

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**OCTOBER 7, 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 September 16, 2013, County Council Meeting
- Dorchester County Employee Longevity Program (*County Council will recognize employees who have completed 5, 10, 15, 20, 25 and 30 years of service.*)
- Proclamation #13-02 in Support of Earthquake Awareness Week, October 13-19, and the "Great Southeast Shakeout" Earthquake Drill
- Correspondence

**3. GUESTS**

- Mr. Justin Powell, Chief Financial Officer, Presentation on the Local Option Sales Tax for Property Tax Relief
- Mr. Mike Dawson, Discussion of Conservation Along the Ashley River Corridor and Request to Place a Conservation Easement on the Ashley River Park Property

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

- Adoption of Resolution #13-13, A Resolution Pledging That 100% of the Revenue Received From the Local Option Sales Tax Will be Used To Provide A Credit To The Taxpayers
- Discussion of Letter to Congress in Opposition to H.R. 612, a Bill that Proposes to Increase Truck Weight Limits from 80,000 to 97,000 pounds

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

- Recognition of Mrs. Tammy Thompson for Achieving the IPMA-CP Designation
- Request to Downgrade a Lieutenant Position to Create a Sergeant Position as Recommended by Sheriff L.C. Knight
- Request for Approval to Transfer Payroll Savings to Contingency to Cover Training Costs
- Request to Close Out Prior Year Recreation Fund Projects
- 1<sup>st</sup> Reading for Rezoning Request #676 for HID, LLC, Dorchester Road at Murray Boulevard, TMS #152-00-00-022 [*This request is to rezone a vacant 2.6-acre parcel on Dorchester Road at Murray Blvd. from Transitional Residential (TRM) to Neighborhood Commercial (CN).*]
- 1<sup>st</sup> Reading for Rezoning Request #677 for Vivian Locklair and Shannon Thorpe, 1205 Beech Hill Road, TMS #160-00-00-030 [*This request is to rezone a 3.4-acre residential parcel at 1205 Beech Hill Road from Multi-Family Residential (R-4) to Neighborhood Commercial (CN).*]
- Request for Approval of Reclassification of Water and Sewer Positions

**6. COMMITTEE REPORT**

**Chairman William R. Hearn, Jr. – Budget, Finance and Purchasing Committee (6:15 p.m.)**

- 2<sup>nd</sup> Reading for Amendments to the Capital Improvement Plan for Roadways in Unincorporated Dorchester County Programming Project #R-21 – US-17A from Flood Heirs Road to SC-642 – to begin FY' 14 while postponing project #R-01 to future years. (*This amendment would commit transportation impact fee revenue to improvements of 1.04 miles of Boone Hill Road from Dorchester Road north to the future terminus of the Berlin G. Myers Parkway – Phase III. The segment of Boone Hill Road from Helen Drive to Greenwave Blvd., R-01, would be reserved as a project for future years.*)
- Discussion of Accommodations Tax Requests and Recommendations for Allocation
- Progress Report: Relocation of Solicitor's Office to St. George
- Request for Approval to Use \$20,000 in the Capital Fund Balance to Acquire a New Boiler at the Courthouse

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

- Request for Water Service by Shannon Kammer, 1315 Ridge Road near Ridgeville, TMS #118-00-00-013

**7. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

- Public Hearing and 3<sup>rd</sup> Reading for an Ordinance to Repeal Chapter 2, Article VI, Division 5, Section 2-565, of the Code of Ordinances, Dorchester County, South Carolina and to Substitute a New Section with the Same Number (*This ordinance would amend the existing procurement procedure for architect/engineering and land surveying services by setting up a committee who will evaluate qualifications, and negotiate a contract for recommendation to the County Administrator for execution.*)
- 3<sup>rd</sup> Reading for an Ordinance Authorizing the Execution and Delivery of an Infrastructure Credit Agreement By and Among Dorchester County, South Carolina, and Aero Precision Products, LLC, and Deming Way Invesco, LLC, to Provide for the Inclusion of the Project in a Multi-County Business or Industrial Park; to Provide for Special Source Revenue Credits; and Other Related Matters
- 2<sup>nd</sup> Reading for an Ordinance Authorizing Delivery By Dorchester County of a Special Source Revenue Credit Agreement with DTB Ventures, LLC, and Sportsman Boats Manufacturing, Inc., and Other Matters Related Thereto
- Executive Session
  - Confidential Economic Development Projects
  - Contractual Matter
    - Potential Purchase of Conservation Easement
    - Lower Dorchester Wastewater Treatment Plant
  - Legal Advice
    - Middleton Place Equestrian Center

**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  
OCTOBER 7, 2013  
7:00 P.M.**

Pursuant to the Freedom of Information Act, The Eagle-Record,  
The Summerville Journal Scene and The Post and Courier were notified,  
and a notice was posted on the bulletin 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 Hargett  
Mr. Jason Ward, County Administrator  
Ms. Ashley Jacobs, Deputy Administrator  
Mr. Justin Powell, Chief Financial Officer  
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 Byars 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:

- Mr. Jim Reeves, 557 Simmons Avenue in Summerville, distributed Sculpture in the South brochures and invited all to attend the organization's Annual Membership Event, an Oktoberfest, to be held Thursday, Oct. 10, at the Dorchester Boat Club. He also promoted the Birds In Residence: Downtown

Summerville (B.I.R.D.S.) program. Mr. Reeves serves as the Executive Director of Sculpture in the South.

#### **ADOPTION OF MINUTES**

1. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to adopt the minutes from the September 16, 2013, County Council Meeting.

#### **DORCHESTER COUNTY LONGEVITY PROGRAM**

Dorchester County recognized employees with 5, 10, 20 and 25 years of service. Mrs. Jan Simpson, from Human Resources, along with County Council presented the following employees who attended the meeting with certificates and pins: Ms. Karen Mizell (5), Mr. Charles Reeves (5), Mr. Craig Legates (5), Mr. Oscar Gutierrez (5), Mr. Bradley Mullis (5), Ms. Bonita Daniels (10), Mr. George Muckenfuss III (10), Ms. Darlene Simmons (20), Ms. Susan Hart (25), Mr. Joseph Weathers (25).

#### **PROCLAMATION #13-02, EARTHQUAKE AWARENESS WEEK**

2. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to adopt Proclamation #13-02 in Support of Earthquake Awareness Week, October 13-19, and the "Great Southeast Shakeout" Earthquake Drill.

**CORRESPONDENCE:** Mr. Ward reminded Council of a meeting in Columbia the following day to update the South Carolina Transportation Infrastructure Bank on Dorchester County road construction projects, specifically Highway 78, Phase III right-of-way; Highway 78 and Deming Way intersection improvements; Orangeburg Road and Butternut Road intersection improvements and the portion of Highway 165 being widened from Carolinian Drive to Ashley Ridge High School.

#### **GUESTS**

Chairman Hearn recognized Senator Sean Bennett in the audience and thanked him for attending the meeting. He then introduced Mr. Justin Powell, Chief Financial Officer, for a presentation followed by Mr. Mike Dawson, Conservation Commission Chairman.

#### **MR. JUSTIN POWELL, CHIEF FINANCIAL OFFICER**

Mr. Powell gave a presentation using PowerPoint slides on the Local Option Sales Tax for Property Tax Relief, including the statutory requirements and the estimated property tax credits by jurisdiction. He then answered questions from Council. There was some discussion of the issue among Council members.

Councilman Bailey recognized Mayor Charles Ackerman, Town of Harleyville; Mayor Anne Johnston, Town of St. George; Mayor James Williams, Town of Ridgeville; and Councilman Darrell Hinton, Town of St. George. He thanked them for attending tonight's meeting to hear the presentation.

#### **MR. MIKE DAWSON, CONSERVATION COMMISSION CHAIRMAN**

Mr. Dawson, speaking on behalf of the Conservation Commission, requested Council place the entire Ashley River park property into a conservation easement to permanently protect the property. He said this would help the Conservation Commission in negotiations with land owners across the river to place their land in conservation as well. He said the Lowcountry Open Land Trust is interested in working with Council to craft an easement that will accommodate the Parks and Recreation Commission plans for improvements to the property while protecting it from future subdivision and residential development for generations to come. Proceeds from the conservation bond referendum were used to purchase the park property. American Rivers, a national non-profit organization, is interested in creating an Ashley River Blue Trail from the proposed Dorchester County park along the Ashley River to I-526, he said. Council referred this request to the Dorchester County Parks and Recreation Commission for consideration.

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

**ADOPTION OF RESOLUTION #13-13**

3. On the motion of Councilman Hargett, seconded by Councilman Davis, Council voted one in favor, with six opposed, to amend the main motion (#4 below) to change the referendum date of the Local Option Sales Tax from Nov. 5, 2013, to Nov. 4, 2014. Opposing the amendment to the main motion were Chairman Hearn, Councilman Bailey, Councilman Davis, Councilman Chinnis, Councilwoman Duncan and Councilman Byars. The motion failed.
4. On the motion of Councilman Hargett, seconded by Councilman Chinnis, Council voted six in favor, with one opposed, to adopt Resolution #13-13, A Resolution Pledging that 100 Percent of the Revenue Received from the Local Option Sales Tax Will Be Used to Provide a Credit to the Taxpayers. Councilman Hargett voted against the motion.

**LETTER TO CONGRESS OPPOSING H.R. 612**

5. On the motion of Councilman Hargett, seconded by Councilwoman Duncan, Council voted unanimously to approve that a Chairman's letter be sent to Dorchester County's Congressional delegation opposing H.R. 612, a bill that proposes to increase truck weight limits from 80,000 to 97,000 pounds.

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

**RECOGNITION OF MRS. TAMMY THOMPSON**

Mr. Ward announced that Mrs. Thompson and her family were unable to attend tonight's Council meeting because of a weekend truck accident in which her son was seriously injured. Mr. Ward requested that this recognition occur at a future meeting when Mrs. Thompson and her family are able to attend.

**DOWNGRADING LIEUTENANT POSITION TO CREATE A SERGEANT POSITION**

6. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted unanimously to approve downgrading a Lieutenant position to create a Sergeant position as recommended by Sheriff L.C. Knight for a savings of approximately \$5,789.

**TRANSFERRING PAYROLL SAVINGS TO CONTINGENCY TO COVER TRAINING COSTS**

7. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to approve transferring payroll savings not to exceed \$3,400 to cover the cost of training Mrs. Simpson and Mrs. Thompson in employment law and to reimburse the Administrator's Contingency.

