes from the April 1, 2013, Dorchester County Council meeting.

**DISCUSSION OF PROCESS TO FILL THE CLERK TO COUNCIL POSITION**

Chairman Hearn reminded everyone that at the April 1 meeting, Council voted unanimously to accept the resignation of Mrs. Sandy Lawley as Clerk to Council. At that time, Council also voted unanimously to name Ms. Sally Hebert as Interim Clerk to Council. Chairman Hearn said he spoke to Mr. Frampton, and Council is not compelled to advertise the position. It is up to Council to appoint a Clerk, he said.

2. On the motion of Councilman Hargett, seconded by Councilman Davis, Council voted unanimously to appoint Ms. Sally Hebert as Clerk to Council.

**CORRESPONDENCE:** Mr. Ward reported that items of correspondence were forwarded to the Chairman before the meeting.

**GUEST**

**MRS. KARA GUNTER, INTERIM BUDGET AND FINANCE DIRECTOR, MARCH 2013 BUDGET REPORT**

Mrs. Gunter presented the March 2013 Budget Report and answered questions.

**COUNCIL MEMBER'S TIME – MR. LARRY HARGETT**

**2<sup>ND</sup> READING TO INCREASE THE MEMBERSHIP OF THE COUNTY TRANSPORTATION COMMITTEE FROM SEVEN (7) TO NINE (9) MEMBERS**

Councilman Hargett made a motion, seconded by Councilman Bailey, to approve 2<sup>nd</sup> Reading for “An Ordinance to Amend The Code of Ordinances, Dorchester County, South Carolina, So As To Delete the Text of Article IV, Sec. 2-365 (A) and Substitute New Text in Lieu Thereof So As To Increase the Membership of the County Transportation Committee from Seven (7) to Nine (9) Members.”

Councilman Chinnis said if the Committee needs the ongoing expertise of non-members, then the Committee could name Ex Officio members. Councilwoman Duncan expressed her opposition to the motion, saying it would dilute the vote of her District Representative. She said each Council District should be represented equally when spending taxpayer monies. Councilman Davis also spoke against the motion, saying he did not want to slice the pie into nine pieces. He said he has spoken with his representative and reminded him how important it is to attend meetings. Chairman Hearn said he would prefer to see Council replace members who are not attending meetings regularly rather than expand the membership of the Committee. Councilman Hargett recommended that one of the two additional members represent Upper Dorchester County and the other represent Lower Dorchester County in order not to dilute votes per Councilwoman Duncan and Councilman Davis's concerns. He said that this was one solution but maybe not the only solution to address the problems with the County Transportation Committee. Councilman Byars said the issue needs more study and consideration, particularly regarding the possibility of Ex Officio members.

3. On the motion of Councilman Byars, seconded by Councilman Chinnis, Council voted six in favor, one opposed, to table the motion to approve 2<sup>nd</sup> Reading for “An Ordinance to Amend The Code of Ordinances, Dorchester County, South Carolina, So As To Delete the Text of Article IV, Sec. 2-365 (A) and Substitute New Text in Lieu Thereof So As To Increase the Membership of the County Transportation Committee from Seven (7) to Nine (9) Members.” The motion passed.

Councilman Hargett voted against the motion.

**CONSTITUENT COMPLAINTS REGARDING NOISE FROM KENNELS**

Councilman Hargett played a video clip of incessant barking by dogs on two properties in Old Fort Estates, which was provided by his constituent Mr. Cliff Loos. Councilman Hargett said several neighbors have called and complained about the barking dogs, asking what the County can do. Mr. Loos said he has gone to court and had both residents charged with animal nuisance after numerous visits and citations by animal control, yet the violations continue.

Councilman Byars referenced a recently adopted ordinance noting the County now regulates the number of hens per acre, but not the number of dogs per acre. Councilman Chinnis questioned whether the dogs were there before Wescott Plantation neighborhood was built. There was some discussion as to whether the issue should be handled by Council's Planning, Development and Building Committee or its Public Safety, Health and Human Services Committee.

4. On the motion of Councilman Byars, seconded by Councilman Bailey, Council voted unanimously to remove the issue of barking dogs from the Planning, Development and Building Committee and place it into the Public Safety, Health and Human Services Committee.

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

**2<sup>ND</sup> READING FOR "AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, DORCHESTER COUNTY, SOUTH CAROLINA, TO DELETE THE TEXT OF ARTICLE IV, SEC. 2-412(a) AND TO SUBSTITUTE NEW TEXT IN LIEU THEREOF SO AS TO CHANGE THE COMPOSITION AND MEMBERSHIP OF THE COUNTY PARKS AND RECREATION COMMISSION AND TO DELETE THE TEXT OF ARTICLE IV, SECTION 2-415 SO AS TO DELETE THE EX OFFICIO MEMBERSHIP IN THE SAID COMMISSION BUT TO RESERVE THE SECTION NUMBER"**

5. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted unanimously to give 2<sup>nd</sup> Reading for "An Ordinance to Amend The Code of Ordinances, Dorchester County, South Carolina, to Delete the Text of Article IV, Sec. 2-412 (a) and To Substitute New Text in Lieu Thereof so as to Change the Composition and Membership of the County Parks and Recreation Commission and To Delete the Text of Article IV, Sec. 2-415 so as to Delete the *Ex Officio* Membership in the Said Commission but To Reserve the Section Number."

**DISCUSSION OF PINE TRACE PROPERTY AND REQUEST FOR APPROVAL OF PAYMENT FOR TREE REMOVAL**

Mr. Ward said it was brought to his attention by the Public Works Director that there are some trees on County property that are affecting the property of owners in The Bridges of Summerville, an adjacent subdivision. Mr. Ward requested Council allow a total of \$1,700 from the Recreation Fund for tree removal since the Pine Trace site is a future park. Mr. Ward said currently the account has in excess of \$135,000 available. That would allow the County to make the necessary tree removal to keep those residents adjacent to the property safe, said Mr. Ward.

Councilman Byars said it was worth noting that the dying trees have been leaning off of that property for quite some time into residents' yards before the County took ownership, and now the County must right that wrong.

6. On the motion of Councilman Hargett, seconded by Councilman Chinnis, Council voted unanimously to approve spending \$1,700 from the Recreation Fund for tree removal from the Pine Trace property.



**1<sup>ST</sup> READING AND REFERRAL TO PLANNING, DEVELOPMENT AND BUILDING COMMITTEE FOR REZONING REQUEST #668 FOR KATHLEEN FENDER, TMS #145-09-06-006**

Mr. Ward said both the Planning Commission and the Planning and Zoning staff recommend this request.

7. On the motion of Councilman Chinnis, seconded by Councilman Bailey, Council voted unanimously to give 1st Reading and Referral to the Planning, Development and Building Committee for Rezoning Request #668 for Kathleen Fender, TMS #145-09-06-006, to rezone a 2/3 residential lot from General Commercial (CG) to Single-Family Residential (R-1).

**REQUEST FOR APPROVAL TO NEGOTIATE, SELL AND REPLACE THE HARLEYVILLE AND GIVHANS FIRE ENGINES AND REPLACE THE INDIAN FIELD FIRE ENGINES FROM THE PROCEEDS**

8. On the motion of Councilman Davis, seconded by Councilman Byars, Council voted unanimously to approve a request to negotiate, sell and replace the Harleyville and Givhans fire engines and replace the Indian Field fire engines from the proceeds.

**COMMITTEE REPORTS**

**WATER AND SEWER COMMITTEE – CHAIRMAN WILLIAM R. HEARN, JR.**

Chairman Hearn reported that the Water and Sewer Committee met before this Council meeting and recommends approval by Council of a new sewer service request from Josephine Gowdy.

9. Council voted unanimously to approve the new sewer service request by Josephine Gowdy for 101 Gowdy Lane, near Ridgeville, TMS #109-00-00-039.

**BUDGET, FINANCE & PURCHASING COMMITTEE – CHAIRMAN WILLIAM R. HEARN, JR.**

Chairman Hearn reported that the Budget, Finance and Purchasing Committee met before this Council meeting and recommends approval by Council of a proposal for the County to continue to provide Towns with Codes Enforcement Services.

10. Council voted unanimously to approve a proposal for the County to continue to provide Towns with Codes Enforcement Services.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

**TRIDENT WORKFORCE INVESTMENT BOARD**

11. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted unanimously to appoint Mr. Mark Rude of Aero Precision Products to fill a private sector seat on the Trident Workforce Investment Board as recommended by the Greater Summerville/Dorchester County Chamber of Commerce.

**DORCHESTER SENIORS, INC.**

Councilman Davis said his appointee, Mr. Richard Dash, who has actively supported Dorchester Seniors and Meals on Wheels for many years, came to him and asked to be allowed to retire. Councilman Davis requested a letter be sent to Mr. Dash thanking him for his many years of service. Chairman Hearn said Mr. Dash is a wonderful gentleman who has put his heart and soul into the senior centers and has done a fantastic job. He thanked him for his service.

12. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to appoint Ms. Vernell Lee to the Dorchester Seniors, Inc., Board of Directors, representing District #1.

**COUNTY ATTORNEY'S TIME**

**TRANSFER OF LEASE AGREEMENT/FILOT FOR RAISIO STAEST TO AVOCA, INC.**

Mr. Frampton said this item deals with the assignment and assumption of a ground lease. In 1999, the County entered into a FILOT agreement with Raisio, he said. At that time, most attorneys handling these kinds of transactions only felt comfortable if the County owned the real estate and then leased it back to the industry, he said. Times have changed, and you do not see those kinds of arrangements much anymore, he said. Raisio has arranged for the sale of their business to a company known as Avoca, Inc. As part of that transaction, Raisio needs the County to consent to the assignment and assumption of that ground lease between the County and the new company, Avoca, Inc. Mr. Frampton recommended Council approve the Chairman signing the new assignment and assumption of ground lease agreement. He said all fees have been paid. Mr. Frampton said he anticipates that after this transaction takes place, there would likely be an unraveling of the fee agreement in order for the company to own the dirt instead of the County.

13. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to approve the Chairman signing the assignment and assumption of ground lease from Raisio Staest US, Inc., to Avoca, Inc.

**EXECUTIVE SESSION**

The County Attorney requested Council's consideration to enter into Executive Session to receive legal advice on the two following issues:

- Bannister FLSA Lawsuit
- Composition of County Transportation Committee

14. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to enter into Executive Session at approximately 7:42 p.m. to discuss the above listed items.

**RECONVENE FROM EXECUTIVE SESSION**

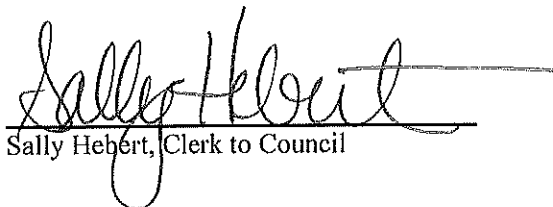
At approximately 8:24 p.m., the County Attorney reported that Council discussed the previously announced items, and no action was taken.

**BANNISTER FLSA LAWSUIT**

15. On the motion of Councilman Hargett, seconded by Councilman Davis, Council voted unanimously to authorize the County Attorney to resolve the pending litigation with Mr. Bannister, according to the terms discussed in Executive Session.

**ADJOURNMENT**

16. On the motion of Councilman Byars, seconded by Councilman Chinnis, the Committee voted unanimously to adjourn at approximately 8:25 p.m.