**CLOSING OUT PRIOR YEAR RECREATION FUND PROJECTS**

8. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to approve closing out prior year Recreation Fund Projects.

**REZONING REQUEST # 676**

9. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to approve 1<sup>st</sup> Reading for Rezoning Request #670 for HID, LLC, Dorchester Road at Murray Boulevard, TMS # 152-00-00-022, and to refer the request to the Planning, Development, and Building Committee for further consideration. *[This request is to rezone a vacant 2.6-acre parcel on Dorchester Road at Murray Blvd. from Transitional Residential (TRM) to Neighborhood Commercial (CN).]*

**REZONING REQUEST # 677**

10. On the motion of Councilwoman Duncan, seconded by Councilman Bailey, Council voted unanimously to approve 1<sup>st</sup> Reading for Rezoning Request # 677 for Vivian Locklair and Shannon Thorpe, 1205 Beech Hill Road, TMS #160-00-00-030, and to refer the request to the Planning, Development and Building Committee for further consideration. *[This request is to rezone a 3.4-acre residential parcel at 1205 Beech Hill Road from Multi-Family Residential (R-4) to Neighborhood Commercial (CN).]*

**RECLASSIFICATION OF WATER AND SEWER POSITIONS**

11. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted unanimously to approve the change from Admin I (Grade 5 - \$22,919 to 34,379) to Admin III (Grade 7 - \$27,733 to \$41,598) for these two positions as recommended by the Water and Sewer Director and Human Resources Office. Funding was previously approved by County Council for these changes in the FY 2013-2014 Dorchester County Budget.

**COMMITTEE REPORTS**

**CHAIRMAN HEARN – BUDGET, FINANCE AND PURCHASING COMMITTEE**

Committee Chairman Hearn reported that the Committee held a meeting this evening. He described the four agenda items and said Council unanimously recommends approving these items.

Council unanimously approved 2<sup>nd</sup> Reading for Amendments to the Capital Improvement Plan for Roadways in Unincorporated Dorchester County Programming Project #R-21 – US-17A from Flood Heirs Road to SC-642 – to begin FY 2014 while postponing project #R-01 to future years.

Council unanimously approved referring the current recommendations back to the Accommodations Tax Advisory Committee for reconsideration.

Council unanimously approved an expenditure in an amount not to exceed \$6,400 toward the relocation of the Solicitor’s Office from Summerville to St. George.

Council unanimously approved using \$20,000 in the Capital Fund Balance to acquire a new boiler at the new courthouse.

**CHAIRMAN HEARN – WATER AND SEWER COMMITTEE**

Committee Chairman Hearn reported that the Committee held a meeting to discuss providing water service to one applicant, which was recommended by staff and unanimously approved by the Committee.

Council unanimously approved a request for water service by Shannon Kammer, 1315 Ridge Road near Ridgeville, TMS #118-00-00-013.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

Chairman Hearn asked that County staff advertise on the website and in the newspaper openings on Dorchester County Boards and Commissions, noting a particular need for volunteers to serve on the Board of Disabilities and Special Needs and the Foster Care Review Board.

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

**PROCUREMENT PROCEDURE AMENDMENT**

Mr. Frampton requested Council to hold a Public Hearing on an Ordinance to Repeal Chapter 2, Article VI, Division 5, Section 2-565, of the Code of Ordinances, Dorchester County, South Carolina and to Substitute a New Section with the Same Number. Chairman Hearn struck the gavel, opening the public hearing and inviting members of the public to come to the podium to speak. In the absence of any volunteers to speak, Chairman Hearn struck the gavel again, closing the public hearing.

12. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted unanimously to give 3<sup>rd</sup> Reading and final approval for an Ordinance to Repeal Chapter 2, Article VI, Division 5, Section 2-565, of the Code of Ordinances, Dorchester County, South Carolina and to Substitute a New Section with the Same Number. *(This ordinance would amend the existing procurement procedure for architect/engineering*

*and land surveying services by setting up a committee who will evaluate qualifications, and negotiate a contract for recommendation to the County Administrator for execution.)*

**SPECIAL SOURCE REVENUE CREDIT: AERO PRECISION PRODUCTS, LLC**

13. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to give 3<sup>rd</sup> Reading and final approval for an Ordinance Authorizing the Execution and Delivery of an Infrastructure Credit Agreement By and Among Dorchester County, South Carolina, and Aero Precision Products, LLC, and Deming Way Invesco, LLC, to Provide for the Inclusion of the Project in a Multi-County Business or Industrial Park; to Provide for Special Source Revenue Credits; and Other Related Matters.

**SPECIAL SOURCE REVENUE CREDIT: DTB VENTURES, LLC, AND SPORTSMAN BOATS MANUFACTURING, INC., AND OTHER MATTERS RELATED THERETO**

14. On the motion of Councilman Chinnis, seconded by Councilman Bailey, Council voted unanimously to approve 2<sup>nd</sup> Reading for an Ordinance Authorizing Delivery By Dorchester County of a Special Source Revenue Credit Agreement with DTB Ventures, LLC, and Sportsman Boats Manufacturing, Inc., and Other Matters Related Thereto.

**EXECUTIVE SESSION**

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

- Confidential Economic Development Projects
  - Contractual Matters
    - Potential Purchase of Conservation Easement
    - Lower Dorchester Wastewater Treatment Plant
  - Legal Advice
    - Middleton Place Equestrian Center
15. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to enter into Executive Session at approximately 8:17 p.m. to discuss the above listed items.

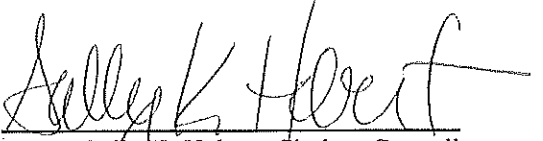
**RECONVENE FROM EXECUTIVE SESSION**

At approximately 9:30 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 unanimously to authorize the expenditure of \$24,625 of bond proceeds for the purpose of obtaining a conservation easement on approximately 197 acres of real property near Francis Beidler Forest.
17. On the motion of Councilman Chinnis, seconded by Councilwoman Duncan, Council voted unanimously to authorize the expenditure of \$135,000 from the sewer impact fee account for professional services and studies to be performed by Hazen and Sawyer related to the lower Dorchester County wastewater treatment plant.
18. On the motion of Councilman Byars, seconded by Councilman Davis, Council voted unanimously that the Dorchester County Assessor be authorized to pursue an appeal of the final Order and Decision of the Administrative Law Court in the case of the Dorchester County Assessor v. Middleton Place Equestrian Center, LLC.

**ADJOURNMENT**

19. On the motion of Councilman Bailey, seconded by Councilwoman Duncan, Council voted unanimously to adjourn at approximately 9:33 p.m.

  
Sally K. Hebert, Clerk to Council



**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**OCTOBER 21, 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 October 7, 2013, County Council Meeting
- Adoption of Proclamation #13-03, Pancreatic Cancer Awareness Month
- Adoption of Resolution #13-14, Creating a Community/Human Relations Council in Dorchester County
- Correspondence

**3. GUESTS**

- Mr. Tracy Todd, Accommodations Tax Advisory Committee Chairman, Presentation of Requests and Recommendations from October 14 Meeting
- Mr. Justin Powell, Chief Financial Officer, Budget Report for September 2013

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

- Recognition of Mrs. Tammy Thompson for Achieving the IPMA-CP Designation
- Request for Approval of Capital Fund – Fund Balance Appropriation for LOST Referendum and Solicitor Renovation
- Request for Approval to Sell Fire Department Vehicles
- Request for Approval of Taylor Pond Station Additional Funding
- Request for Approval of Wire Road Station Construction and Funding
- Request for Approval of Sheriff Detention Center Position Reclassification
- Request for Approval of Director of Budget and Finance and Deputy Director of Budget and Finance Reclassifications

**5. COMMITTEE REPORT**

**Chairman William R. Hearn, Jr. – Budget, Finance and Purchasing Committee (6:45 p.m.)**

- Recommendation for Approval of Space in the Dorchester County Offices Annex for Use by the Upper Dorchester County Historical Society to House the Dorchester County Archives and History Center

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

- Public Hearing and 3<sup>rd</sup> Reading for an Ordinance Authorizing Delivery By Dorchester County of a Special Source Revenue Credit Agreement with DTB Ventures, LLC, and Sportsman Boats Manufacturing, Inc., and Other Matters Related Thereto
- 1<sup>st</sup> Reading, By Title Only, of An Ordinance Authorizing (1) the Execution and Delivery Of a Special Source Revenue Credit Agreement By and Between Dorchester County, South Carolina (The "County") and a Company Identified For the Time Being As Project Constitution (The "Company"), To Provide For Special Source Revenue Credits In Connection With the Establishment Of Certain Facilities In the County (The "Project"); (2) the Benefits Of a Multi-County Industrial Or Business Park To Be Made Available To the Company and the Project; and (3) Other Matters Relating Thereto
- 1<sup>st</sup> Reading, By Title Only, of An Ordinance To Amend the Existing Amended and Restated Agreement For Development Of Joint County Industrial Park By and Between Dorchester County, South Carolina and Orangeburg County, South Carolina To Enlarge the Boundaries Of the Industrial Park To Include Certain Property Located In Dorchester County, South Carolina Now Or To Be Hereafter Owned and/or Operated By a Company Identified For the Time Being As Project Constitution, or One or More Companies Related Thereto; and Authorizing Other Related Matters
- Request for Approval of Narcotics Investigation Agreement Between the City of North Charleston and the County of Dorchester

- Executive Session
  - Contractual Matters
    - Mungo Contract of Sale
    - Emergency Operations Center Update
    - Real Estate Purchase – Medic 2
    - Termination of Fee in Lieu of Tax Agreement with Avoca, Inc.
  - Legal Advice
    - Town of St. George Drainage

**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  
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**MINUTES**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**OCTOBER 21, 2013**  
**7:00 P.M.**

Pursuant to the Freedom of Information Act, The Eagle-Record,  
The Summerville Journal Scene and The Post and Courier were notified,  
and a notice was posted on the bulletin 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 Hargett  
Mr. Jason Ward, County Administrator  
Ms. Ashley Jacobs, Deputy Administrator  
Mr. Justin Powell, Chief Financial Officer  
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 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:

- Mr. James Way, 2526 Highway 78 in Dorchester, donated his time to Mr. Ronnie Judy to speak about Edisto River Road.

- Mr. Ronnie Judy, 1872 Sandridge Road in Summerville, said his first concern was the safety of the people of Dorchester County. He requested Council give the Sheriff additional funds and tools to do his job. Additionally, he asked Council to repair Edisto River Road.

**ADOPTION OF MINUTES**

1. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to adopt the minutes from the October 7, 2013, County Council Meeting.

**PROCLAMATION #13-03, PANCREATIC CANCER AWARENESS MONTH**

2. On the motion of Councilman Bailey, seconded by Councilman Chinnis, Council voted unanimously to adopt Proclamation #13-03, designating November 2013 as Pancreatic Cancer Awareness Month.

**RESOLUTION #13-14, CREATING A COMMUNITY/HUMAN RELATIONS COUNCIL**

3. On the motion of Councilwoman Duncan, seconded by Councilman Bailey, Council voted unanimously to send Resolution #13-14 to the Administrative and Intergovernmental Affairs (AIA) Committee for consideration. Resolution #13-14, if adopted, would endorse the creation of a Dorchester County Community/Human Relations Council.

Before the vote, Chairman Hearn read aloud the proposed resolution. During discussion, Councilwoman Duncan said she was still in the research phase, learning about this new Council, and said there are some possible problems that need to be addressed. She proposed putting the resolution in Committee for further study. Councilman Chinnis raised concerns about long-term costs to Dorchester County in creating a Community/Human Relations Council. Councilman Davis asked Council members to do their research and then be prepared to either move forward with or abandon creating the proposed Council. Chairman Hearn invited Ms. Sandra Ligon, Community Relations Senior Consultant with the South Carolina Human Affairs Commission in Columbia, to address Council. There was some discussion between Ms. Ligon and Council members. She said she would be happy to come back to a Committee meeting to answer additional questions. Chairman Hearn thanked Ms. Ligon for attending tonight's meeting and said the County would be in touch.

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

**GUESTS**

**MR. TRACY TODD, ACCOMMODATIONS TAX ADVISORY COMMITTEE CHAIRMAN**

Mr. Todd presented the Committee's recommendations from its October 14 meeting and answered questions from Council. Mr. Todd said because the Town of St. George rescinded a request for \$4,000, the Committee reallocated that money, recommending an additional \$1,000 go to the Summerville Dorchester Museum, \$1,250 to The Flowertown Players and \$1,750 to The Lourie Theatre. Councilman Byars thanked Mr. Todd for providing meeting minutes, which he said were very helpful. Councilman Chinnis said he was asking in advance for next year that the Committee consider the requests of the Upper Dorchester County Historical Society, as they currently are requesting funds from his Committee. Chairman Hearn thanked Mr. Todd and his Committee for their work.

4. On the motion of Councilman Byars, seconded by Councilman Chinnis, Council voted unanimously to approve the revised recommendations from the Accommodations Tax Advisory Committee for distribution of accommodations taxes.

**MR. JUSTIN POWELL, CHIEF FINANCIAL OFFICER**

Mr. Powell presented the monthly budget report for September 2013 and answered questions.

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

**RECOGNITION OF MRS. TAMMY THOMPSON**

Mr. Ward invited Mrs. Thompson to come forward to be recognized for recently completing an examination earning her the designation as a Certified Professional by the International Public Management Association for Human Resources. He said Mrs. Thompson and Mrs. Jan Simpson have both taken on additional responsibilities in Human Resources. Mr. Ward said he wanted to publicly thank them for their hard work, particularly in working through open enrollment and assisting Dorchester County's 800 employees through this process. He congratulated Mrs. Thompson on earning the IPMA-CP designation. Council and those in attendance offered a round of applause. Chairman Hearn thanked Mrs. Thompson and Mrs. Simpson for everything they are doing.

**CAPITAL FUND – FUND BALANCE APPROPRIATION FOR LOST REFERENDUM AND SOLICITOR RENOVATION**

Councilman Hargett requested that this agenda item be separated into two, saying he was in favor of one but not the other. As there were no objections, the Chairman approved this request.

**APPROPRIATION FOR THE LOCAL OPTION SALES TAX REFERENDUM**

5. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted six in favor, with one opposed, to approve the appropriation of \$33,771 to cover the cost of the Local Option Sales Tax referendum. Councilman Hargett opposed the motion.

**APPROPRIATION FOR SOLICITOR SPACE RENOVATION**

6. On the motion of Councilman Bailey, seconded by Councilman Byars, Council voted unanimously to approve the appropriation of \$23,920 to cover the cost of renovations for the Solicitor's Office.

**SALE OF FIRE DEPARTMENT VEHICLES**

7. On the motion of Councilman Chinnis, seconded by Councilman Hargett, Council voted unanimously to approve the sale of fire apparatus and loose equipment as recommended by the Fire Chief and Deputy Administrator and to use the proceeds to fund the construction of the Wire Road station and the purchase of future equipment.

**TAYLOR POND STATION FUNDING**

8. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to approve additional funding of \$12,760 from the Fire Fund as recommended by the Fire Chief and Deputy Administrator.

Mr. Ward said the budget for this station was \$130,000, while the lowest construction bid for the station came in at \$142,760, prompting the request for additional funding.

**WIRE ROAD STATION CONSTRUCTION AND FUNDING**

9. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted unanimously to approve funding of a perc test for this location and funding for the construction of a station similar to the one on Taylor Pond Road in the amount not exceeding \$143,000 from the Fire Fund.

Mr. Ward said the project will only proceed if the parcel passes the perc test. He said the station will allow Dorchester County to provide fire protection to an area with an ISO rating of 10. Councilman Chinnis thanked Mr. Barry Stephens for providing the land, calling it a generous donation to the people of Dorchester County. Mr. Ward said the construction of a Wire Road fire station could potentially bring the ISO rating of 10 down to five. Councilman Byars said funding the station is money well spent. Councilman Bailey said he and Councilman Davis will be very happy to see these new stations built.

#### **DETENTION CENTER POSITION RECLASSIFICATIONS**

10. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to approve reclassification of one Captain position and two Lieutenant positions as presented and recommended by the Sheriff and Human Resources, and additionally approve the conversion of a part-time Kitchen Supervisor position to full-time with benefits.

Mr. Ward said funding was approved in the Carryover Budget by County Council.

#### **FINANCE DEPARTMENT RECLASSIFICATION OF POSITIONS**

11. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted unanimously to approve the reclassification and downgrade of the Budget and Finance Director position from a Grade 17 to a Grade 15 Controller position as recommended by the Chief Financial Officer and the Human Resources Office for a savings of approximately \$14,669, and additionally to approve the reclassification of the Grade 12 Deputy Budget and Finance Director position to a Grade 12 Budget Officer position.

Mr. Ward said this is part of the reorganization of the department, and both positions will report to the CFO. He said it will allow the County to have a person focus on the budget full-time. The other person will supervise accounting and general ledger functions primarily.

#### **COMMITTEE REPORTS**

##### **CHAIRMAN HEARN – BUDGET, FINANCE AND PURCHASING COMMITTEE**

Committee Chairman Hearn reported that the Committee held a meeting this evening. The Committee considered a proposal to provide space in the Dorchester County Offices Annex for use by the Upper Dorchester County Historical Society (UDCHS) to house the Dorchester County Archives and History Center. Chairman Hearn reported that the vote was six in favor and one absent to recommend the Committee meet with the UDCHS at the site to discuss the plans, the cost and the allocation of space.

Chairman Hearn then recognized Ms. Jacobs to provide additional information. She said in the September 16 Council packet there was a business plan that addressed various questions asked by Council during the Committee meeting, including concerns about insurance. In addition, the UDCHS met with Jakie Walters, Facilities Manager, and Michael Boatwright, ITS Manager, who have provided estimates included in the business plan of improvements that need to be made to the building for a one-time cost of about \$18,000. She said the UDCHS is asking for utilities to be covered each year, but they have stated that if the County is not able to provide those funds, UDCHS will provide the funds themselves through grants and donations. Utilities are estimated to cost \$5,400 per year, she said.

Councilman Bailey asked that the recommendation from the BFP Committee be moved to the Public Safety, Health and Human Services Committee. After some discussion, the Chairman agreed to move the recommendation to the PSHHS Committee for further review.

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

##### **DORCHESTER COUNTY BOARD OF DISABILITIES AND SPECIAL NEEDS**

12. On the motion of Councilman Chinnis, seconded by Councilman Byars, Council voted unanimously to recommend to the Governor the appointment of Ms. Mindy Steele to the Dorchester County Board of Disabilities and Special Needs.

##### **DORCHESTER COUNTY GRIEVANCE COMMITTEE**

13. On the motion of Councilman Byars, seconded by Councilman Bailey, Council voted unanimously to reappoint Ms. Ann Way to the Dorchester County Grievance Committee.

**DORCHESTER COUNTY TRANSPORTATION COMMITTEE**

14. Per the ordinance governing changes to the membership of the Dorchester County Transportation Committee, and on the motion of Councilman Byars, seconded by Councilman Davis, Council voted unanimously to remove Mr. Lester Dempsey as Councilman Byars' appointee to the Transportation Committee. Councilman Byars thanked Mr. Dempsey for his years of service to the Committee.

Councilman Hargett asked why a vote was needed. Chairman Hearn clarified that a vote is needed to make a change in the Transportation Committee membership when the change occurs before the expiration of the member's term per the ordinance governing the Transportation Committee.

15. On the motion of Councilman Byars, seconded by Councilman Davis, Council voted unanimously to appoint Mr. Matthew Coakley to the Dorchester County Transportation Committee, representing Council District #7.

**DORCHESTER COUNTY GRIEVANCE COMMITTEE**

16. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to reappoint Ms. Carolyn Tomlinson to the Dorchester County Grievance Committee.

**DORCHESTER COUNTY VETERANS AFFAIRS OFFICER**

17. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to recommend to the Governor the reappointment of Mr. Ed Burns as the Dorchester County Veterans Affairs Officer.