  
Sally Hebert, Clerk to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY HUMAN SERVICES BUILDING**  
**COUNTY COUNCIL CHAMBERS, SUMMERVILLE**  
**MAY 6, 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 April 11, 2013, and April 15, 2013, County Council Meetings
- Correspondence

**3. GUESTS**

- Mr. Arnold Collins, Executive Director, Charleston County Human Services Commission
- Mr. Doug Warren, Dorchester County EMS Director, Community Health Fair

**4. COUNCIL MEMBER'S TIME – MR. LARRY HARGETT**

- Summerville Dorchester Museum

**5. COUNCIL MEMBER'S TIME – MR. JAY BYARS**

- Approval of Parks and Recreation Commission Recommendation for Land Planning Services for Ashley River Parks Property

**6. COUNCIL MEMBER'S TIME – MR. GEORGE BAILEY**

- Blue Star Memorial Highway Marker on US 78
- Update on the Courthouse Space in St. George

**7. COUNCIL MEMBER'S TIME – MR. DAVID CHINNIS**

- Mr. Briggs and his neighbor (Old Fort Estates/Dogs)

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

- 1<sup>st</sup> Reading for the FY 2013-2014 Dorchester County Budget (By Title Only)
- 3<sup>rd</sup> Reading for "An Ordinance to Amend The Code of Ordinances, Dorchester County, South Carolina, to Delete the Text of Article IV, Sec. 2-412 (a) and To Substitute New Text in Lieu Thereof so as to Change the Composition and Membership of the County Parks and Recreation Commission and To Delete the Text of Article IV, Sec. 2-415 so as to Delete the *Ex Officio* Membership in the Said Commission but To Reserve the Section Number"
- 1<sup>st</sup> Reading and Referral to Planning, Development and Building Committee for Rezoning Request #670 for Amanda and Timothy Davidson for TMS #143-02-00-012 [*This request is to rezone a 2.1 acre residential lot from Multi-Family Residential District R-4 to Single-Family Residential Manufactured Housing District R-1(M)A.*]
- Review and Approval of Start of Maintenance Period for Myers Mill Subdivision Phases 4-6 Roads and Drainage Acceptance
- Request for Approval of Commercial Lease Agreement, 300 North Cedar Street, Summerville
- Request for Approval of Changing Ambulance Fees
- Request for Approval to Sell Harleyville Truck
- Request for Approval to Purchase Three Trucks for the Fire Department
- Request for Approval to Purchase Trucks for Indian Field and Harleyville
- Request for Approval to Payoff Sandhill Truck
- Request for Approval of Fire Contract and Lease to Serve the Town of Reevesville
- Request for Approval of Fire Contract to Serve the Town of St. George
- Request for Approval of Payment for Washington, DC, Fly-In Expenses

**9. COMMITTEE REPORTS**

**Chairman David Chinnis – Planning Development and Building Committee Report**

- Public Hearing and Recommendation for 2<sup>nd</sup> Reading for Rezoning Request #668 for Kathleen Fender for TMS #145-09-06-006. *[This request is to rezone a 2/3-acre residential lot from General Commercial (CG) to Single-Family Residential (R-1).]*

**10. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

- Executive Session
  - Personnel Matters
  - Contractual Matters
    - LMRWA Harleyville Reach
    - Greater Summerville Dorchester County Chamber of Commerce Building
    - Potential Real Estate Purchase

**12. ADJOURN**

WILLIAM R. HEARN, JR.  
CHAIRMAN

GEORGE H. BAILEY  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SALLY K. HEBERT  
CLERK TO COUNCIL



JAY BYARS

DAVID CHINNIS

WILLIE DAVIS

CARROLL S. DUNCAN

LARRY S. HARGETT

## COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET  
ST. GEORGE, SOUTH CAROLINA 29477  
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**MINUTES  
DORCHESTER COUNTY COUNCIL  
DORCHESTER COUNTY HUMAN SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERVILLE  
MAY 6, 2013  
7:00 PM**

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

PRESENT: Mr. William R. Hearn, Jr., Chairman  
Mr. George H. Bailey, Vice Chairman  
Mr. Jay Byars  
Mr. David 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  
Ms. Sally Hebert, Clerk to Council

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

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

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

Chairman Hearn recognized the following citizens to address Council:

- Mayor Bill Collins, Town of Summerville, spoke in support of the Dorchester Summerville Museum. Since the museum's inception, he said the Town of Summerville has contributed \$237,000 to the Museum including \$165,000 during the past 10 years. In the current budget cycle, he said the Town contributed \$22,500 for operating costs and \$15,000 for some repairs. In addition, the Town of Summerville provides

the building for \$1 per year. There has been some discussion about expanding the Museum into the round building that is adjacent to the Museum although no decision has been made, said Mayor Collins. He called the Museum an integral part of the community and said our heritage is critically important. He said the Town recently annexed Colonial Dorchester, which has 25,000 artifacts and nowhere to display them. Mayor Collins said he would like to develop a way to display the artifacts, and a Museum expansion could be part of the solution.

- Mr. Robert Pratt, 423 Sumter, said he helped the Museum get started in 1992. As a kid growing up in Summerville, he said he remembers touring the old Cuthbert Museum located in the old Town Hall. The Cuthbert Museum closed when the building was torn down. He said the various wildlife and historical collections from the Museum were sold and/or given away. Mr. Pratt said the current Museum is running out of money and needs help. He called on the County to support the Museum financially through this crisis. Additionally, he said he will take a personal interest in helping the Museum fundraise going forward.
- Ms. Linda E. Whetsell, 108 Atlantic Street, said in 1958 several families built homes, creating a subdivision called Westside Heights, and the residents think their neighborhood is just as important as the Museum. She said the residents cannot live on Atlantic Street in peace and quiet because of the conditions that have plagued them. She complained of noise, water runoff, flies and pollution emanating from the industry located behind the residents of Atlantic Street. Additionally, she called for improvements to Highway 78.
- Ms. Jennifer Armenti, 321 Bertram in Summerville on the Ashley neighborhood, asked about the location of the entrance to the proposed Ashley River park on Bacons Bridge Road. She said when her neighborhood was designed it was meant to be expanded to the river, hence the name, which is why the Renken Road entrance was created. She said she objects to Renken Road being used as a park entrance, bringing hundreds of cars into a neighborhood that lacks sidewalks and where residents enjoy walking their dogs and pushing strollers.
- Ms. Debbie Ainscough, 189 McMakin Drive, distributed pictures of flooding on her property, which she said occurred after a recent rain. She called on the County to obtain an easement and dig a ditch to improve drainage, saying it costs her and her neighbors money every time it rains due to damage to structures from flooding.
- Donna Crosby, 193 McMakin Drive, said she is a four-year resident who has reached her limit in being patient with flooding issues. She asked for help from the County to address this issue.
- Ms. Peggy Bangle, 114 Ravenwood Ct., reminded everyone to vote in the District 1 Congressional election. She complimented the County on the Summerville to St. George bus route offered by Tri-County Link with financial support from the County. Additionally, she asked for Council to consider unintended consequences before voting to fund new projects. She said it is more important to address ditches, flooding and roads rather than the Museum. She pointed out that property taxes will be higher this year to due various referendums.

#### **ADOPTION OF MINUTES, APRIL 11 & 15, 2013, DORCHESTER COUNTY COUNCIL**

1. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to adopt the minutes from the April 11 and April 15, 2013, Dorchester County Council meetings.

**CORRESPONDENCE:** There were no items of correspondence to report.

#### **GUESTS**

##### **MR. ARNOLD COLLINS, EXECUTIVE DIRECTOR, CHARLESTON COUNTY HUMAN SERVICES COMMISSION**

Mr. Collins said the Charleston County Human Services Commission provides services to Charleston, Berkeley, Dorchester, Jasper and Beaufort Counties. In Dorchester County during 2011-2012, he said the organization served 45 families with emergency assistance, repaired or replaced 39 HVAC units and prevented the termination of utilities for 2,214 households. In summary, CCHSC spent \$1.23 million in the local economy to help 2,298 Dorchester County families. Mr. Collins and Ms. Chelsi Howard, Community

Relations Coordinator, distributed brochures and flyers to Council members and the audience highlighting the efforts of CCHSC. Ms. Howard said CCHSC is part of a national community action partnership of more than 1,100 agencies serving approximately 20 million people. She said they provide free services with the basis of promoting economic self sufficiency, addressing situational poverty rather than generational poverty. She noted that CCHSC is hosting a free Youth Leadership Summer Camp in Harleyville from June 3-27 and encouraged participation.

**MR. DOUG WARREN, DORCHESTER COUNTY EMS DIRECTOR, COMMUNITY HEALTH FAIR**

Mr. Warren announced that the department recently received notification that accreditation from the Commission on Accreditation of Ambulance Services (CAAS) has been extended for a full three years. He said his purpose in addressing Council was to announce a Summer Safety Festival and Bike Rodeo to be held Saturday, May 18, from 10 a.m. to 2 p.m. at the Dorchester County Human Services Building, 500 North Main Street. He said it was an effort to focus on the prevention phase of EMS. Lt. Josh Arrant said the event is a cooperative effort among private industry, non-profits and health care organizations including MUSC Children's Hospital, Trident HCA, Trident Safe Kids, SC Safe Routes to School, Dorchester County EMS and Dorchester County Fire Services. The theme is summer safety and injury prevention. There will be a bicycle rodeo for children designed to teach safe riding skills. More than 300 bike helmets will be given away. He said water safety, fire prevention, skin cancer prevention and the risks of texting and driving are among the other safety topics to be highlighted at the festival.

**COUNCIL MEMBER'S TIME – MR. LARRY HARGETT**

**SUMMERVILLE DORCHESTER MUSEUM**

Councilman Hargett said the motto of the Summerville Dorchester Museum is preserving the past for the future. It is an educational organization dedicated to preserving the historical significance of Summerville and Dorchester County. Its mission is to collect, preserve and exhibit artifacts and develop educational programs related to the cultural and natural history of Summerville and Dorchester County. Mr. Hargett said if we lose our links to our past they may never be recovered.

He welcomed Ms. Judy Burns, president of the Summerville Dorchester Museum Board of Directors, to give a short presentation. She requested emergency funding in the amount of \$4,999 to help pay operating costs for the current fiscal year. She said the museum only has funds to operate for six out of 12 months of the budget cycle. She said staff consists of two part-time docents and Mr. Chris Ohm, Executive Director and Curator of the Museum.

Ms. Burns said the Town of Summerville now has a plan to contribute operating funds annually to the Museum and asked that Dorchester County match this long-term commitment. She said without Council support the Museum may have to close just as the Cuthbert Museum had to close. Last year, more than 3,000 people visited the Museum. She reported there is a new Native American exhibit. Additionally, there is a research partnership with Dr. Ed West to understand the unique African American history of Dorchester County, she said.

2. On the motion of Councilman Hargett, seconded by Councilman Bailey, Council voted three in favor, to provide \$4,999 in emergency funding to the Summerville Dorchester Museum from Council's Contingency Fund.

Council members Hargett, Bailey and Duncan voted for the motion. The motion failed.

During discussion several Council members expressed concern about funding the Museum from Council's Contingency Fund, which had low balance, rather than from the County's Accommodations Tax Fund.

Councilman Davis said he would support the motion if the amount were lower, recognizing that more funds could possibly be provided to the Museum in the new fiscal year.

3. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to approve \$2,500 in emergency funding to the Summerville Dorchester Museum from Council's Contingency Fund.

#### **COUNCIL MEMBER'S TIME – MR. JAY BYARS**

##### **APPROVAL OF PARKS AND RECREATION COMMISSION RECOMMENDATION FOR LAND PLANNING SERVICES FOR ASHLEY RIVER PARKS PROPERTY**

Councilman Byars said the Parks and Recreation Commission recommends Council approve the proposed contract with Thomas and Hutton, the engineering firm for the property when it was slated to be a residential development. He said the company has drawings on file and is familiar with any wetlands issues. The contract is for land planning services to prepare conceptual designs and a master plan for the proposed Ashley River park trail, which would link the park with the existing Rosebrock Park. Additionally, Thomas and Hutton would prepare a conceptual master plan for the two parks, showing possible linkage for the parks to connect to the bike trails at Bacons Bridge Road trail, Dorchester Road trail, Legends Oaks trail and the Sawmill Branch trail. Councilman Byars said the contract would be paid for from the County Recreation Fund and not the Parks and Recreation Bond.

4. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to approve awarding a contract for development of a conceptual master plan to Thomas and Hutton Engineering Co., including contract edits by the County Attorney, at a cost of \$18,800, as recommended by the Parks and Recreation Commission.

#### **COUNCIL MEMBER'S TIME – MR. GEORGE BAILEY**

##### **BLUE STAR MEMORIAL HIGHWAY MARKER ON US 78**

Councilman Bailey said he has a request from the Rose Garden Club of St. George to place a Blue Star Memorial Highway Marker on US 78 near the new Courthouse. It would not be on the Courthouse property, but in front of it. This would be at no cost to the County, he said.

5. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted unanimously to allow the Rose Garden Club of St. George to place a Blue Star Memorial Highway Marker on US 78 near the new County Courthouse.