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

**SPECIAL SOURCE REVENUE CREDIT: DTB VENTURES, LLC, AND SPORTSMAN BOATS MANUFACTURING, INC., AND OTHER MATTERS RELATED THERETO**

Mr. Frampton requested Council to hold a Public Hearing on an Ordinance Authorizing Delivery By Dorchester County of a Special Source Revenue Credit Agreement With DTB Ventures, LLC, and Sportsman Boats Manufacturing, Inc., and other matters related thereto. He said this proposed Ordinance would place the project in the multi-county industrial park with Orangeburg County. Chairman Hearn struck the gavel, opening the public hearing and inviting members of the public to come to the podium to speak. In the absence of any volunteers to speak, Chairman Hearn struck the gavel again, closing the public hearing.

18. On the motion of Councilman Hargett, seconded by Councilman Byars, Council voted unanimously to give 3<sup>rd</sup> Reading and final approval for Ordinance #13-13, Authorizing Delivery By Dorchester County of a Special Source Revenue Credit Agreement With DTB Ventures, LLC, and Sportsman Boats Manufacturing, Inc., and to include the project in the multi-county industrial park with Orangeburg County.

**SPECIAL SOURCE REVENUE CREDIT: PROJECT CONSTITUTION (THE "COMPANY") AND OTHER MATTERS RELATED THERETO**

19. On the motion of Councilman Byars, seconded by Councilman Chinnis, Council voted unanimously to give 1<sup>st</sup> Reading, By Title Only, of An Ordinance Authorizing (1) the Execution and Delivery of a Special Source Revenue Credit Agreement By and Between Dorchester County, South Carolina (the "County") and a Company Identified For the Time Being as Project Constitution (the "Company"), To Provide For Special Source Revenue Credits In Connection With the Establishment Of Certain Facilities In the County (the "Project"); (2) the Benefits Of a Multi-County Industrial or Business Park To Be Made Available To the Company and the Project; and (3) Other Matters Relating Thereto.

**AMENDMENT TO ORDINANCE GOVERNING JOINT COUNTY INDUSTRIAL PARK WITH ORANGEBURG COUNTY TO INCLUDE PROJECT CONSTITUTION AND AUTHORIZING OTHER RELATED MATTERS**

20. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to approve 1<sup>st</sup> Reading, By Title Only, of An Ordinance To Amend the Existing Amended and Restated Agreement For Development Of Joint County Industrial Park By and Between Dorchester County, South Carolina and Orangeburg County, South Carolina To Enlarge the Boundaries Of the Industrial Park To Include Certain Property Located In Dorchester County, South Carolina Now Or To Be Hereafter Owned and/or Operated By a Company Identified For the Time Being As Project Constitution, or One or More Companies Related Thereto; and Authorizing Other Related Matters.

**NARCOTICS INVESTIGATION AGREEMENT BETWEEN THE CITY OF NORTH CHARLESTON AND THE COUNTY OF DORCHESTER**

21. On the motion of Councilman Hargett, seconded by Councilman Davis, Council voted unanimously to approve the Narcotics Investigation Agreement between the City of North Charleston and the County of Dorchester.

**EXECUTIVE SESSION**

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

- Contractual Matters
    - Mungo Contract of Sale
    - Emergency Operations Center Update
    - Real Estate Purchase – Medic 2
    - Termination of Fee in Lieu of Tax Agreement with Avoca, Inc.
  - Legal Advice
    - Town of St. George Drainage
22. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to enter into Executive Session at approximately 7:56 p.m. to discuss the above listed items.

**RECONVENE FROM EXECUTIVE SESSION**

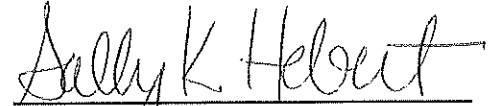
At approximately 8:56 p.m., the County Attorney reported that Council discussed the previously announced items, and no action was taken.

23. On the motion of Councilman Hargett, seconded by Councilman Davis, Council voted unanimously to authorize the County Administrator to execute the Agreement of Purchase and Sale of Real Property between Dorchester County and Mungo Homes Coastal Division, LLC, for a portion of the Pine Trace property.
24. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to authorize the County Attorney to notify the Town of Summerville that Dorchester County is terminating the Agreement to Buy and Sell for the .57-acre parcel, which was to be used by the County for the Medic 2 station.
25. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to approve the termination of the Memorandum of Lease between Dorchester County and Avoca, Inc., as successor to Raisio Staest, US, Inc., and approve the execution of the Limited Warranty Deed from Dorchester County to Avoca, Inc.



**ADJOURNMENT**

26. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to adjourn at approximately 8:58 p.m.

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

**AGENDA  
DORCHESTER COUNTY COUNCIL  
SPECIAL CALLED COUNCIL MEETING  
HUMAN SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERSVILLE  
OCTOBER 25, 2013  
10:00 A.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

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

- Executive Session
  - Contractual Matter
    - Potential Real Estate Sale: 500 Shaftesbury Lane, Summersville, the Former Kings Grant Wastewater Treatment Plant Site

**3. 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**  
**SPECIAL CALLED COUNCIL MEETING**  
**HUMAN SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERVILLE**  
**OCTOBER 25, 2013**  
**10:00 A.M.**

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

PRESENT: Mr. William R. Hearn, Jr., Chairman  
Mr. George H. Bailey, Vice Chairman  
Mr. Jay Byars (arrived a few minutes late)  
Mr. David Chinnis  
Mrs. Carroll S. Duncan  
Mr. Larry Hargett  
Mr. Jason Ward, County Administrator  
Ms. Ashley Jacobs, Deputy Administrator  
Mr. Justin Powell, Chief Financial Officer  
Mr. John Frampton, County Attorney  
Ms. Sally K. Hebert, Clerk to Council

ABSENT: Mr. Willie Davis

Chairman Hearn called to order the Special Called meeting of the Dorchester County Council. He gave the invocation, which was followed by the Pledge of Allegiance.

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

#### **EXECUTIVE SESSION**

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

- Contractual Matter
- Potential Real Estate Sale: 500 Shaftesbury Lane, Summerville, the Former Kings Grant Wastewater Treatment Plant

1. On the motion of Councilman Bailey, seconded by Councilman Chinnis, Council voted five in favor, with two absent, to enter into Executive Session at approximately 10:05 a.m. to discuss the above listed item. Councilman Davis and Councilman Byars were absent for the vote. Councilman Byars arrived as Council was walking into the conference room for Executive Session.

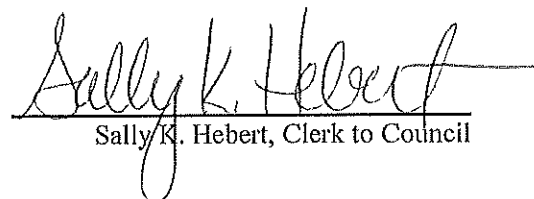
**RECONVENE FROM EXECUTIVE SESSION**

At approximately 10:45 a.m., the County Attorney reported that Council discussed the previously announced item, and no action was taken.

2. On the motion of Councilman Bailey, seconded by Councilwoman Duncan, Council voted five in favor, with one abstention and one absent, to proceed with negotiating a Contract of Sale for TMS #171-01-01-016 with Larry and Tammy Curtis for a sale price of \$195,000. Councilman Hargett abstained from voting. Councilman Davis was absent.

**ADJOURNMENT**

3. On the motion of Councilman Bailey, seconded by Councilwoman Duncan, Council voted six in favor, with one absent, to adjourn at approximately 10:47 a.m. Councilman Davis was absent.

  
Sally K. Hebert, Clerk to Council

**AGENDA  
DORCHESTER COUNTY COUNCIL  
DORCHESTER COUNTY HUMAN SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERSVILLE  
NOVEMBER 4, 2013  
7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

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

- Requests to Address Council
- Adoption of Minutes from the October 21, 2013, County Council Meeting and the October 25, 2013, Special Called County Council Meeting
- Recognition of Mr. Daniel Kale of Glasspro, Inc., for Winning 2013 World's Best Auto Glass Installer Champion
- Local Option Sales Tax for Property Tax Relief
- Correspondence

**3. GUEST**

- Mr. David Ginn, President and CEO of the Charleston Regional Development Alliance, CRDA Update

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

- Request to Adopt a Resolution Naming the Old Fort Drive Extension Roadway the "Wallace Ackerman Drive"
- Request to Adopt an Ordinance to Amend the Code of Ordinances, Dorchester County, South Carolina, By Adding a New Subsection to Chapter 2, Article III, Division 2, Sec. 2-98(C) to Address the Issue of "Texting" During Meetings of County Council

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

- Request for Approval of Transfer for Audit Services

**6. COMMITTEE REPORT**

**Chairman David Chinnis – Planning, Development and Building Committee (6:30 p.m.)**

- 2nd Reading for Rezoning Request #676 for HID, LLC, Dorchester Road at Murray Boulevard, TMS #152-00-00-022 [*This request is to rezone a vacant 2.6-acre parcel on Dorchester Road at Murray Blvd. from Transitional Residential (TRM) to Neighborhood Commercial (CN).*]
- 2nd Reading for Rezoning Request #677 for Vivian Locklair and Shannon Thorpe, 1205 Beech Hill Road, TMS #160-00-00-030 [*This request is to rezone a 3.4-acre residential parcel at 1205 Beech Hill Road from Multi-Family Residential (R-4) to Neighborhood Commercial (CN).*]

**Chairman Willie Davis – Administrative and Intergovernmental Affairs (6:45 p.m.)**

- Adoption of Resolution #13-14, Creating a Community/Human Relations Council in Dorchester County

**7. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

- 2<sup>nd</sup> Reading of An Ordinance Authorizing (1) the Execution and Delivery Of a Special Source Revenue Credit Agreement By and Between Dorchester County, South Carolina (The "County") and a Company Identified For the Time Being As Project Constitution (The "Company"), To Provide For Special Source Revenue Credits In Connection With the Establishment Of Certain Facilities In the County (The "Project"); (2) the Benefits Of a Multi-County Industrial Or Business Park To Be Made Available To the Company and the Project; and (3) Other Matters Relating Thereto
- 2<sup>nd</sup> Reading of An Ordinance To Amend the Existing Amended and Restated Agreement For Development Of Joint County Industrial Park By and Between Dorchester County, South Carolina and Orangeburg County, South Carolina To Enlarge the Boundaries Of the Industrial Park To Include Certain Property Located In Dorchester County, South Carolina Now Or To Be Hereafter Owned and/or Operated By a Company Identified For the Time Being As Project Constitution, or One or More Companies Related Thereto; and Authorizing Other Related Matters

- Amendment to Dorchester County Personnel Policy and Procedure Manual to Allow Forfeiture of Annual Leave As a Form of Discipline
- Executive Session
  - Legal Advice
    - Town of St. George Temporary Drainage Easement
  - Contractual Matters
    - Mosley Architectural Services for Jail
    - Treatability Study for Potential Economic Development Project

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

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

**MINUTES**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY HUMAN SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERVILLE**  
**NOVEMBER 4, 2013**  
**7:00 P.M.**

Pursuant to the Freedom of Information Act, The Eagle-Record,  
The Summerville Journal Scene and The Post and Courier were notified,  
and a notice was posted on the bulletin 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 R. Davis  
Mrs. Carroll S. Duncan  
Mr. Larry S. Hargett  
Mr. Jason Ward, County Administrator  
Ms. Ashley Jacobs, Deputy Administrator  
Mr. Justin Powell, Chief Financial Officer  
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 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:

- Mr. Roosevelt Geddis, 117 Luetta Lane, asked Council for the County to provide ongoing maintenance, including grading, of Luetta Lane. He said he was representing families living on this road. He introduced the residents who were present.