##### **UPDATE ON THE COURTHOUSE SPACE IN ST. GEORGE**

Councilman Bailey said he does not yet have a final figure for the cost of renovations to the new Courthouse, but that contractors have performed site visits, and he expects to receive the numbers soon. He thanked the Sheriff, Public Defender and Solicitor for working with him on space reallocations.

#### **COUNCIL MEMBER'S TIME – MR. DAVID CHINNIS**

##### **MR. BRIGGS AND HIS NEIGHBOR (OLD FORT ESTATES/DOGS)**

Councilman Chinnis invited Mr. Douglas Briggs, 452 Old Fort Drive, to address Council concerning dogs in the Old Fort Drive area. Mr. Briggs read a prepared statement, saying he is the Chairman of the Old Fort Estates Neighborhood Association, has lived in the neighborhood for 25 years and has always owned dogs both as pets and hunting dogs and considers them part of his family. He objected to the characterization of his dogs by Mr. Cliff Loos at the April 15 Council meeting. Mr. Briggs said he was taking time off from work to address Council. He said he is a responsible dog owner. He gave Council a report prepared by County staff after monitoring his dogs for two weeks. He said he has been found guilty of nuisance and



loose dog on several occasions in the past 25 years as has Mr. Loos and other neighbors. Mr. Briggs said he has no current or standing violations regarding his dogs. He said he has been stalked, harassed and falsely accused at Dorchester County's expense. He asked Council to strike down attempts to take away property owners' rights. Ms. Tabitha Carter, 462 Old Fort Drive, also spoke in support of the dogs, saying her family has not been bothered by Mr. Briggs' dogs. She said the neighborhood is quiet and peaceful.

Councilman Chinnis said he would not support an ordinance regulating dogs because many of the neighborhoods have Home Owners Associations (HOAs) with covenants and restrictions governing barking dogs as well as the number of dogs a property owner may have. He advocated letting the HOAs enforce their own rules rather than passing an ordinance that the Sheriff would then have to enforce.

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

#### **1<sup>ST</sup> READING FOR THE FY 2013-2014 DORCHESTER COUNTY BUDGET (BY TITLE ONLY)**

Mr. Ward asked County Council to give first reading of the FY 2013-2014 County Budget by title only. He announced that public hearings and outside agency presentations are scheduled for May 20<sup>th</sup> and May 28<sup>th</sup> in Summerville and St. George, respectively. Second and third readings are scheduled for May 20<sup>th</sup> and June 3<sup>rd</sup> in Summerville and St. George, respectively, he said.

6. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to give first reading for the FY 2013-2014 Dorchester County Budget (By Title Only).

#### **3<sup>RD</sup> READING FOR "AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, DORCHESTER COUNTY, SOUTH CAROLINA, TO DELETE THE TEXT OF ARTICLE IV, SEC. 2-412(a) AND TO SUBSTITUTE NEW TEXT IN LIEU THEREOF SO AS TO CHANGE THE COMPOSITION AND MEMBERSHIP OF THE COUNTY PARKS AND RECREATION COMMISSION AND TO DELETE THE TEXT OF ARTICLE IV, SECTION 2-415 SO AS TO DELETE THE EX OFFICIO MEMBERSHIP IN THE SAID COMMISSION BUT TO RESERVE THE SECTION NUMBER"**

7. On the motion of Councilman Chinnis, seconded by Councilman Byars, Council voted four in favor, with three opposed, to amend the proposed Ordinance to allow each member of County Council nominate one member of the Parks and Recreation Commission who shall be a resident of Dorchester County to be appointed by a majority vote of County Council.

Council members Hargett, Davis and Duncan opposed the motion. The motion passed.

8. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted five in favor, with two opposed, to give 3<sup>rd</sup> Reading for "An Ordinance to Amend The Code of Ordinances, Dorchester County, South Carolina, to Delete the Text of Article IV, Sec. 2-412 (a) and To Substitute New Text in Lieu Thereof so as to Change the Composition and Membership of the County Parks and Recreation Commission and To Delete the Text of Article IV, Sec. 2-415 so as to Delete the Ex Officio Membership in the Said Commission but To Reserve the Section Number."

Council members Hargett and Duncan opposed the motion. The motion passed.

#### **1<sup>ST</sup> READING AND REFERRAL TO PLANNING, DEVELOPMENT AND BUILDING COMMITTEE FOR REZONING REQUEST #670 FOR AMANDA AND TIMOTHY DAVIDSON FOR TMS #143-02-00-012**

Mr. Ward said this request is to rezone a 2.1-acre residential lot from Multi-Family Residential District R-4 to Single-Family Residential Manufactured Housing District R-1 (MA).

9. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted unanimously to give 1<sup>st</sup> reading and referral to the Planning, Development and Building Committee for Rezoning Request #670 for Amanda and Timothy Davidson for TMS #143-02-00-012.

**REVIEW AND APPROVAL OF START MAINTENANCE PERIOD FOR MYERS MILL SUBDIVISION PHASES 4-6 ROADS AND DRAINAGE ACCEPTANCE**

Mr. Ward asked Council to approve the 12-month maintenance warranty period for the roads and drainage as recommended by the Public Works Director.

10. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to approve the 12-month maintenance warranty period for the Myers Mill Subdivision Phases 4-6 roads and drainage as recommended by the Public Works Director.

**REQUEST FOR APPROVAL OF COMMERCIAL LEASE AGREEMENT, 300 NORTH CEDAR STREET, SUMMERVILLE**

Mr. Ward asked Council to authorize him to execute this agreement for space for Juvenile Justice, which has been reviewed by the County Attorney.

11. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to authorize the Administrator to execute the commercial lease agreement for 300 North Cedar Street, Summerville.

**REQUEST FOR APPROVAL OF CHANGING AMBULANCE FEES**

Mr. Ward said Dorchester County ambulance fees are lower than our neighbors in Berkeley and Charleston County. He asked for approval of the change in ambulance fees, saying that if further discussion was needed then the request could be referred to the Budget, Finance and Purchasing Committee.

12. Councilman Chinnis made a motion, seconded by Councilman Bailey, to approve changing ambulance fees from \$7 per mile to \$9 per mile effective July 1, 2013, and the rate for ALS Emergent services be corrected immediately to reflect the current charge of \$725. 00 with the balance of the rates remaining the same. This motion and second was withdrawn after discussion.

Councilman Chinnis said the last time Council addressed the rates charged for EMS services was January 22, 2002. Since then, there have been significant increases in fuel costs as well as maintenance and operational costs, he said. Additionally, the rate set for ALS Emergent Service as set forth in the January 22, 2002, Council minutes contained a typographical error.

There was discussion among some Council members about rates relative to anticipated mandates from national health care. Councilman Hargett said further discussion was needed in committee.

13. On the motion of Councilman Byars, seconded by Councilman Hargett, Council voted six in favor, with one opposed, to approve moving this item to the Public Safety, Health and Human Services Committee for discussion.

The motion passed. Councilman Chinnis opposed the motion.

**REQUEST FOR APPROVAL TO SELL HARLEYVILLE TRUCK**

Mr. Ward asked Council to approve this request as recommended by the Deputy Administrator and the Fire Chief.

14. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted unanimously to approve the sale of the Harleyville truck at a cost of \$180,000 or more as recommended by the Deputy Administrator and the Fire Chief.

**REQUEST FOR APPROVAL TO PURCHASE A TRUCK FOR THE FIRE DEPARTMENT**

Mr. Ward asked Council to approve this request as recommended by the Deputy Administrator and the Fire Chief.

15. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to approve the purchase of a Ford F-250 Heavy Duty Truck from the State Surplus (\$10,000) and two brush pump/tank skid units (not to exceed \$20,000) as recommended by the Deputy Administrator and the Fire Chief.

**REQUEST FOR APPROVAL TO PURCHASE TRUCKS FOR INDIAN FIELD AND HARLEYVILLE**

Mr. Ward asked Council to approve this request as recommended by the Deputy Administrator and the Fire Chief.

16. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to approve the purchase of two replacement trucks, a 2000 Quality Spartan Pumper and 2000 Darley Spartan Pumper, using the proceeds from the sale of the trucks from these areas as recommended by the Deputy Administrator and the Fire Chief. The cost for each unit will not exceed \$131,580 and \$124,450 respectively.

**REQUEST FOR APPROVAL TO PAYOFF SANDHILL TRUCK**

Mr. Ward asked Council to approve this request as recommended by the Deputy Administrator and the Fire Chief.

17. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to approve the satisfaction of the loan (payoff) on the 1986 Hahn HCP truck in the amount of \$10,826.92.

**REQUEST FOR APPROVAL OF FIRE CONTRACT AND LEASE TO SERVE THE TOWN OF REEVESVILLE**

Mr. Ward asked Council to authorize him to execute the fire contract and building lease with the Town of Reevesville as presented.

18. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted unanimously to authorize the County Administrator to execute the fire contract and building lease with the Town of Reevesville as presented.

**REQUEST FOR APPROVAL OF FIRE CONTRACT TO SERVE THE TOWN OF ST. GEORGE**

Mr. Ward asked Council to approve the terms of the contract and authorize the Administrator to execute the agreement. The Town of St. George Attorney will provide the final contract document, which will be reviewed by the County Attorney.

19. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to approve the terms of the contract as described by the Deputy Administrator and County Attorney and authorize the Administrator to execute the agreement.

**REQUEST FOR APPROVAL OF PAYMENT FOR WASHINGTON, DC, FLY-IN EXPENSES**

Mr. Ward asked Council to approve paying half the cost of the DC fly-in from Council's Contingency.

20. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to approve spending \$2,245 from County Council's Contingency to pay half the cost of airfare for the Washington, DC, fly-in.

### **COMMITTEE REPORTS**

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

Chairman Chinnis reported that the Planning, Development and Building Committee met before this Council meeting and held a Public Hearing and Recommended 2<sup>nd</sup> Reading for Rezoning Request #668 for Kathleen Fender for TMS #145-09-06-006. *[This request is to rezone a 2/3-acre residential lot from General Commercial (CG) to Single-Family Residential (R-1).]*

21. Council voted unanimously to approve 2<sup>nd</sup> Reading for Rezoning Request #668 for Kathleen Fender for TMS #145-09-06-006.

**APPOINTMENTS TO BOARDS AND COMMISSIONS:** There were no appointments.

### **COUNTY ATTORNEY'S TIME**

#### **EXECUTIVE SESSION**

The County Attorney requested Council's consideration to enter into Executive Session to discuss a personnel matter regarding the Clerk to Council position and discuss a personnel matter concerning the Sheriff's Office and the following contractual matters:

- LMRWA Harleyville Reach
- Greater Summerville Dorchester County Chamber of Commerce Building
- Potential Real Estate Purchase

22. On the motion of Councilman Chinnis, seconded by Councilman Hargett, Council voted unanimously to enter into Executive Session at approximately 9:08 p.m. to discuss the above listed items.


#### **RECONVENE FROM EXECUTIVE SESSION**

At approximately 11:30 p.m., the County Attorney reported that Council discussed the previously announced items, and no action was taken.

23. On the motion of Councilman Hargett, seconded by Councilman Davis, Council voted unanimously to authorize the expenditure of not to exceed \$36,300 as a 1/3 contribution for repairs to the Greater Summerville Dorchester County Chamber of Commerce building. This money will come from fund balance generated from prior years excess delinquent tax revenues. This is contingent upon a like contribution from the Town of Summerville and The Chamber.
24. On the motion of Councilman Bailey, seconded by Councilman Chinnis, Council voted unanimously to authorize the Administrator to make application and send a letter prioritizing projects to the SC Rural Infrastructure Authority for funding the Holly Hill to Harleyville reach for the Lake Marion Regional Water Agency.
25. On the motion of Councilwoman Duncan, seconded by Councilman Hargett, Council voted unanimously to provide the Clerk to Council an annual salary of \$52,500. She will accrue annual and sick leave as other County employees together with County benefits which other County employees receive.

**ADJOURNMENT**

26. On the motion of Councilman Byars, seconded by Councilman Chinnis, the Committee voted unanimously to adjourn at approximately 11:35 p.m.