- Mr. Steven Wright, 102 Hammerbeck Road, said the behavior of some Council members during the referendum campaign has been irresponsible. He objected to the referendum being held as a special election in an off year.
- Mr. Lester Dempsey, 248 Parlor Drive, thanked Council for the opportunity to serve on the Dorchester County Transportation Committee (CTC) and CHATS. He gave an update on the work of the CTC during his 10 years of membership.
- Mr. Rob Groce, 113 Antebellum Way, said the Local Option Sales Tax Referendum will be legally contested if it passes.
- Ms. Cathy Kochis, 115 Tyvola Drive, submitted a petition with 36 signatures, asking that the County make Tyvola Drive a dead-end road.
- Mrs. Barbara Fields, 100 Wachovia Court, said the volume of traffic on Tyvola Drive is tremendous. She asked for Tyvola Drive to become a dead-end road.
- Ms. Diane Edwards, 117 Tyvola Drive, said she and her husband counted 129 cars travelling Tyvola in a 30-minute period. She thanked the Sheriff's Department for assistance. She also thanked Ms. Linda Huffman from Dorchester Two School District for rerouting 18 school buses that were previously using Tyvola as a cut-through. Additionally, she asked Council for assistance in getting the storm drains cleaned.
- Ms. Marsha McKinney, 104 Tyvola Drive, said she has lived there eight years and has twice seen her grandchildren almost run over by speeding cars. She said this is a critical safety issue. She also asked for Council's assistance in getting the storm drains cleaned.
- Mr. Rommel Boquiren, 121 Tyvola Drive, said he is the newest resident of Tyvola Drive, having lived there approximately three months. He said everything the residents are saying is true. He asked for Council's support in making Tyvola a dead-end street.
- Mr. Anthony Fields, 100 Wachovia Court, said it is very difficult to back out of his driveway due to the traffic. He asked for support in making Tyvola a dead-end street.

Councilman Byars said both Tyvola and Tasker are used as cut-through routes, whose residents need relief. He said these streets are in his district.

#### **ADOPTION OF MINUTES**

1. On the motion of Councilman Bailey, seconded by Councilwoman Duncan, Council voted unanimously to adopt the minutes from the October 21, 2013, County Council Meeting, and the October 25, 2013, Special Called County Council Meeting.

#### **RECOGNITION OF MR. DANIEL KALE OF GLASSPRO, INC.**

Mr. Daniel Kale was recognized by Council for being named the 2013 World's Best Auto Glass Installer Champion. Mr. Kale competed against technicians from the United States, Canada, Mexico, China and Spain to achieve this distinction at the Auto Glass Technician Olympics held recently in Tampa, Florida. Mr. Kale is a master auto glass technician employed by Glasspro, Inc., on Highway 78 in Summerville. Council gave Mr. Kale a round of applause and posed for pictures with him.

#### **LOCAL OPTION SALES TAX FOR PROPERTY TAX RELIEF**

Chairman Hearn announced that the Referendum for Local Option Sales Tax for Property Tax Relief is scheduled for tomorrow. He encouraged everyone to vote. He said information about the Referendum is available on the County website.

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



## **GUEST**

### **MR. DAVID GINN, PRESIDENT AND CEO OF CRDA**

Mr. Ginn, President and CEO of the Charleston Regional Development Alliance, gave an update on the CRDA's work in promoting Dorchester County and the region as a great place to live, work and raise a family. He thanked Council for leadership in supporting the CRDA and in getting Dorchester County sites and industrial parks certified, permitted and ready to sell. He said the CRDA has shown Dorchester County sites 18 times on 12 active projects over the past six months. He said the projects include manufacturing, logistics and distribution centers. Mr. Ginn said in the past 12 months the CRDA has participated in seven industry conferences aligned with CRDA's Economic Development strategy, including a Boeing supplier conference. Additionally, the CRDA has participated in 15 outbound marketing events.

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

### **RESOLUTION NAMING OLD FORT DRIVE EXTENSION “WALLACE ACKERMAN DRIVE”**

Councilman Hargett asked Council to consider a resolution supporting the renaming of Old Fort Extension “Wallace Ackerman Drive.” Councilman Bailey said he supports the resolution but requested a wording change in one paragraph. Several Councilmen reminisced about Councilman Ackerman, offering anecdotes.

2. On the motion of Councilman Bailey, seconded by Councilman Chinnis, Council voted unanimously to amend paragraph six to read, “Now, therefore, be it resolved, that Dorchester County Council requests that the Dorchester County Legislative Delegation introduce a Resolution to name the Old Fort Extension ‘Wallace Ackerman Drive’ beginning at Old Fort Drive and Recess Drive and ending at Ladson Road, once this road is accepted by the South Carolina Department of Transportation.”
3. On the motion of Councilman Hargett, seconded by Councilman Bailey, Council voted unanimously on the main motion requesting that the road be renamed “Wallace Ackerman Drive.”

### **ORDINANCE TO ADDRESS “TEXTING” DURING COUNCIL MEETINGS**

Councilman Hargett started to ask Council to consider an ordinance prohibiting texting by Council members, but he was interrupted by Councilman Chinnis who objected to consideration of the question. Councilman Hargett asked if he could finish. Chairman Hearn asked Mr. Frampton for clarification under Robert's Rules of Order. Mr. Frampton said an objection to consideration of the question allows a member to interrupt another member and to put the issue of consideration to a vote. He said the objection to consider an issue is not debatable or amendable and does not require a second. An objection to consideration of an issue requires a two-thirds majority vote to pass. Chairman Hearn asked Council, “Should the issue be considered?”

4. Council voted one in favor (Councilman Hargett), one abstaining (Councilman Davis) and five opposed to consider an ordinance to address “texting” during Council meetings. Chairman Hearn, Councilman Bailey, Councilman Chinnis, Councilwoman Duncan and Councilman Byars opposed considering the ordinance.

Chairman Hearn thanked Mr. Frampton for helping Council navigate the objection. Councilman Hargett asked if the issue could be considered at another meeting. Mr. Frampton confirmed that the issue could be discussed at a future meeting, but not at this meeting.

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

### **TRANSFER OF FUNDS FOR AUDIT SERVICES**

5. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to approve the transfer of \$13,000 from personnel savings to professional in the Budget and Finance Office to cover the cost of additional audit services.

## **COMMITTEE REPORTS**

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

Committee Chairman Chinnis reported that the Committee held a meeting this evening. He said the Committee voted unanimously to recommend Council approves 2<sup>nd</sup> Reading on the following two rezoning requests:

- Rezoning Request #676 for HID, LLC, Dorchester Road at Murray Boulevard, TMS #152-00-00-022 *[This request is to rezone a vacant 2.6-acre parcel on Dorchester Road at Murray Blvd. from Transitional Residential (TRM) to Neighborhood Commercial (CN).]*
  - Rezoning Request #677 for Vivian Locklair and Shannon Thorpe, 1205 Beech Hill Road, TMS #160-00-00-030 *[This request is to rezone a 3.4-acre residential parcel at 1205 Beech Hill Road from Multi-Family Residential (R-4) to Neighborhood Commercial (CN).]*
6. Council voted unanimously to approve 2<sup>nd</sup> Reading for Rezoning Request #676 and Rezoning Request #677.

### **CHAIRMAN DAVIS – ADMINISTRATIVE AND INTERGOVERNMENTAL AFFAIRS COMMITTEE**

Committee Chairman Davis reported that the Committee held a meeting this evening. The Committee discussed proposed Resolution #13-14, which would create a Community/Human Relations Council in Dorchester County. He said the Committee voted two opposed and one in favor of asking Council to adopt the proposed resolution.

7. Council voted five in favor, with two opposed, to deny adoption of proposed Resolution #13-14, Creating a Community/Human Relations Council in Dorchester County. Councilman Davis and Councilman Bailey opposed denial of adoption of the resolution.

## **APPOINTMENTS TO BOARDS AND COMMISSIONS**

### **DORCHESTER COUNTY BOARD OF DISABILITIES AND SPECIAL NEEDS**

8. On the motion of Councilman Byars, seconded by Councilman Bailey, Council voted unanimously to recommend to the Governor the appointment of Ms. Brandi Griffith to the Dorchester County Board of Disabilities and Special Needs.

### **DORCHESTER COUNTY FOSTER CARE REVIEW BOARD**

9. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to recommend to the Governor the appointment of Ms. Harriett Hollman to the Dorchester County Foster Care Review Board.

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

### **SPECIAL SOURCE REVENUE CREDIT: AMERICAN TACTICAL IMPORTS**

Mr. Frampton asked Council to consider giving 2<sup>nd</sup> Reading to an Ordinance approving a Special Source Revenue Credit Agreement between Dorchester County and a company previously identified as Project Constitution, but since announced as American Tactical Imports. The Special Source Revenue Credit Agreement would result in a 6 percent fee in lieu of taxes for a 20-year period.

10. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to give 2<sup>nd</sup> Reading to An Ordinance Authorizing (1) the Execution and Delivery Of a Special Source Revenue Credit Agreement By and Between Dorchester County, South Carolina (The "County") and American Tactical Imports, To Provide For Special Source Revenue Credits In Connection With the Establishment Of

Certain Facilities In the County (The "Project"); (2) the Benefits Of a Multi-County Industrial Or Business Park To Be Made Available To the Company and the Project; and (3) Other Matters Relating Thereto.

**AMENDMENT TO ORDINANCE GOVERNING JOINT COUNTY INDUSTRIAL PARK WITH ORANGEBURG COUNTY**

11. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to approve 2<sup>nd</sup> Reading of An Ordinance To Amend the Existing Amended and Restated Agreement For Development Of Joint County Industrial Park By and Between Dorchester County, South Carolina, and Orangeburg County, South Carolina, To Enlarge the Boundaries Of the Industrial Park To Include Certain Property Located In Dorchester County, South Carolina, Now Or To Be Hereafter Owned and/or Operated By American Tactical Imports; and Authorizing Other Related Matters.

Councilman Bailey asked that thank-you letters be sent to the South Carolina Department of Commerce, the Secretary of Commerce and the Governor for their help in recruiting American Tactical Imports to Dorchester County.

**FORFEITURE OF ANNUAL LEAVE AS A FORM OF DISCIPLINE**

12. On the motion of Councilman Chinnis, seconded by Councilman Bailey, Council voted unanimously to approve an amendment to the Dorchester County Personnel Policy and Procedure Manual to allow departments, including those headed by county-wide elected officials, to use the forfeiture of annual leave as a disciplinary tool in lieu of suspension without pay.

There was some discussion of this issue before the vote. Mr. Frampton said this would allow departments, such as the Sheriff's Department, EMS and Fire Department, to invoke forfeiture of leave as a discipline measure rather than suspension without pay, thereby avoiding overtime hours or a reduction of staff within a shift. Mr. Frampton said employees retain the right to grieve up the chain of command to the Grievance Committee. Mr. Ward said forfeiture of leave would be in lieu of suspension without pay. This prevents loss of pay. It does not however eliminate the option of suspension without pay, he said. Mr. Byars asked if this new option of discipline had been vetted by the County's labor attorneys. Mr. Ward confirmed that it had.

Mr. Frampton said notification to employees would be attached to their November 21 pay stubs effective for the pay period beginning November 30.

**EXECUTIVE SESSION**

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

- Legal Advice
  - Town of St. George Temporary Drainage Easement
- Contractual Matters
  - Moseley Architectural Services for Jail
  - Treatability Study for Potential Economic Development Project

13. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to enter into Executive Session at approximately 8:17 p.m. to discuss the above listed items.

Mr. Hargett left the meeting and did not participate in Executive Session because of a family emergency.

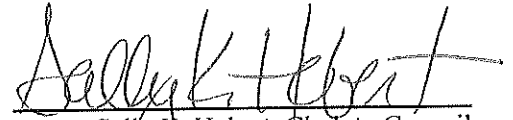
**RECONVENE FROM EXECUTIVE SESSION**

At approximately 9:55 p.m., the County Attorney reported that Council discussed the previously announced items, and no action was taken.

14. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted six in favor with one absent to entertain maintaining the ditches in the Town of St. George if the town is able to obtain easements from 100 percent of the affected property owners.

**ADJOURNMENT**

15. On the motion of Councilman Bailey, seconded by Councilwoman Duncan, Council voted unanimously to adjourn at approximately 9:56 p.m.

  
Sally K. Hebert, Clerk to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY HUMAN SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERVILLE**  
**NOVEMBER 18, 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 November 4, 2013, County Council Meeting
- Adoption of Dorchester County Council Meeting Schedule for Calendar Year 2014
- Correspondence

**3. GUESTS**

- Mr. Justin Powell, Dorchester County Chief Financial Officer, and Mrs. Jan Simpson, Dorchester County Benefits Administrator, Presentation on the Affordable Care Act
- Mr. Justin Powell, Chief Financial Officer, Budget Report for October 2013
- Ms. Alison Simmons, Community Development Manager, Dorchester County Economic Development, Update on Community Development Activities

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

- An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, As Previously Amended, to Amend Article XII, Section 12.4.2 So As To Add A New Subsection (C) To Remove Sweet Gum Trees From The Classifications of Protected Tree or Grand Tree
- Blue Star Memorial Marker

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

- Request for Approval to Rename Two Existing Sections of McDonald Circle to McDonald Court and Daniels Ridge Drive
- Request for Approval of Funding for Professional Services Soils Testing at Detention Facility
- Request for Approval to Donate 1988 GMC Fire Apparatus to Reevesville Volunteer Fire Department
- Request for Approval of the Use of Capital Fund Balance for Summerville Airport Land Acquisition and Improvements

**6. COMMITTEE REPORTS**

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

- Public Hearing and 3<sup>rd</sup> Reading for Rezoning Request #676 for HID, LLC, Dorchester Road at Murray Boulevard, TMS #152-00-00-022 [*This request is to rezone a vacant 2.6-acre parcel on Dorchester Road at Murray Blvd. from Transitional Residential (TRM) to Neighborhood Commercial (CN).*]
- Public Hearing and 3<sup>rd</sup> Reading for Rezoning Request #677 for Vivian Locklair and Shannon Thorpe, 1205 Beech Hill Road, TMS #160-00-00-030 [*This request is to rezone a 3.4-acre residential parcel at 1205 Beech Hill Road from Multi-Family Residential (R-4) to Neighborhood Commercial (CN).*]

**Mr. George Bailey – Public Safety, Health and Human Services (6:30 p.m.)**

- Request for Additional Ingress and Egress Into The Ponds Subdivision

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

- Request for Approval of Sewer Service to the Former Kings Grant Golf Course on Fairington Drive, TMS #171-00-00-047

**7. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

- 1<sup>st</sup> Reading to an Ordinance Amending Chapter 28, Article I, Sec. 28-6(a) of the Dorchester County Code of Ordinances to Increase the Distance Within Which a Firearm Cannot Be Discharged in Proximity to a School From 300 Feet to 1,500 Feet

- Public Hearing and 3<sup>rd</sup> Reading of An Ordinance Authorizing (1) the Execution and Delivery Of a Special Source Revenue Credit Agreement By and Between Dorchester County, South Carolina (The "County") and American Tactical Imports, To Provide For Special Source Revenue Credits In Connection With the Establishment Of Certain Facilities In the County (The "Project"); (2) the Benefits Of a Multi-County Industrial Or Business Park To Be Made Available To the Company and the Project; and (3) Other Matters Relating Thereto
- Public Hearing and 3<sup>rd</sup> Reading of An Ordinance To Amend the Existing Amended and Restated Agreement For Development Of Joint County Industrial Park By and Between Dorchester County, South Carolina and Orangeburg County, South Carolina To Enlarge the Boundaries Of the Industrial Park To Include Certain Property Located In Dorchester County, South Carolina Now Or To Be Hereafter Owned and/or Operated By American Tactical Imports or One or More Companies Related Thereto; and Authorizing Other Related Matters
- Public Hearing on the Agreement of Purchase and Sale of Real Property Between Dorchester County and Mungo Homes Coastal Division, LLC, for a Portion of the Pine Trace Property
- Approval of the Agreement of Purchase and Sale of Real Property Between Dorchester County and Mungo Homes Coastal Division, LLC, for a portion of the Pine Trace Property
- Public Hearing on a Proposed Contract of Sale of Real Property Between Dorchester County and Larry and Tammy Curtis Whereby the County Proposes to Sell to Larry and Tammy Curtis a Tract of Land Bearing TMS #171-01-01-016, Which Comprised the Former Kings Grant Wastewater Treatment Facility
- Approval of a Proposed Contract of Sale of Real Property Between Dorchester County and Larry and Tammy Curtis Whereby the County Proposes to Sell to Larry and Tammy Curtis a Tract of Land Bearing TMS #171-01-01-016, Which Comprised the Former Kings Grant Wastewater Treatment Facility
- Executive Session
  - Confidential Economic Development Project
  - Contractual Matter
    - Detention Center Design by Moseley Architects
  - Legal Advice
    - Pine Trace Sale Proceeds
    - Dorchester Economic Development Corporation
    - SLED Reporting Requirement for Probate Court

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**  
**NOVEMBER 18, 2013**  
**7:00 P.M.**

Pursuant to the Freedom of Information Act, The Eagle-Record,  
The Summerville Journal Scene and The Post and Courier were notified,  
and a notice was posted on the bulletin 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 R. Davis  
Mrs. Carroll S. Duncan  
Mr. Larry S. Hargett  
Mr. Jason Ward, County Administrator  
Ms. Ashley Jacobs, Deputy Administrator  
Mr. Justin Powell, Chief Financial Officer  
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**

Chairman Hearn recognized the following citizens to address Council:

- Ms. Sandra Salmon, 307 Runnymede Lane in Kings Grant subdivision in Summerville, asked Council to address the extreme foul odor at the Eagle Creek sewer facility.

- Ms. Peggy Bangle, 114 Ravenwood Court in Summerville, thanked Councilman Byars for the updates regarding Dorchester Road construction. She said she is concerned about the indirect costs of construction delays. She thanked Councilwoman Duncan for her research regarding the Community/Human Affairs Commission.

#### **ADOPTION OF MINUTES**

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

#### **ADOPTION OF 2014 MEETING SCHEDULE**

2. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to approve the 2014 Meeting Schedule of Dorchester County Council.

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

#### **GUESTS**

##### **MR. JUSTIN POWELL, DORCHESTER COUNTY CFO, AND MRS. JAN SIMPSON, DORCHESTER COUNTY BENEFITS ADMINISTRATOR: PRESENTATION ON THE AFFORDABLE CARE ACT**

Mr. Powell and Mrs. Simpson gave a presentation to County Council and answered questions. They reported that no current employees will lose their health and dental benefits as a result of the Affordable Care Act. They reported that the County has fewer than 10 part-time employees who may become eligible for health and dental coverage, if they are variable-hour employees who average 30 hours per week over the Standard Measurement Period.

##### **MR. JUSTIN POWELL, DORCHESTER COUNTY CFO: OCTOBER 2013 BUDGET REPORT**

Mr. Powell presented the monthly budget report for October 2013 and answered questions.