  
\_\_\_\_\_  
Sally Heber, Clerk to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY HUMAN SERVICES BUILDING**  
**COUNTY COUNCIL CHAMBERS, SUMMERVILLE**  
**MAY 20, 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 May 6, 2013, County Council Meeting
- Adoption of Resolution #13-06, “In Honor of Chief Arthur Johnson”
- Adoption of Resolution #13-07, “In Honor Of Chief Zach Goodwine”
- Adoption of Resolution #13-08, “In Honor of Woodland High School Boys Track Team, AA State Champions”
- Request from DCTA to Petition SCTIB to Use a Portion of the US 78 Phase 3 Right-of-Way Acquisition Funding for US 78 Phase 4
- Master in Equity Funding for Staff, Furniture, and IT Costs
- Correspondence

**3. GUESTS**

- Ms. Lisa Hart, Carolina Teen Center in Ridgeville
- Mrs. Kara Gunter, Interim Budget and Finance Director, Budget Report for April 2013

**4. COUNCIL MEMBER'S TIME – MR. GEORGE BAILEY**

- Mr. Hank Weiland of The Ponds Home Owners Association

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

- 3<sup>rd</sup> Reading for Rezoning Request #668 for Kathleen Fender for TMS #145-09-06-006, located at 110 Edisto Drive. *[This request is to rezone a 2/3-acre residential lot from General Commercial (CG) to Single-Family Residential (R-1).]*
- Request to Approve Contract for Givhans Fire Station
- Request to Approve Purchase of Property for EMS Medic 2 Station on Trolley Road
- Request to Approve Upgrade of Sheriff's Office Positions and Special Incentives
- Request for the County to Act as Fiscal Agent for Audubon South Carolina SCNHS Grant Application

**6. COMMITTEE REPORTS**

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

- Space for Circuit Court Judge At-Large, Seat 15 Position

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

- Budget Presentation for Dorchester School District Two
- Budget Presentation for Dorchester Seniors, Inc.
- Budget Presentation for Trident Technical College
- Budget Presentation for Children in Crisis
- Public Hearing and Recommendation for 2<sup>nd</sup> Reading for Dorchester County Budget Ordinance #13-08 For Fiscal Year 2013-2014, “An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposes for Dorchester County for the Fiscal Year Beginning July 1, 2013, and ending June 30, 2014; To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County”

**7. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

- Executive Session
  - Contractual Matters
    - Lease Agreement with the Town of Reevesville
    - Potential Sale of Real Estate
    - SC Hwy 165 Project
    - Contract for Pinehill Acres Roadway and Drainage Improvements
  - Confidential Economic Development Projects
  - Personnel Matter

**9. ADJOURN**

WILLIAM R. HEARN, JR.  
CHAIRMAN

GEORGE H. BAILEY  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SALLY K. HEBERT  
CLERK TO COUNCIL



JAY BYARS

DAVID CHINNIS

WILLIE DAVIS

CARROLL S. DUNCAN

LARRY S. HARGETT

## COUNTY COUNCIL OF DORCHESTER COUNTY

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

**MINUTES**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY HUMAN SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERVILLE**  
**MAY 20, 2013**  
**7:00 PM**

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

PRESENT: Mr. William R. Hearn, Jr., Chairman (arrived late due to funeral)  
Mr. George H. Bailey, Vice Chairman  
Mr. Jay Byars  
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  
Ms. Sally Hebert, Clerk to Council

ABSENT: Mr. David Chinnis

Vice Chairman Bailey called to order the meeting of the Dorchester County Council. He invited all to stand for the invocation, which was given by Councilman Hargett and followed by the Pledge of Allegiance. Vice Chairman Bailey announced that Chairman Hearn's mother-in-law, Mrs. Frances Cox, passed away on Friday, and the funeral was held at 3 p.m. today in Columbia. He asked everyone to please remember the family in their prayers. He also announced that his nephew, the Rev. Joey Branch, who was like a son to him, passed away suddenly on Friday with services held at 2 p.m. today in St. George.



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

**REQUESTS TO ADDRESS COUNCIL**

Vice Chairman Bailey recognized the following citizens to address Council:

- **Ms. Peg Lahmeyer**, 104 Clubhouse Road, spoke in support of the Probate Court, saying now is not the time to cut office space when the need for services is expanding. As the Director for the past 17 years of The ARK, Alzheimer's Family Support Services, Ms. Lahmeyer said she can attest to the fact that many families need the support of the Probate Court when a loved one dies. She asked Council to maintain the space for the Probate Court, so they can continue to provide compassionate, knowledgeable outreach. She praised Judge Blunt and her staff, saying they are fantastic.
- **Judge Mary Blunt**, 301 Middleton Blvd, asked her staff and all those in attendance in support of the Probate Court to stand. She thanked them for attending on short notice. She said Dorchester County grew by 42 percent in the last 10 years, making it one of the fastest growing counties in the state. She said our elder population is booming, and this is a direct correlation to more and more work for the Probate Court. She praised her staff, saying they do a great job, but said space is essential to serve our families. She said she was concerned about the numbers and square footage reported at the 4 p.m. Committee meeting.
- **Ms. Rebecca T. Glaze**, 106 Buckingham Avenue, spoke on behalf of the Probate Court, saying how much they meant to her and her family when her father passed away. She said her parents' will was drawn up in 1964 and contained archaic language. When her father died, the will went into Probate and she and her family received much support from Judge Mary Blunt and her staff. Ms. Glaze encouraged Council to consider the numbers before taking away space from the Probate Court.
- **Ms. Edna Chaplin**, 1225 Central Avenue, said she attended the 4 p.m. meeting, and as a member of the general public she would have liked to have seen the floor plans posted somewhere for public review. She expressed concerns about space allocations, the cost of renovations to the taxpayer and where the money would come from to pay for renovations. She praised Judge Blunt and the work she does.
- **Ms. Debbie Ainscough**, 189 McMakin Drive, asked for Council support of a plan to address the flooding and drainage problems on McMakin Drive and in the entire neighborhood of Pine Hill Acres. She said this is a problem beyond one or two homeowners trying to solve independently. She said the solution will require more than simply adding dirt to few homeowners' yards. She asked Council to support Mr. Matt Halter, Dorchester County Public Works Director, in his proposal to address the flooding and drainage. She said Council should act for the health, safety and well being of the people and their properties in Pine Hill Acres.
- **Ms. Peggy Bangle**, 114 Ravenwood Ct., asked Council to make sure the people affected by the Courthouse space reallocations be involved in the process to make sure we are meeting their needs. She asked Council to prioritize when creating the new fiscal year budget. In light of the tornadoes in Oklahoma, she asked Council to make sure all of the County's emergency plans are updated with roles and responsibilities prioritized.

**ADOPTION OF MINUTES, MAY 6, 2013, DORCHESTER COUNTY COUNCIL**

1. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to adopt the minutes from the May 6, 2013, Dorchester County Council meeting. Councilman Chinnis and Councilman Hearn were absent.

**ADOPTION OF RESOLUTION #13-06, "IN HONOR OF CHIEF ARTHUR JOHNSTON"**

2. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to adopt Resolution #13-06, "In Honor of Chief Arthur Johnston." Councilman Chinnis and Councilman Hearn were absent.

**ADOPTION OF RESOLUTION #13-07, "IN HONOR OF CHIEF ZACH GOODWINE"**

3. On the motion of Councilman Davis, seconded by Councilman Byars, Council voted five in favor, with two absent, to adopt Resolution #13-07, "In Honor of Chief Zach Goodwine." Councilman Chinnis and Councilman Hearn were absent.

**ADOPTION OF RESOLUTION #13-08, "IN HONOR OF WOODLAND HIGH SCHOOL BOYS TRACK TEAM, AA STATE CHAMPIONS"**

4. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted five in favor, with two absent, to adopt Resolution #13-08, "In Honor of Woodland High School Boys Track Team, AA State Champions." Council members Chinnis and Hearn were absent.

**REQUEST FROM DCTA TO PETITION SCTIB TO USE A PORTION OF THE US 78 PHASE 3 RIGHT-OF-WAY ACQUISITION FUNDING FOR US 78 PHASE 4**

5. On the motion of Councilman Byars, seconded by Councilman Hargett, Council voted five in favor, with two absent, that Dorchester County Council requests that the South Carolina Transportation Infrastructure Bank (STIB) allow \$750,000 of its \$4,000,000 grant to Dorchester County for US 78 Phase 3 right-of-way acquisition be used to conduct an Environmental Assessment (EA) on US 78, extending from the terminus of US 78 Phase 3 to the intersection with Berlin Myers Parkway, and that the Dorchester County Sales Tax Transportation Authority (DCTA), using only the \$750,000 of STIB funds, administer this EA work to be combined with the EA on US 78 Phase 3 for a comprehensive EA on the two phases. Councilman Chinnis and Councilman Hearn were absent.

**MASTER IN EQUITY FUNDING FOR FURNITURE AND IT COSTS**

6. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted five in favor, with two absent, to approve funding not to exceed \$5,400 from the delinquent tax fund balance for Master in Equity office furniture. Councilman Chinnis and Councilman Hearn were absent.

**CORRESPONDENCE:** There were no items of correspondence to report.

At this time, Vice Chairman Bailey welcomed Chairman Hearn, who led the remainder of the meeting. Chairman Hearn thanked Vice Chairman Bailey for leading the meeting in his absence and offered condolences on the loss of his nephew, saying it was a tough weekend all around.

**MASTER IN EQUITY FUNDING FOR STAFF**

Chairman Hearn said Council next needed to vote on funding the hiring of an Administrative Assistant before the end of the fiscal year to allow the current employee (Ms. Gail Evans) time to train the new hire before joining the At-Large Circuit Court Judge's staff. Councilman Byars asked whether Ms. Evans would travel with Judge Murphy or whether she would continue to be available as an in-house resource for the new hire. There was not a definitive answer to this question.

7. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted six in favor, with one absent, to approve \$1,600 from Master in Equity savings to hire an Administrative Assistant before the end of the current fiscal year for training purposes. Councilman Chinnis was absent.

**GUESTS**

**MS. LISA HART, CAROLINA TEEN CENTER IN RIDGEVILLE**

Ms. Hart said Carolina Teen Center is the first of its kind in the state of South Carolina and is located in the Ridgeville Town Hall at 105 School Street. She said the center is a non-profit organization, providing structured programs for middle and high school students. The center offers health education and counseling, referral services, nutritional counseling and medical services. She said the center caters to middle and high school students from grades 7 through 12 with high quality, creative, educational and prevention programs.

Carolina Teen Center encourages youth to express themselves and learn the value of service to their community and to develop individual assets that create healthy and meaningful lives, she said.

**MRS. KARA GUNTER, INTERIM BUDGET AND FINANCE DIRECTOR, BUDGET REPORT FOR APRIL 2013**

Mrs. Gunter presented the budget report for the month ending April 30, 2013. She provided a listing of revenue collections and expenditures for the major funds of the County and gave a report of the cash on hand for the major funds of the County through April 30, 2013.

**COUNCIL MEMBER'S TIME – MR. GEORGE BAILEY**

Councilman Bailey introduced Mr. Hank Weiland, a resident of The Ponds Community.

**MR. HANK WEILAND OF THE PONDS HOMEOWNERS ASSOCIATION**

Mr. Weiland said he represents 176 resident petitioners who for safety reasons want the developer, Greenwood Communities and Resorts, to implement immediately a construction entrance from Old Tower Road for the use of all construction traffic. The residents also want additional speed limit signs posted and speed humps installed. Mr. Weiland said the developer has notified the residents that funds are not available for a second entrance. He read a prepared statement, which he submitted to Council along with copies of the petition and an email about a hit-and-run accident on Lotz Drive.

Councilman Bailey requested that this issue be placed in the Public Works, Property and Utilities Committee. Chairman Hearn asked the County Attorney, Mr. Frampton, to check County documents to see what jurisdiction the County has over this issue.

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

**3<sup>RD</sup> READING FOR REZONING REQUEST #668 FOR KATHLEEN FENDER FOR TMS #145-09-06-006, LOCATED AT 110 EDISTO DRIVE**

Mr. Ward said this is a request to rezone a 2/3-acre residential lot from General Commercial (CG) to Single-Family Residential (R-1). He asked Council to give 3<sup>rd</sup> reading.

8. On the motion of Councilman Davis, seconded by Councilman Byars, Council voted six in favor, with one absent, to give 3<sup>rd</sup> Reading for Rezoning Request #668 for Kathleen Fender for TMS #145-09-06-006, located at 110 Edisto Drive. Councilman Chinnis was absent.

**REQUEST TO APPROVE CONTRACT FOR GIVHANS FIRE STATION**

9. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted six in favor, with one absent, to authorize the Administrator to award a contract to J.L. Godwin Builders, LLC, in the amount of \$108,777 to upgrade and add office space and living quarters to the Givhans Fire Station. Councilman Chinnis was absent.

**REQUEST TO APPROVE PURCHASE OF PROPERTY FOR EMS MEDIC 2 STATION ON TROLLEY ROAD**

Mr. Ward said this is an approved and funded project in the Capital Improvement Plan. He said the Summerville Town Council also will have to approve this project before moving forward.

10. On the motion of Councilman Byars, seconded by Councilman Davis, Council voted six in favor, with one absent, to authorize the Administrator to purchase a .67-acre tract of land from the Town of Summerville adjacent to the Waring Fire Station for a cost of approximately \$102,500 plus any closing costs. Councilman Chinnis was absent.

**REQUEST TO APPROVE UPGRADE OF SHERIFF'S OFFICE POSITIONS AND SPECIAL INCENTIVES**

Mr. Ward said he has met with the Sheriff twice since the May 6 County Council meeting to determine a path forth. He said he recommends moving forward with the position upgrades that Sheriff Knight is requesting for both the Patrol Division (one sergeant and four corporals) and the Criminal Investigative Division (seven Corporals). He said he further recommends authorizing the Sheriff and his staff to provide bonus pay for those who perform special duties such as, but not limited to SET, Riverine, K-9, etc. Mr. Ward said they discussed a bonus in the range of \$500 to \$1,000, but he recommends giving the Sheriff flexibility up to \$1,500. He said all of this can be funded within the Sheriff's current budget savings. Additionally, Mr. Ward said he and the Budget and Finance staff have proposed to fund the Sheriff's Office personnel and benefits expenditures at 99 percent for FY13-14, which will cover this cost going forward. This additional 1 percent is approximately \$98,000.

11. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted six in favor, with one absent, to approve the upgrade of Sheriff's Office positions and special incentives. Councilman Chinnis was absent.

**REQUEST FOR COUNTY TO ACT AS FISCAL AGENT FOR AUDUBON SOUTH CAROLINA SCNHS GRANT**

Mr. Ward said the County has served in this role in the past without any issue.

12. On the motion of Councilman Byars, seconded by Councilman Hargett, Council voted six in favor, with one absent, to authorize the County to serve as the fiscal agent, the entity that will receive and disburse the funds, if the Audubon receives the grant. Councilman Chinnis was absent.

**COMMITTEE REPORTS**

**CHAIRMAN GEORGE BAILEY – PUBLIC SAFETY, HEALTH AND HUMAN SERVICES COMMITTEE**

Committee Chairman Bailey reported that he spoke with the third member of the Committee, Councilman Chinnis, on Friday and said he was in full agreement with the motion, which was approved, two in favor with one absent, earlier this evening in Committee. Chairman Bailey gave background information on the work of the Committee and how the Committee came to its decision.

13. Council voted six in favor, with one absent, to approve the motion pursuant to S.C. Code 4-17-60, which states, "Furthermore, the Governing Body of each county is responsible for making any alterations and additions deemed advisable, of which may become necessary, to any courthouse or jail built in several counties." The motion designates Dorchester County Maintenance Department to perform the following alterations within the Dorchester County Courthouse located on U.S. Highway 78 in St. George, SC, as per Exhibit A (see attachment):
  1. Install new 3/0 door and metal frame with electric locks. Move existing card readers from new door opening.
  2. Close in existing door, move card reader, plaster sheetrock, paint walls and install cove base.
  3. Build new 6-foot wall between Probate Judge and new Circuit Court Judge's office. Rewire lighting circuit in office. Plaster sheetrock, paint walls and install cove base.
  4. Build new 16-foot wall, add data and electric lines. Install new 3/0 right-hand door with metal frame. Add single pole switch for lighting circuit in new office. Plaster sheetrock, paint walls and install cove base.
  5. Install 3/0 door from item #2 with new frame. Move fire extinguisher past new door opening, paint walls and patch carpet.

6. Remove existing wall, door, window, fire alarm and electrical. Move fire strobe, paint walls and patch carpet. Install 4-foot cased in opening adjoining Probate Judge's office.
7. Install new door frame, as well as door and window from #6. Install data and electrical in wall. Plaster sheetrock, paint and install cove base.

Total cost of alterations not to exceed \$12,000.00, and these expenses to be paid out of the Delinquent Tax Fund balance from prior years. Councilman Chinnis was absent.

Mr. Frampton, County Attorney, clarified that Council was voting on a plan of demolition and construction for a cost not to exceed a sum of money to create additional office space in the courthouse, which the Clerk of Court will assign. He said Council was complying with a mandate to provide office space for the At-Large Circuit Court Judge. That office space must be in the County seat, which is St. George. The Clerk of Court has said she wants the At-Large Circuit Court Judge in the courthouse. Council is therefore honoring that request by creating what Council believes to be appropriate space to accommodate that need and funding it for a not-to-exceed number, said Mr. Frampton.

#### **VICE CHAIRMAN GEORGE BAILEY – BUDGET, FINANCE & PURCHASING COMMITTEE**

Vice Chairman Bailey reported that the Committee heard budget reports from Dorchester School District Two, Dorchester Seniors, Trident Technical College and Children in Crisis. All presented budgets requesting no tax increase. He said no one spoke at the public hearing. The Committee voted five in favor, with two absent, to recommend full Council give 2<sup>nd</sup> Reading to the Budget Ordinance For Fiscal Year 2013-2014, said Vice Chairman Bailey.

14. Council voted six in favor, with one absent, to approve 2<sup>nd</sup> Reading for “An Ordinance to Make Appropriations for county Government, Educational, and Fire Protection Purposes for Dorchester County for the fiscal Year Beginning July 1, 2013, and ending June 30, 2014; To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County. Councilman Chinnis was absent.

#### **APPOINTMENTS TO BOARDS AND COMMISSIONS**

##### **TRIDENT WORKFORCE INVESTMENT BOARD**

15. On the motion of Councilman Hargett, seconded by Councilman Davis, Council voted six in favor, with one absent, to name Ms. Diane Bagwell, Briteline Extrusions, to fill the private sector seat on the Trident Workforce Investment Board, effective immediately, as recommended by the Greater Summerville/Dorchester Chamber of Commerce. Councilman Chinnis was absent.

##### **DORCHESTER SENIORS, INC.**

16. On the motion of Councilwoman Duncan, seconded by Councilman Davis, Council voted six in favor, with one absent, to name Ms. Patricia R. Antonsen to the Dorchester Seniors, Inc., Board of Directors, representing Council District #5. Councilman Chinnis was absent.

#### **COUNTY ATTORNEY'S TIME**

##### **EXECUTIVE SESSION**

The County Attorney requested Council's consideration to enter into Executive Session to discuss the following:

- Contractual Matters
  - Lease Agreement with the Town of Reevesville
  - Potential Sale of Real Estate
  - SC Hwy 165 Project
  - Contract for Pinehill Acres Roadway and Drainage Improvements

- Confidential Economic Development Projects
- Personnel Matter

17. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to enter into Executive Session at approximately 8:42 p.m. to discuss the above listed items. Councilman Chinnis was absent.

**RECONVENE FROM EXECUTIVE SESSION**

At approximately 10:20 p.m., the County Attorney reported that Council discussed the previously announced items, and no action was taken.


18. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted six in favor, with one absent, to authorize the County Administrator to execute the revised lease with the Town of Reevesville. Councilman Chinnis was absent.

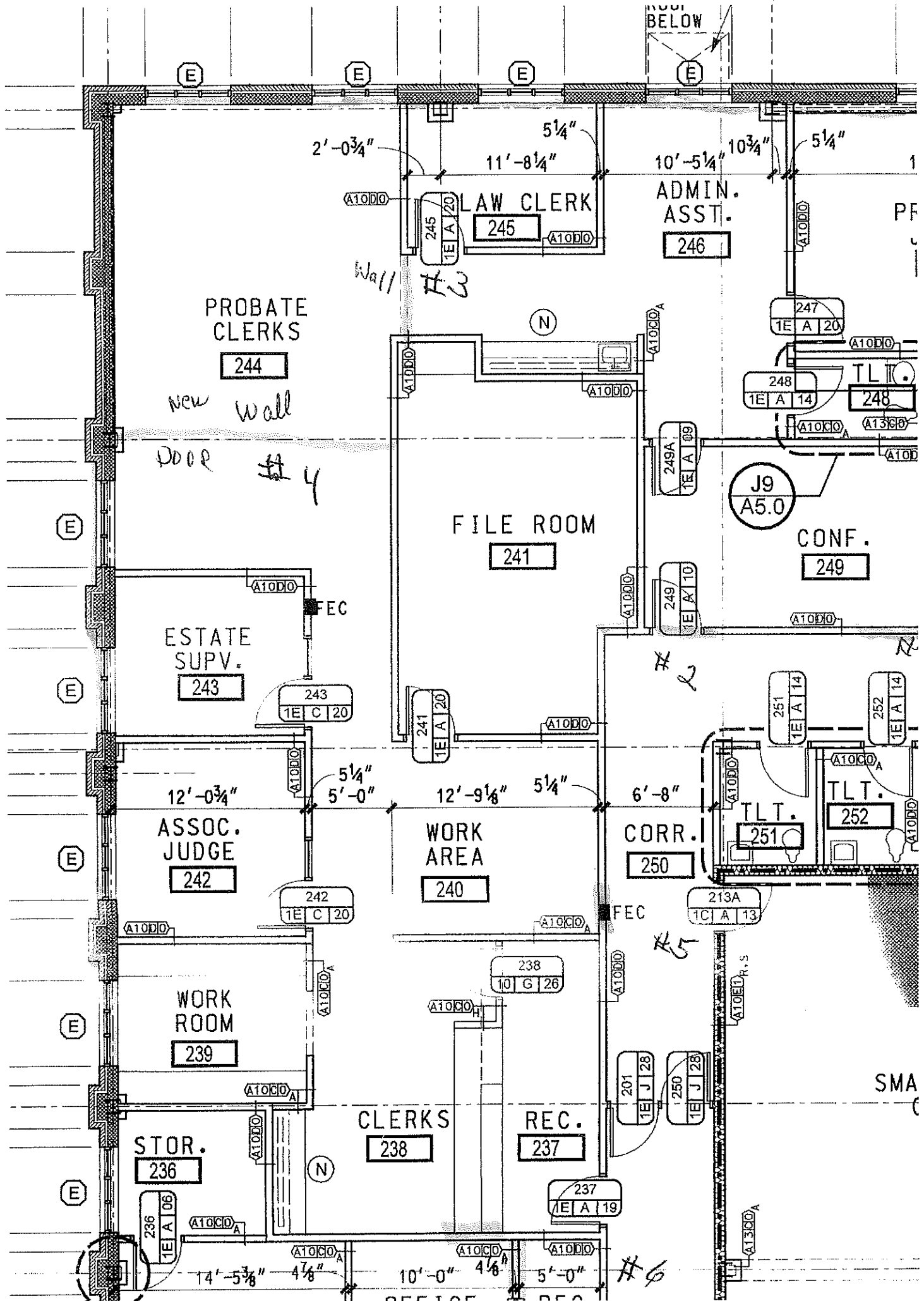
19. On the motion of Councilman Byars, seconded by Councilman Hargett, Council voted six in favor, with one absent, to authorize the County Administrator to grant Mungo Homes Coastal Divisions, LLC's request that the County agree not to negotiate with any other potential buyer of the property for sale in Pine Trace for a period of 60 days to allow it to conduct some due diligence. Councilman Chinnis was absent.

20. On the motion of Councilman Hargett, seconded by Councilman Davis, Council voted six in favor, with one absent, to authorize the County Administrator to execute the contract with Stantec Consulting Services for engineering services for roadway and drainage improvements in Pine Hill Acres to be funded from the Stormwater Utility Fund. Councilman Chinnis was absent.

**ADJOURNMENT**

21. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted six in favor, with one absent, to adjourn at approximately 10:23 p.m. Councilman Chinnis was absent.