##### **MR. JON BAGGETT, DORCHESTER COUNTY ECONOMIC DEVELOPMENT DIRECTOR: UPDATE ON COMMUNITY DEVELOPMENT ACTIVITIES**

Mr. Baggett gave an update on Community Development activities in the absence of Ms. Alison Simmons. He highlighted two projects:

- Mr. Baggett discussed Dorchester County's participation as one of three Pilot Communities in the SC Great Outdoors Initiative by the SC National Heritage Corridor. This initiative is developing marketing tools for tourism for untapped treasures, he said. In Dorchester County, that includes Beidler Forest, Edisto River, Givhans Ferry and camp meeting sites. These untapped treasures can draw people from Charleston – one of the largest tourism markets in the country – to Dorchester County, said Mr. Baggett. Marketing materials are being finalized and incorporated into the tourism advertising by our Chambers of Commerce. As part of the project, the Heritage Corridor will be offering a Hospitality Training session on December 4 to area tourism service providers.
- Secondly, Ms. Simmons is working with the Town of St. George on Economic Development's first pilot project for a community building initiative, said Mr. Baggett. She is working with Team St. George, a committee of citizens, who reviewed all the master plans and identified a project to implement. The first project for implementation is a downtown Farmers Market, which the town has allocated \$20,000 from its Accommodations Tax money to launch in the Spring of 2014. He said they have been working very closely with the Clemson Cooperative Extension, the USDA and others on this community building activity to increase community pride.

Mr. Baggett said Ms. Simmons is representing the County in working with the Town of Summerville on updating the strategic plan, which includes Oakbrook and some unincorporated areas of Dorchester County. Additionally, she is working to develop a marketing plan for retail and commercial development. He said they plan to attend the International Council of Shopping Centers in the Spring to market the County.



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

#### **PROPOSED AMENDMENT TO REMOVE SWEET GUM TREES AS PROTECTED**

3. On the motion of Councilman Bailey, seconded by Councilwoman Duncan, Council voted unanimously to approve referral to the Planning, Development and Building Committee for an Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, As Previously Amended, to Amend Article XII, Section 12.4.2 So As To Add A New Subsection (C) To Remove Sweet Gum Trees From the Classifications of Protected Tree or Grand Tree.

#### **BLUE STAR MEMORIAL MARKER**

Councilman Bailey thanked County employees for assistance in preparing the site near the courthouse in St. George for the Blue Star Memorial Marker.

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

#### **RENAMING TWO SECTIONS OF MCDONALD CIRCLE**

4. On the motion of Councilwoman Duncan, seconded by Councilman Hargett, Council voted unanimously to approve the renaming of two existing sections of McDonald Circle to McDonald Court and Daniels Ridge Drive as unanimously recommended by the Planning Commission and the Planning staff.

#### **FUNDING FOR PROFESSIONAL SERVICES SOILS TESTING**

5. On the motion of Councilman Chinnis, seconded by Councilwoman Duncan, Council voted unanimously to approve the funding request, not to exceed \$7,700, for soils testing for the detention center site as recommended by the Public Works Director.

#### **DONATING A FIRE TRUCK TO REEVESVILLE VOLUNTEER FIRE DEPARTMENT**

6. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted unanimously to approve the donation of a 1988 GMC fire truck to the Reevesville Volunteer Fire Department as recommended by the Deputy Administrator and the Fire Chief.

#### **FUNDING SUMMERVILLE AIRPORT LAND ACQUISITION AND IMPROVEMENTS**

7. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to approve using \$200,000 of Capital Fund Balance for the Summerville Airport land acquisition and improvements.

Mr. Ward said monies were previously appropriated and the projects were put on the back burner while staff focused on completing the runway extension. At the June 17, 2013, meeting, County Council approved the condemnation of TMS #120-00-00-008, an 18.75-acre tract adjacent to the airport. The appraisal for this acquisition is \$130,000, and County funds will match federal funds of \$90,602 for this acreage and other property near the airport, he said.

### **COMMITTEE REPORTS**

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

Committee Chairman Chinnis reported that the Committee met this evening prior to Council's meeting and held a Public Hearing for Rezoning Request #676 for HID, LLC, Dorchester Road at Murray Boulevard, TMS #152-00-00-022 to rezone a vacant 2.6-acre parcel from Transitional Residential (TRM) to Neighborhood Commercial (CN). He said the Committee voted two in favor with one opposed to recommend full Council postpones 3<sup>rd</sup> Reading until December 2 in St. George to allow the Committee to receive more information.

On a second issue, he said the Committee held a Public Hearing in which one person spoke. The Committee then voted unanimously to recommend Council approves 3<sup>rd</sup> Reading for Rezoning Request #677 for Vivian Locklair and Shannon Thorpe, 1205 Beech Hill Road, TMS #160-00-00-030, to rezone a 3.4-acre residential parcel from Multi-Family Residential (R-4) to Neighborhood Commercial (CN).

8. Council voted unanimously to approve postponing 3<sup>rd</sup> Reading on Rezoning Request #676 until December 2 and to approve 3<sup>rd</sup> Reading for Rezoning Request #677.

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

Committee Chairman Bailey reported that the Committee held a meeting this evening to receive a report from Mr. Alec Brebner, Dorchester County Planning and Zoning Manager, regarding an additional ingress and egress into The Ponds subdivision. Mr. Brebner reported that a construction entrance will be required when roughly 100 lots are proposed to the Planning Commission. Councilman Bailey said the Committee was satisfied with the report, and no action was taken.

#### **CHAIRMAN HEARN – WATER AND SEWER COMMITTEE**

Chairman Hearn reported that the Water and Sewer Committee met at 6:45 p.m. this evening and recommends full Council approves a request for sewer service to the former Kings Grant golf course on Fairington Drive as requested by the Estates at Ashley River in the City of North Charleston.

9. Council voted unanimously to approve providing sewer service to the former Kings Grant golf course on Fairington Drive, TMS #171-00-00-047.

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

##### **DORCHESTER COUNTY FOSTER CARE REVIEW BOARD**

Councilman Davis said that since nominating Ms. Harriett Hollman at the November 4 Council meeting for recommendation to the Governor for appointment to the Dorchester County Foster Care Review Board, he has learned that she is a foster parent, which prevents her from being appointed by the Governor.

10. On the motion of Councilman Davis, seconded by Councilman Byars, Council voted unanimously to withdraw the recommendation to the Governor of the appointment of Ms. Harriett Hollman to the Dorchester County Foster Care Review Board.

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

##### **PROPOSED ORDINANCE REGARDING DISCHARGING A FIREARM NEAR A SCHOOL**

Mr. Frampton asked Council to consider taking up this issue at a later date.

##### **SPECIAL SOURCE REVENUE CREDIT: AMERICAN TACTICAL IMPORTS**

Mr. Frampton asked Council to hold a Public Hearing followed by 3<sup>rd</sup> Reading on an Ordinance approving a Special Source Revenue Credit Agreement between Dorchester County and a company previously identified as Project Constitution, but since announced as American Tactical Imports. The Special Source Revenue Credit Agreement would result in a six percent fee in lieu of taxes for a 20-year period.

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

11. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to give 3<sup>rd</sup> Reading to An Ordinance Authorizing (1) the Execution and Delivery Of a Special Source Revenue Credit Agreement By and Between Dorchester County, South Carolina (The "County") and American Tactical Imports, To Provide For Special Source Revenue Credits In Connection With the Establishment Of

Certain Facilities In the County (The "Project"); (2) the Benefits Of a Multi-County Industrial Or Business Park To Be Made Available To the Company and the Project; and (3) Other Matters Relating Thereto.

**AMENDMENT TO ORDINANCE GOVERNING JOINT COUNTY INDUSTRIAL PARK WITH ORANGEBURG COUNTY**

Mr. Frampton asked Council to hold a Public Hearing followed by 3<sup>rd</sup> Reading on an Ordinance to amend the existing amended and restated agreement for a joint industrial park with Orangeburg County to include American Tactical Imports as recommended by the Economic Development Director and Economic Development Board and to allow for Special Source Revenue Credits to be provided to the company.

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

12. On the motion of Councilman Bailey, seconded by Councilman Chinnis, Council voted unanimously to approve 3<sup>rd</sup> Reading of An Ordinance To Amend the Existing Amended and Restated Agreement For Development Of Joint County Industrial Park By and Between Dorchester County, South Carolina, and Orangeburg County, South Carolina, To Enlarge the Boundaries Of the Industrial Park To Include Certain Property Located In Dorchester County, South Carolina, Now Or To Be Hereafter Owned and/or Operated By American Tactical Imports; and Authorizing Other Related Matters.

**AGREEMENT OF PURCHASE AND SALE OF REAL PROPERTY BETWEEN DORCHESTER COUNTY AND MUNGO HOMES COASTAL DIVISION, LLC, FOR A PORTION OF THE PINE TRACE PROPERTY**

Mr. Frampton asked Council to hold a Public Hearing followed by a vote to approve the proposed contract.

Chairman Hearn struck the gavel, opening the Public Hearing. He invited the public to come forward to speak on this issue. The Chairman recognized Mr. John Mott to speak.

- Mr. John Mott, 244 Luden Drive in Summerville, asked for more public information regarding the property being sold.

Mr. Frampton summarized the contract terms, saying the purchase price is \$43,644 per highland acre with the parcel encompassing approximately 45 highland acres, subject to survey. He said it is the parcel that is closest to Miles Jamison Road and is a portion of the Pine Trace property. Chairman Hearn said the overall acreage of the tract is approximately 330 acres.

In the absence of any additional requests to speak, Chairman Hearn struck the gavel, closing the Public Hearing.

13. On the motion of Councilman Chinnis, seconded by Councilman Hargett, Council voted unanimously to authorize the County Administrator to sign the proposed contract of purchase and sale of real property between Dorchester County and Mungo Homes Coastal Division, LLC, for a portion of the Pine Trace property.

**PUBLIC HEARING ON A PROPOSED CONTRACT OF SALE OF REAL PROPERTY BETWEEN DORCHESTER COUNTY AND LARRY AND TAMMY CURTIS WHEREBY THE COUNTY PROPOSES TO SELL TO LARRY AND TAMMY CURTIS A TRACT OF LAND BEARING TMS #171-01-01-016, WHICH COMPRISED THE FORMER KINGS GRANT WASTEWATER TREATMENT FACILITY**

Mr. Frampton asked Council to hold a Public Hearing on the proposed contract.