  
\_\_\_\_\_  
Sally K. Hebert, Clerk to Council



**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNTY COUNCIL CHAMBERS, ST. GEORGE**  
**JUNE 3, 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 May 20, 2013, County Council Meeting
- Adoption of Resolution #13-09, "In Honor of Mr. Richard Dash"
- Correspondence

**3. GUESTS**

- Representative Patsy Knight and Senator John Matthews, Check Presentation for the Dorchester County Economic Development Fund

**4. COUNCIL MEMBER'S TIME – MR. LARRY HARGETT**

- Mayor James Williams, Town of Ridgeville, Request for Funding for Youth Summer Workers

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

- Request for Approval of AT&T Security Audit Contract
- Request for Approval of ACS Firehouse Software Contract
- Request for Approval of EMS Mileage Rates and ALS Emergent Correction
- Request for Approval of Cable Franchise Fee
- Motion to Amend the Dorchester County Budget Prior to Third Reading
- 3rd Reading of Ordinance 13-08, "An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposes for Dorchester County for the Fiscal Year Beginning July 1, 2013, and ending June 30, 2014; To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County"

**6. COMMITTEE REPORTS**

**Mr. William R. Hearn, Jr. – Budget, Finance and Purchasing Committee (May 28, 2013)**

- Presentation of Resolutions:
  - "In Honor of Chief Arthur Johnston"
  - "In Honor of the Woodland High School Boys Track Team, AA State Champions"
- Budget Presentation for Dorchester School District #4
- Budget Presentation for Dorchester County Library
- Budget Presentation for Dorchester County Career and Technology Center
- Budget Presentation for Dorchester County Fire Departments
- Budget Presentation for Dorchester County Public Defender
- Public Hearing for Dorchester County Budget Ordinance For Fiscal Year 2013-2014, "An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposes for Dorchester County for the Fiscal Year Beginning July 1, 2013, and ending June 30, 2014; To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County"
- Recommendation for Approval of Funding for LMRWA Holly Hill to Harleyville Reach
- Courthouse Space For Probate Judge
- Executive Session
  - Contractual Matters
    - Jail Architectural and Engineering Service
    - EOC Architectural and Engineering Service



**Mr. William R. Hearn, Jr. – Water and Sewer Committee**

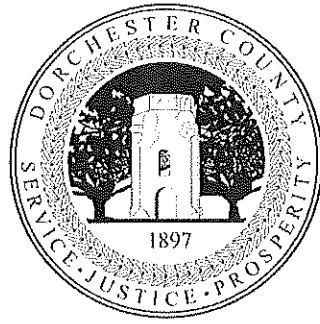
- Request for Approval of the Rehabilitation and Upgrade of Pump Station #11 in Plantation Point Subdivision Near North Charleston

**7. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

- Memorandum of Understanding between Charleston Dorchester Mental Health Center and Dorchester County
- Executive Session
  - Confidential Economic Development Projects
  - Personnel Matter
  - Contractual Matters
    - Pump Station #48 Contribution Agreement
    - CRDA Annual Funding Agreement
    - Potential Sale of Real Estate
  - Legal Advice
    - County Courthouse Alterations/Space Allocations

**9. ADJOURN**



WILLIAM R. HEARN, JR.  
CHAIRMAN

GEORGE H. BAILEY  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SALLY K. HEBERT  
CLERK TO COUNCIL

JAY BYARS

DAVID CHINNIS

WILLIE DAVIS

CARROLL S. DUNCAN

LARRY S. HARGETT

## COUNTY COUNCIL OF DORCHESTER COUNTY

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

**MINUTES  
DORCHESTER COUNTY COUNCIL  
KENNETH F. WAGGONER SERVICES CENTER  
COUNCIL CHAMBERS, ST. GEORGE  
JUNE 3, 2013  
7:00 PM**

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

PRESENT: Mr. William R. Hearn, Jr., Chairman  
Mr. George H. Bailey, Vice Chairman  
Mr. Jay Byars  
Mr. David 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  
Ms. Sally K. Hebert, Clerk to Council

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

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

**REQUESTS TO ADDRESS COUNCIL:** There were no requests to address Council.

### **ADOPTION OF MINUTES, MAY 20, 2013, DORCHESTER COUNTY COUNCIL MEETING**

1. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to adopt the minutes from the May 20, 2013, Dorchester County Council meeting.

**ADOPTION OF RESOLUTION #13-09, "IN HONOR OF MR. RICHARD DASH"**

2. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted unanimously to adopt Resolution #13-09, "In Honor of Mr. Richard Dash."

Chairman Hearn read the resolution, and Councilman Davis, along with Council, presented it to Mr. Dash, who was accompanied by his wife, Mrs. Daisy Dash. Additionally, Mr. Robert Ford, Chairman of Dorchester Seniors, Inc., gave a presentation and plaque to Mr. Dash for his years of active service on the Board of Directors. Also present were members of the United Methodist Men. Mr. Dash thanked everyone for the honor.

**GUESTS**

**REPRESENTATIVE PATSY KNIGHT AND SENATOR JOHN MATTHEWS, CHECK PRESENTATION FOR THE DORCHESTER COUNTY ECONOMIC DEVELOPMENT FUND**

Chairman Hearn reported that Representative Knight and Senator Matthews were unable to attend, and they requested to reschedule for the June 17 meeting.

**COUNCIL MEMBER'S TIME – MR. LARRY HARGETT**

**MAYOR JAMES WILLIAMS, TOWN OF RIDGEVILLE, REQUEST FOR FUNDING FOR SUMMER YOUTH WORKERS**

Councilman Hargett introduced Mr. James Williams, Mayor of the Town of Ridgeville. Mayor Williams requested \$7,000 in funding to hire four youths for temporary summer jobs. He said they would work six hours a day, five days a week, for eight weeks. He said these are students who need jobs to save money for college. He thanked Council for listening to his request.

3. On the motion of Councilman Hargett, seconded by Councilman Bailey, Council voted unanimously to refer this request to the Budget, Finance and Purchasing Committee.

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

**REQUEST FOR APPROVAL OF AT&T SECURITY AUDIT CONTRACT**

4. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to authorize the County Administrator to execute the contract with AT&T at a cost of \$5,231 to identify any weaknesses and vulnerabilities in the networks.

**REQUEST FOR APPROVAL OF ACS FIREHOUSE SOFTWARE CONTRACT**

Mr. Ward said this cloud-based software will be used for fire data tracking, including incident reports, personnel information, response information, asset tracking, maintenance tracking and scheduling, pre-fire incident inspections, etc. The cost of this software is \$3,310 per year for five years. The initial payment is included in the FY14 County Budget, he said.

5. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to authorize the County Administrator to execute the ACS Firehouse Software contract as recommended by the Deputy Administrator and the Fire Chief.

**REQUEST FOR APPROVAL OF EMS MILEAGE RATES AND ALS EMERGENT CORRECTION**

Mr. Ward asked Council to approve the increase in the mileage rate from \$7 per mile to \$9 per mile, effective July 1, 2013, and to make the correction to the ALS Emergent Services Rate, which is \$725 but was not properly recorded in prior minutes.

6. Councilman Chinnis said the last time Council addressed the rates charged for EMS services was January 22, 2002. Since then there have been significant increases in fuel costs as well as maintenance and operational costs. Additionally, the rate set for ALS Emergent service as set forth in the January 22, 2002, Council minutes contained a typographical error. On the motion of Councilman Chinnis, seconded by Councilman Hargett, Council voted unanimously to approve changing the mileage rate for EMS services from \$7 per mile to \$9 per mile effective July 1, 2013, and to approve correcting immediately the rate for ALS Emergent services to reflect the current charge of \$725. The balance of the rates would remain the same.

**REQUEST FOR APPROVAL OF CABLE FRANCHISE FEE**

Mr. Ward asked Council to approve the reallocation of the Cable Franchise Fee Revenue, [50 percent General Fund (Fund 101) and 50 percent Recreation Fund (Fund 150)], effective July 1, 2013. He said this will result in a reduction of approximately \$61,900 in General Fund revenue and an increase of the same amount in Recreation Fund revenue. He said the purpose is to fund the Executive Director of Parks and Recreation salary and benefits costs.

7. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to approve reallocation of the Cable Franchise Fee Revenues effective July 1, 2013, according to the following percentages: 50 percent to the County General Fund and 50 percent to the County Recreation Fund.

**MOTION TO AMEND THE DORCHESTER COUNTY BUDGET PRIOR TO 3<sup>RD</sup> READING**

Mr. Ward asked Council to amend the Dorchester County Budget for Fiscal Year 2013-2014 in the following particulars prior to giving 3<sup>rd</sup> Reading. See spreadsheet, Attachment 1.

8. On the motion of Councilman Byars, seconded by Councilman Chinnis, Council voted six in favor, with one opposed, to amend the Dorchester County Budget prior to 3<sup>rd</sup> Reading. Councilman Hargett voted against the motion.

**3<sup>RD</sup> READING OF BUDGET ORDINANCE 13-08**

Mr. Ward asked Council to give 3<sup>rd</sup> Reading to the Dorchester County budget for Fiscal Year 2013-2014.

Councilman Hargett read a prepared statement for the record explaining why he would vote to oppose the budget ordinance. See statement, Attachment 2.

9. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted six in favor, with one opposed, to approve 3<sup>rd</sup> Reading of Ordinance 13-08, "An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposes for Dorchester County for the Fiscal Year Beginning July 1, 2013, and ending June 30, 2014; To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County. Councilman Hargett voted against the motion. The motion passed.

**COMMITTEE REPORTS**

**CHAIRMAN WILLIAM R. HEARN, JR. – BUDGET, FINANCE AND PURCHASING COMMITTEE (MAY 28, 2013)**

Chairman Hearn said the committee met on May 28 to present two resolutions, receive budget presentations and hold a public hearing on the budget. Additionally, the Committee had several recommendations for Council approval.

10. Council voted unanimously to approve funding for the LMRWA Holly Hill to Harleyville Reach.

11. Council voted unanimously to defer a vote regarding courthouse space for the Probate Judge until after Executive Session.
12. Council voted five in favor, with two abstentions, to approve the revised concept for the EOC Building as submitted by the architect's memo to Ms. Jacobs dated May 27, 2013, that the County commit to proceed with construction of the project. Councilwoman Duncan and Councilman Bailey abstained from voting.

**CHAIRMAN WILLIAM R. HEARN, JR. – WATER AND SEWER COMMITTEE**

Chairman Hearn reported that the Committee met before the Council meeting and had one recommendation for Council approval.

13. Council voted unanimously to approve the rehabilitation and upgrade of Pump Station #11 in Plantation Point Subdivision near North Charleston.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

**DORCHESTER COUNTY PARKS AND RECREATION COMMISSION**

14. On the motion of Councilman Hargett, seconded by Councilman Davis, Council voted unanimously to appoint Ms. Rita May Ranck to the Dorchester County Parks and Recreation Commission, representing District #4.
15. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to appoint Mr. John Welch to the Dorchester County Parks and Recreation Commission, representing District #3.

**COUNTY ATTORNEY'S TIME**

**MEMORANDUM OF UNDERSTANDING BETWEEN CHARLESTON DORCHESTER MENTAL HEALTH CENTER AND DORCHESTER COUNTY**

16. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted unanimously to approve this Memorandum of Understanding between Charleston Dorchester Mental Health Center (CDMHC) and Dorchester County, which will allow the CDMHC to park its RV next to the old courthouse Monday through Friday between 9 a.m. and 3 p.m. for CDMHC to provide psychiatric treatment to individuals.

**EXECUTIVE SESSION**

The County Attorney requested Council's consideration to enter into Executive Session to discuss the following:

- Confidential Economic Development Projects
  - Personnel Matter
  - Contractual Matters
    - Pump Station #48 Contribution Agreement
    - CRDA Annual Funding Agreement
    - Potential Sale of Real Estate
  - Legal Advice
    - County Courthouse Alterations/Space Allocations
17. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to enter into Executive Session at approximately 8:10 p.m. to discuss the above listed items.

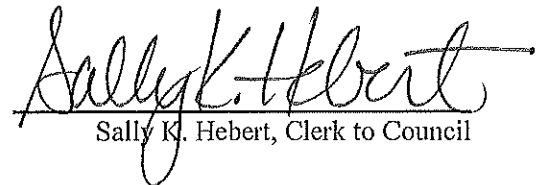
**RECONVENE FROM EXECUTIVE SESSION**

At approximately 10:20 p.m., the County Attorney reported that Council discussed the previously announced items, and no action was taken.

18. On the motion of Councilman Hargett, seconded by Councilman Bailey, Council voted unanimously to place the Project Back-Again in the Dorchester-Orangeburg Multi-County Industrial Park with the project receiving SSRC in an amount equal to the difference in taxes between a 10.5 percent assessment ratio and a 6 percent assessment ratio for a period of 20 years; and additionally Council authorized Special Source Revenue Credits equivalent to a Fee in Lieu Tax rate for Project Back-Again.
19. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to authorize the Chairman to sign the agreement between Dorchester County and the Charleston Regional Development Alliance.
20. On the motion of Councilman Byars, seconded by Councilman Hargett, Council voted unanimously to authorize the County Administrator to sign the Pump Station Contribution Agreement with Applegate and Co. for the upgrades to Pump Station 48.

**ADJOURNMENT**

21. On the motion of Councilman Byars, seconded by Councilman Bailey, Council voted unanimously to adjourn at approximately 10:25 p.m.

  
Sally K. Hebert, Clerk to Council

**Amendments to the Dorchester County Budget Prior to Third Reading 5/31/13**

Authorize the deletion of Codes Enforcement Manager position and reallocate revenue

Authorize the hiring of an Executive Director of Parks and Recreation to be paid from the Recreation Fund

Authorize the reallocation of franchise fees from 60/40 to 50/50 General Fund/Recreation Fund; a decrease to the General Fund of \$61,900.

Authorize the reclassification of the Admin IV position in the Administrator's Office in Summerville and adding PIO duties and compensation

Authorize increase to Emergency Medical Services revenue by \$105,359 in the General Fund.

And, increase the following revenues based upon the May 30, 2013 revenue estimates, without a millage increase:

Increase <b>County General Fund</b>	from	\$43,190,879	to	\$43,234,348
and amount from taxes	from	\$24,756,161	to	\$25,202,275

<b>County Capital Fund</b> <i>no increase in total revenue</i>		\$3,617,341
Increase the amount from current year taxes from	\$3,458,341	to \$3,520,548

<b>Increase School District #2 Operating Budget</b>				
Dorchester County (Net of State Portion)	from	\$37,827,760	to	\$39,139,664
State of South Carolina Homestead Exemption Fund ( <i>no change</i> )				<u>\$30,477,893</u>
Total	from	\$68,305,653	to	\$69,617,558

<b>Increase School District #4 Operating Budget</b>				
Dorchester County (Net of State Portion)	from	\$8,932,810	to	\$9,115,904
State of South Carolina Homestead Exemption Fund ( <i>no change</i> )				<u>\$3,444,878</u>
Total	from	\$12,377,688	to	\$12,600,781

<b>Increase the Career School Operating Budget</b>				
Dorchester County (Net of State Portion)	from	\$2,325,992	to	\$2,555,013
State of South Carolina Homestead Exemption Fund ( <i>no change</i> )				<u>\$1,791,716</u>
Total	from	\$4,117,708	to	\$4,346,729

Increase the <b>Trident Technical College</b>	from	\$1,758,845	to	\$1,792,860
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Increase the <b>County Library</b>	from	\$2,462,069	to	\$2,510,696
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Increase the <b>Dorchester Senior's Inc.</b>	from	\$950,972	to	\$969,437
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Increase the <b>Children in Crisis</b>	from	\$500,236	to	\$509,925
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<b>Increase Dorchester County Fire Protection Improvement Fund</b>				
	from	\$1,050,153	to	\$1,072,339

## Attachment 2

Mr. Chairman,

While I support the overall FY2014 Dorchester County Budget, I will vote against this proposed Budget upon third and final reading due to my deep concern over the operation and funding of the Dorchester Seniors, Inc. According to Dorchester Seniors, Inc. Staff members and Board members, the estimated average number of Dorchester County seniors participating in one or more of the senior's programs, at least monthly, is around 300-350 for both seniors' centers. Notwithstanding the home delivered meal program that reportedly provides several hundred meals each month, the requested \$967,000 FY2014 funding for the Dorchester County Senior's operation equates to between \$2,700 - \$3,200 per person per year for the tax payers of Dorchester County in order to fund Dorchester County Seniors, Inc. There are serious fundamental issues with the Dorchester County Seniors' organization and structure:

- neither of the two centers own the buildings and land which they control and now forego previous rent revenues for the buildings from public and private groups willing to pay to hold meetings and conferences in the buildings
- there are serious questions concerning how the private Company/Dorchester County Seniors, Inc. can be a part of the South Carolina Employee Retirement System which is a public/governmental tax supported/subsidized entity
- the majority of the Dorchester Seniors, Inc. Board of Directors does not provide or require that a majority of the Board of Directors be either directly appointed by the Dorchester County Council or subject to the election to the Board of Directors by the appointees of the County Council resulting in the County's appointees holding a minority of votes on the Board of Directors
- no contract exists between Dorchester Seniors, Inc. and Dorchester County. Dorchester Seniors, Inc. is operated autonomously without transparency, control or accountability to any government entity while spending Dorchester County taxpayer monies

Thank you, Mr. Chairman, I will vote 'no' on approving the Dorchester County FY2014 budget.

Larry Hargett  
Dorchester County Council District #4



**AGENDA  
DORCHESTER COUNTY COUNCIL  
SPECIAL CALLED COUNCIL MEETING  
HUMAN SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERVILLE  
JUNE 7, 2013  
9:15 A.M.**

1. **INVOCATION AND PLEDGE OF ALLEGIANCE**
2. **CHAIRMAN'S TIME – MR. WILLIAM R. HEARN, JR.**
  - County Courthouse Alterations
3. **COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON**
  - Executive Session
    - Legal Advice
      - County Courthouse Alterations
4. **ADJOURN**

WILLIAM R. HEARN, JR.  
CHAIRMAN

GEORGE H. BAILEY  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SALLY K. HEBERT  
CLERK TO COUNCIL



JAY BYARS

DAVID CHINNIS

WILLIE DAVIS

CARROLL S. DUNCAN

LARRY S. HARGETT

## COUNTY COUNCIL OF DORCHESTER COUNTY

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

**MINUTES  
SPECIAL CALLED MEETING OF  
DORCHESTER COUNTY COUNCIL  
DORCHESTER COUNTY HUMAN SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERVILLE  
JUNE 7, 2013  
9:15 AM**

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

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

ABSENT: Mr. Jay Byars  
Mr. Larry S. Hargett

Chairman Hearn called to order the Special Called Meeting of the Dorchester County Council. He invited all to stand for the invocation, which was given by Councilman Davis and followed by the Pledge of Allegiance. Chairman Hearn noted that Councilman Byars was out of town, and Councilman Hargett was out of the county.

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

**COUNTY COURTHOUSE ALTERATIONS**

Chairman Hearn said today's goal was to arrive at a resolution for County Courthouse renovations. He said Council has two options: to comply with the directions of Chief Justice Toal's Order dated May 29, 2013, or to defer to the Proviso dated June 5, 2013, which pulls \$30,000 from the Local Government Fund and directs it to the Clerk of Court for renovations. Chairman Hearn said he would accept a motion or discussion. When no one offered a motion, he asked if anyone from Council wished to speak. He recognized Councilman Chinnis.

Councilman Chinnis quoted Atticus Finch from *To Kill a Mockingbird* saying, "Best way to clear the air is to have it all out in the open." He said decisions have been made outside of our power when it was not all out in the open. He gave a presentation, including slides, reminding Council what they swore to do as elected officials and summarizing events to date regarding plans for Courthouse renovations. He said the one thing that does not abide by majority rule is a person's conscience. He said he could not in good conscience support what has happened because we have not gotten due process. He ended his presentation with another Atticus Finch quote about courage saying, "It's when you know you're licked before you begin but you begin anyway and you see it through no matter what." I'm going to see this one through, Councilman Chinnis said.

Before giving his remarks, Mr. Bailey read a poem: When you think it's all about you, remember that people are depending on you. When you are tired, remember that people are depending on you. When you get frustrated, remember that people are depending on you. When you want to give up, remember that people are depending on you. Remember that people are depending on you and that God has blessed you with talents, opportunities and time. The choice is yours. Will you squander God's blessings or will you seize the day? Remember, people are depending on you.

Councilman Bailey said it is an honor to have an At-Large Circuit Court Judge based out of Dorchester County. He reviewed recent events and said there were some remarks made that should not have been made and that he does not appreciate. He said Council could either put up the \$12,000 and make renovations or continue the battle. He said he was concerned about the potential cost of a legal fight and questioned what it would accomplish in the end, knowing that any appeal would go to Chief Justice Toal, who has already issued an Order. He said he would like to see Council put this issue behind us and move on to other things.

Councilwoman Duncan said there is much pride in Dorchester County gaining an At-Large Circuit Court Judge. She reminded everyone that Council set out to provide space, not designate space. She said at no time was this a game. She said Council takes its fiduciary responsibility to the taxpayers very seriously. She said she wanted to follow up on Councilman Chinnis's remarks about courage by highlighting a news story about a valedictorian from a Pickens County high school who tore up his speech and instead read The Lord's Prayer because the local school board had decided to remove prayer from the ceremony. Now that's courage, she said.

Councilman Davis said with this issue it seems like he has been here before and recalled with Chairman Hearn a citizen who once addressed Council saying, "No matter how tough things get, remember each one of you asked for this job." Councilman Davis said Council needed to pick its battles and do what is best for the citizens of this County.

Councilman Hearn said he appreciates the words of each Council member. He reiterated that fact that it is an honor and a longtime coming for Dorchester County to have an At-Large Judge, and this fact should not get lost in the discussion. He said as a Councilman and a lawyer, his goal is to comply with Chief Justice Toal's Order and avoid a finding of contempt.

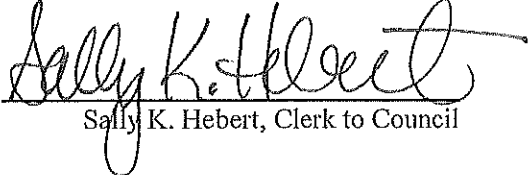
There was additional discussion among Council members and the County Attorney followed by a short recess to make additional copies of documents for all Council members followed by more discussion.

1. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted three in favor, with two abstentions and two absent, to approve that the not-to-exceed \$12,000 appropriated by County Council on May 20, 2013, be applied to the alterations to the Dorchester County Courthouse necessary to effectuate the office assignments as designated by the Clerk of Court in her letter to Chairman Hearn dated March 11, 2013, with the attached floor plan. Councilman Chinnis and Councilwoman Duncan abstained. Councilman Byars and Councilman Hargett were absent. The motion passed.

Chairman Hearn said the business of the meeting was accomplished without Executive Session.

**ADJOURNMENT**

1. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to adjourn at approximately 11:45 a.m.

  
Sally K. Hebert, Clerk to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNTY COUNCIL CHAMBERS, ST. GEORGE**  
**JUNE 17, 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 June 3, 2013, County Council Meeting and June 7, 2013, Special Called County Council Meeting
- Adoption of Resolution Calling for a Local Option Sales Tax Referendum for Property Tax Relief
- Correspondence

**3. GUESTS**

- Representative Patsy Knight and Senator John Matthews, Check Presentation for the Dorchester County Economic Development Fund
- Mrs. Kara Gunter, Interim Budget and Finance Director, Budget Report for May 2013
- Ms. Angie Crum, Director/CEO Ridgeville Community Resources Center, Inc., Request for Landscaping and Financial Assistance

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

- 1<sup>st</sup> Reading for an "Ordinance to Suspend the Approval of Development Under the Dorchester County Zoning and Land Development Standards Ordinance 04-13" in Pine Hill Acres (*This ordinance would suspend development permit approvals, primarily for new homes, for the remainder of the 2013 calendar year, within a section of Pine Hill Acres to facilitate drainage improvements in that area.*)
- Request for Approval of Salary Increases for Countywide Elected Officials
- Request for Approval of One-time Capital Expenditures to be Funded by Delinquent Tax Fund Balance
- Request for Approval of Transfers from Personnel Savings to Cover Year-End Operating
- Request for Approval to Cancel Three Stormwater Capital Improvement Projects and to Reallocate the Monies Saved Toward Future Projects
- Request for Approval of Road Maintenance Acceptance Application for Hickory Ridge Subdivision
- Request for Approval of Agreement with the Town of Reevesville for Lease of Fire Station

**5. COMMITTEE REPORT**

**Mr. David Chinnis – Planning, Building & Development Committee (6:15 p.m.)**

- Presentation from the Upper Dorchester County Historical Society
- Designating 101 Ridge Street Building As Dorchester County Offices Annex

**Mr. William R. Hearn, Jr. – Water and Sewer Committee (6:45 p.m.)**

- Request for New Water Service for Charles and Ruth Greer, 108 Osburn Avenue, near North Charleston, TMS #172-11-05-010

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

- Executive Session
  - Personnel Matter
  - Legal Advice
    - Condemnation of Property Adjacent to Summerville Airport

**8. ADJOURN**



WILLIAM R. HEARN, JR.  
CHAIRMAN

GEORGE H. BAILEY  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SALLY K. HEBERT  
CLERK TO COUNCIL

JAY BYARS

DAVID CHINNIS

WILLIE DAVIS

CARROLL S. DUNCAN

LARRY S. HARGETT

## COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET

ST. GEORGE, SOUTH CAROLINA 29477

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

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

**MINUTES  
DORCHESTER COUNTY COUNCIL  
KENNETH F. WAGGONER SERVICES CENTER  
COUNCIL CHAMBERS, ST. GEORGE  
JUNE 17, 2013  
7:00 PM**

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

PRESENT: Mr. William R. Hearn, Jr., Chairman  
Mr. George H. Bailey, Vice Chairman  
Mr. Jay Byars  
Mr. David Chinnis  
Mr. Willie Davis  
Mrs. Carroll S. Duncan  
Ms. Ashley Jacobs, Deputy Administrator  
Mr. John Frampton, County Attorney  
Ms. Sally K. Hebert, Clerk to Council

ABSENT: Mr. Larry Hargett  
Mr. Jason Ward, County Administrator

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

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

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

Chairman Hearn recognized the following citizens to address Council:

- Ms. Peggy Bangle, 114 Ravenwood Court, asked Council to continue to consider unintended consequences when making decisions for the people of Dorchester County.

- Ms. Cheryl Graham, Clerk of Court, asked Council to include longevity pay with the proposed five percent pay raise for Countywide Elected Officials to recognize her 36 years of employment with Dorchester County. She asked Council to implement longevity pay for all County employees as well.

#### **ADOPTION OF MINUTES**

1. On the motion of Councilman Bailey, seconded by Councilwoman Duncan, Council voted six in favor with one absent, to adopt the minutes from the June 3, 2013, Dorchester County Council Meeting and the June 7, 2013, Special Called County Council Meeting. Councilman Hargett was absent.

Chairman Hearn announced two absences from the meeting, saying Councilman Hargett was out of the country and Mr. Ward was home sick. He thanked Ms. Jacobs, Deputy Administrator, for filling in.

#### **ADOPTION OF RESOLUTION CALLING FOR A LOCAL OPTION SALES TAX REFERENDUM FOR PROPERTY TAX RELIEF**

Chairman Hearn said he put this item on the agenda because time is running out in the calendar year if the referendum is to appear on the November ballot. He said the purpose was not necessarily with a particular outcome in mind but rather to give Council time to consider the issue. He asked Council for input. A motion and a second were offered. Discussion followed with several questions raised. Ultimately, Council members said the voters should be allowed to decide whether or not to adopt a local option sales tax for property tax relief as other neighboring counties have done.

2. On the motion of Councilman Byars, seconded by Councilman Chinnis, Council voted six in favor, with one absent, to adopt Resolution #13-10, directing the Dorchester County Elections Commission to conduct a referendum for a Local Option Sales Tax for property tax relief on the Tuesday following the first Monday in November 2013. Councilman Hargett was absent.

**CORRESPONDENCE:** Items of correspondence were sent to County Council as they were received by staff.

#### **GUESTS**

##### **REPRESENTATIVE PATSY KNIGHT AND SENATOR JOHN MATTHEWS, CHECK PRESENTATION FOR THE DORCHESTER COUNTY ECONOMIC DEVELOPMENT FUND**

Representative Knight and Senator Matthews presented Dorchester County with a check for \$50,000 in support of the Tri-County Link bus route between St. George and Summerville.

##### **MRS. KARA GUNTER, INTERIM BUDGET AND FINANCE DIRECTOR, BUDGET REPORT FOR MAY 2013**

Mrs. Gunter presented the budget report for the month ending May 31, 2013. She provided a listing of revenue collections and expenditures for the major funds of the County and gave a report of the cash on hand for the major funds of the County through May 31, 2013.

##### **MS. ANGIE CRUM, DIRECTOR/CEO RIDGEVILLE COMMUNITY RESOURCES CENTER, INC., REQUEST FOR LANDSCAPING AND FINANCIAL ASSISTANCE**

Ms. Crum asked for assistance with debris collection. She also requested \$10,000 to help make Ridgeville a Work Ready Community. Three Ridgeville residents spoke in support of Ms. Crum's request.

**COUNTY ADMINISTRATOR'S TIME -- MS. ASHLEY JACOBS**

**1<sup>ST</sup> READING FOR AN "ORDINANCE TO SUSPEND THE APPROVAL OF DEVELOPMENT UNDER THE DORCHESTER COUNTY ZONING AND LAND STANDARDS ORDINANCE 04-13" IN PINE HILL ACRES**

3. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted six in favor, with one absent, to give 1<sup>st</sup> Reading and Referral to the Planning, Development and Building Committee to an "Ordinance to Suspend the Approval of Development Under the Dorchester County Zoning and Land Standards Ordinance 04-13" in Pine Hill Acres. Councilman Hargett was absent.

**REQUEST FOR APPROVAL OF SALARY INCREASES FOR COUNTYWIDE ELECTED OFFICIALS**

Ms. Jacobs said the salaries of the Auditor, Clerk of Court, Coroner, Register of Deeds, Sheriff and Treasurer were not adjusted in January when other employee salaries were adjusted. A salary survey comparing these officials' salaries to the salaries of their contemporaries in similar and neighboring counties has been performed by Human Resources and reviewed by the Administrator. As a result of the findings, Ms. Jacobs said the Administrator recommends a 5 percent pay raise for countywide elected officials effective July 1, 2013. Further, Ms. Jacobs asked Council to bring the Auditor and Treasurer salaries into parity as the salaries were before the Lockton Study. Both officials would receive a new County salary of \$55,739. Ms. Jacobs noted that Council had earlier heard the concerns of the Clerk of Court. She said the Probate Judge and Treasurer also had noted concerns.

Councilman Bailey recognized Ms. Graham, Clerk of Court, who made additional comments followed by discussion by Council. Two motions were made and withdrawn. The first motion by Councilman Davis, seconded by Councilman Byars, was to adopt the recommendation by Ms. Jacobs. The second motion by Councilman Chinnis, seconded Councilman Byars, was to amend the initial motion making the pay raises effective August 1 with retroactive pay. Both motions were withdrawn.

4. On the motion of Councilman Bailey, seconded by Councilman Chinnis, Council voted six in favor, with one absent, to refer to the Administrative and Intergovernmental Affairs Committee the salary increase request for countywide elected officials. Councilman Hargett was absent.

**REQUEST FOR APPROVAL OF ONE-TIME CAPITAL EXPENDITURES TO BE FUNDED BY DELINQUENT TAX FUND BALANCE**

5. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted six in favor, with one absent, to approve the expenditure of Delinquent Tax proceeds for one-time building repairs, HVAC replacement and carpet replacement as identified. Councilman Hargett was absent.

**REQUEST FOR APPROVAL OF TRANSFERS FROM PERSONNEL SAVINGS TO COVER YEAR-END OPERATING**

6. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted six in favor, with one absent, to approve the transfer from General Fund personnel savings to General Fund operating costs in order to cover the additional expenses as identified. Councilman Hargett was absent.

**REQUEST FOR APPROVAL TO CANCEL THREE STORMWATER CAPITAL IMPROVEMENT PROJECTS AND TO REALLOCATE THE MONIES SAVED TOWARD FUTURE PROJECTS**

7. On the motion of Councilman Chinnis, seconded by Councilman Byars, Council voted six in favor, with one absent, to approve the cancellation of the Grace Lutheran Church and Edisto River Road projects and the alteration of the Clemson Terrace project, which will be performed in house since a stacked block wall is not required, resulting in savings of approximately \$768,000 that can be reallocated to stormwater projects of greater impact and importance. Councilman Hargett was absent.



**REQUEST FOR APPROVAL OF ROAD MAINTENANCE ACCEPTANCE APPLICATION FOR HICKORY RIDGE SUBDIVISION**

8. On the motion of Councilman Chinnis, seconded by Councilwoman Duncan, Council voted six in favor, with one absent, to approve the acceptance application for Hickory Ridge Way and Carya Court and to authorize starting county maintenance and the Maintenance Liability Period as recommended by Public Works. Councilman Hargett was absent.

**REQUEST FOR APPROVAL OF AGREEMENT WITH THE TOWN OF REEVESVILLE FOR LEASE OF FIRE STATION**

9. On the motion of Councilman Chinnis, seconded by Councilwoman Duncan, Council voted six in favor, with one absent, to execute the lease agreement with the Town of Reevesville, which requires the County to pay for insurance on the building and its contents. Councilman Hargett was absent.

**COMMITTEE REPORTS**

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

Chairman Chinnis said the Committee met before the Council meeting and received a presentation from the Upper Dorchester County Historical Society in regards to using space in the former courthouse. No action was taken to allow more time for additional information regarding space to be gathered. He said the Committee unanimously recommends full Council vote on renaming the old county courthouse.

10. Council voted six in favor, with one absent, to rename the 101 Ridge Street building as the Dorchester County Offices Annex. Councilman Hargett was absent.

**CHAIRMAN WILLIAM R. HEARN, JR. – WATER AND SEWER COMMITTEE**

Chairman Hearn reported that the Committee met before the Council meeting and had one recommendation for Council approval.

11. Council voted six in favor, with one absent, to approve the request for new water service for Charles and Ruth Greer, 108 Osburn Avenue, near North Charleston, TMS #172-11-05-010. Councilman Hargett was absent.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

**DORCHESTER COUNTY PARKS AND RECREATION COMMISSION**

12. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted six in favor, with one absent, to appoint Mr. Charles Brown to the Dorchester County Parks and Recreation Commission, representing District #1. Councilman Hargett was absent.
13. On the motion of Councilman Byars, seconded by Councilman Chinnis, Council voted six in favor, with one absent, to appoint Mr. Mike Montei to the Dorchester County Parks and Recreation Commission, representing District #7. Councilman Hargett was absent.
14. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted six in favor, with one absent, to appoint Councilman Byars as Chairman of the Dorchester County Parks and Recreation Commission. Councilman Hargett was absent.

**COUNTY ATTORNEY'S TIME**

**EXECUTIVE SESSION**

The County Attorney requested Council's consideration to enter into Executive Session to discuss the following:

- Personnel Matter
- Legal Advice
- Condemnation of Property Adjacent to Summerville Airport

15. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted six in favor, with one absent, to enter into Executive Session at approximately 8:45 p.m. to discuss the above listed items. Councilman Hargett was absent.

**RECONVENE FROM EXECUTIVE SESSION**

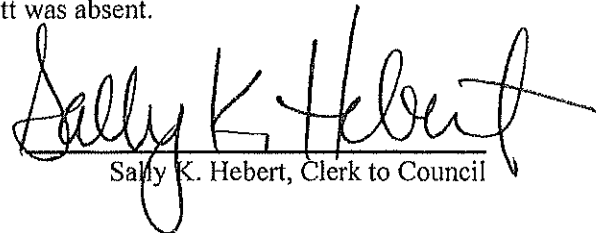
At approximately 9:23 p.m., the County Attorney reported that Council discussed the previously announced items, and no action was taken.

16. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted six in favor, with one absent, to proceed with the condemnation of TMS #120-00-00-008, an 18.75-acre parcel adjacent to the Dorchester County Airport in Summerville. Councilman Hargett was absent.

17. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted six in favor, with one absent, to approve extending the employment agreement between the County Administrator and County Council for a period of two years from its current termination date of July 31, 2013, at an initial compensation range of \$130,000 per year and change four months to six months in paragraph six. Councilman Hargett was absent.

**ADJOURNMENT**

18. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted six in favor, with one absent, to adjourn at approximately 9:25 p.m. Councilman Hargett was absent.

  
Sally K. Hebert, Clerk to Council