Chairman Hearn struck the gavel, opening the Public Hearing. He invited the public to come forward to speak on this issue. The Chairman recognized the following people:

- Mr. Milton McCullough, 128 Lancer Drive in Summerville, said there are serious concerns regarding selling this lot for residential purposes. He cited online sources regarding increased health risks for residents living on former landfill and sewage treatment sites. He asked Council to consider selling the property to the developer working on The Estates at Ashley River who would then clean it up and convert it to recreational use such as a boat parking lot or picnic parking lot.
- Mr. Danny Perry, 104 Shaftesbury Lane in Summerville, reminded Council that Kings Grant is one of the County's oldest neighborhoods in Summerville. He said the residents are concerned with keeping Kings Grant beautiful and making it a stable place to live for the retired residents, yet appealing to young families moving in. He said there are 425 homeowners with plans for an additional 80 homes. He said that lot was promised to the HOA by other developers. He asked the County to work with the developer of The Estates at Ashley River to benefit the entire neighborhood. Additionally, he stated concerns about an easement on the property. He asked Council to make 500 homeowners happy versus one homeowner by voting no on the sale of the property.
- Mr. Rick Dandridge, 112 White Heron Lane in Summerville, stated concerns about the sale of the property. He said he would not want it rezoned for multi-family use, creating a safety hazard for the children of the neighborhood. He said any new residents on that property would be located next to Kings Grant amenities, making it difficult for the HOA to block them for using Kings Grant facilities without contributing financially.
- Ms. Michelle McCullough, 128 Lancer Drive in Summerville, president of the Kings Grant subdivision Homeowners Association, reminded Council that she spoke at the September 3 Council meeting, inviting Council to visit the lot for sale. She thanked Councilman Hargett for his support as a resident of Kings Grant. She said she was disappointed that no one else from Council contacted her. She asked Council to vote no to sell this land.
- Ms. Kimberly Thompson, 126 Lancer Drive in Summerville, said she is the mother of five children and has lived with her family about a year and a half in Kings Grant. She said she wants the amenities to come back to the neighborhood. She said the lot is located in the middle of the amenities, and it would be detrimental to have a home built amidst the ball fields, walking trails and picnic shelter where kids might hit a home run through the potential new residents' windows.
- Mr. Richard Kopfmüller, 311 Fairington Drive in Summerville, said the lot is in the heart of the Kings Grant recreation area. He mentioned there is an easement on the land for residents to reach the picnic shelter. He stated concerns of the dismantling of the plant and concerns about the clean up and whether it was adequate. He asked Council to consider selling the property to the Estates at the Ashley River for an offer that he said is still greater than the County's assessed value of \$63,000. He said this would benefit more than 1,000 constituents who live in the neighborhood.
- Mr. Myron Johnson, 400 Shaftesbury Lane in Summerville, called himself the sheriff of the boat landing. He stated concerns about easements on the property. He said the offered price is high, considering it is not waterfront property. He said there are a lot of negative aspects of that property being sold as a private residence. He reminisced about the neighborhood pool being the best and busiest in the area 25 years ago. He said he has lived the past 11 years on the lot by the river. Mr. Johnson asked Council to consider the offer from Mr. Edge for the property.
- Mr. Tim Rigsby, 104 Stratford Drive in Summerville, asked all those present who live in Kings Grant to please stand up. Those standing included Councilman Hargett. Mr. Rigsby said they are the small advance force who will return for any potential rezoning hearings. He thanked Council for considering the requests of the speakers.
- Ms. Alice Stamps, 610 Fairington Drive in Summerville, said the intent is to have the lot as a parking lot but not actually having children play on the former treatment plant site.
- Ms. Bambi Magraw, representing the potential buyers, said Kings Grant is a beautiful neighborhood. She said any time there is change, there is a fear of the unknown. She said the buyers are going through due diligence. They have no intention of doing anything other than improving the property, making it

more beautiful for the neighborhood and for themselves, said Ms. Magraw. Anyone who has put money down on a property should have the opportunity to buy it.

In the absence of additional requests to speak, the Chairman closed the Public Hearing. He thanked everyone for their passion and for being concise in their statements.

Councilman Hargett asked Mr. Frampton for the status of the counteroffer. Mr. Frampton said there is no counteroffer. Mr. Frampton said the potential buyers signed a contract accepting a quick-claim deed. Councilman Hargett asked if there were any other changes. Mr. Frampton said there was a typographical error concerning the seller's reservation of easements.

Councilman Hargett said he is a 32-year resident of Kings Grant, and he knows this property extremely well. He said his concern is that if this Council sells this lot for a home, Council may be setting the County up for a problem. He said he hopes that the buyers and their attorneys will do some due diligence on everything that will possibly impact them as a homeowner of this property because there are some big plans by the HOA for the back side of this lot. He said he is not in favor of the contract and would vote against it.

Councilman Bailey said in June of 1984 he ran for the state legislature. He said he lives in St. George, but his district included Archdale and Kings Grant neighborhoods. He said he is very familiar with Kings Grant and knows many of the residents. He said the presence of the residents tonight has given him second thoughts on the sale of the property. When the people speak, maybe we should listen, he said. He thanked the Kings Grant residents for attending the meeting.

**APPROVAL OF A PROPOSED CONTRACT OF SALE OF REAL PROPERTY BETWEEN DORCHESTER COUNTY AND LARRY AND TAMMY CURTIS WHEREBY THE COUNTY PROPOSES TO SELL TO LARRY AND TAMMY CURTIS A TRACT OF LAND BEARING TMS #171-01-01-016, WHICH COMPRISED THE FORMER KINGS GRANT WASTEWATER TREATMENT FACILITY**

Mr. Frampton asked for Council approval of the contract. Chairman Hearn asked for a motion. No one made a motion. The Chairman opened the floor for discussion in the absence of a motion. The Chairman said he would like the opportunity to walk the property and consider it relative to the plans of the HOA before making a decision.

Councilman Chinnis asked about all the taxpayers who do not live in Kings Grant. He said he would like to hear whether the other 139,000 people who live in Dorchester County would approve accepting a percentage of the highest offer. He said Council has to consider more than just the 1,000 people who live in Kings Grant. He said he was concerned about the precedent that would be set by giving the Kings Grant property away below market value. Mr. Frampton said the assessed value is roughly \$68,000.

14. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted unanimously to postpone approving the contract of sale of real property between Dorchester County and Larry and Tammy Curtis.

Mr. Frampton asked for instructions from Council as to when to put the issue back on the agenda.

15. On the motion of Councilman Chinnis, seconded by Councilman Byars, Council voted unanimously to take up the item on or before the December 2 County Council meeting to vote on whether to approve the contract of sale of real property between Dorchester County and Larry and Tammy Curtis whereby the County proposes to sell to Larry and Tammy Curtis a tract of land bearing TMS #171-01-01-016, which comprised the former Kings Grant wastewater treatment facility.

**EXECUTIVE SESSION**

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

- Confidential Economic Development Project
- Contractual Matter
  - Detention Center Design by Moseley Architects
- Legal Advice
  - Pine Trace Sale Proceeds
  - Dorchester Economic Development Corporation
  - SLED Reporting Requirement for Probate Court

16. On the motion of Councilman Bailey, seconded by Councilman Chinnis, Council voted unanimously to enter into Executive Session at approximately 8:39 p.m. to discuss the above listed items.

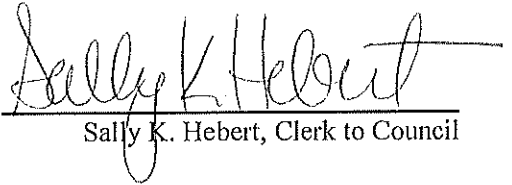
**RECONVENE FROM EXECUTIVE SESSION**

At approximately 10:00 p.m., the County Attorney reported that Council discussed the previously announced items, and no action was taken.

17. On the motion of Councilman Chinnis, seconded by Councilwoman Duncan, Council voted unanimously to create an additional Admin I, Grade 5, temporary, full-time position for the Probate Court to accomplish compliance with the reporting mandates to SLED as enacted by an unfunded mandate of the South Carolina General Assembly.

**ADJOURNMENT**

18. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to adjourn at approximately 10:01 p.m.

  
Sally K. Hebert, Clerk to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**DECEMBER 2, 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 November 18, 2013, County Council Meeting
- Public Hearing by the South Carolina Jobs-Economic Development Authority (the “Issuer”) and the County Council of Dorchester County Regarding the Proposed Issuance By the Issuer of its Qualified Energy Conservation Bonds (the “Bonds”) in an Aggregate Principal Amount Not to Exceed \$3,000,000 in which a Portion of the Proceeds of the Bonds Will Be Made Available to Abundant Power Group, LLC
- Approval of Resolution #13-16, In Support of the Issuance by the South Carolina Jobs-Economic Development Authority of Its Qualified Energy Conservation Bonds, Pursuant to the Provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina, 1976, As Amended, in the Aggregate Principal Amount Not to Exceed \$3,000,000
- 3<sup>rd</sup> Reading for Rezoning Request #676 for HID, LLC, Dorchester Road at Murray Boulevard, TMS #152-00-00-022 [*This request is to rezone a vacant 2.6-acre parcel on Dorchester Road at Murray Blvd. from Transitional Residential (TRM) to Neighborhood Commercial (CN).*]
- Correspondence

**3. GUEST**

- Mr. Ed Carter, Chairman for Dorchester County, Medal of Honor Bowl, January 11, 2014, at Johnson Hagood Stadium in Charleston

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

- Request for Approval of 2014 Budget Calendar
- 1<sup>st</sup> Reading for Rezoning Request #678 for MWV-Ridgeville, LLC, at the Corner of Highway 78 and Highway 27, TMS #087-00-00-096, TMS #087-00-00-097, TMS #097-00-00-002, from Absence of Control District (AC) to Industrial District (I)
- Request for Funding for Dorchester Trust Foundation: Rosebrock Park Expenses
- Request for Approval of Human Resources Director Position Reclassification

**5. COMMITTEE REPORT**

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

- Request for Approval of New Water and Sewer Service for Parchment Properties, LLC, Lot 57, Parchment Avenue, TMS #172-15-04-007
- Request for Approval of New Water Service for Patrice Felder, 110 Lula Bell Road, TMS #119-00-00-054

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

- Public Hearing and 3<sup>rd</sup> Reading for Ordinance #13-16, Amending the Capital Improvement Plan for Roadways in Unincorporated Dorchester County Programming Project #R-21 – US-17A from Flood Heirs Road to SC-642 – to begin FY'14 while postponing project #R-01 to future years (*This ordinance would commit transportation impact fee revenue to improvements of 1.04 miles of Boone Hill Road from Dorchester Road north to the future terminus of the Berlin G. Myers Parkway – Phase III. The segment of Boone Hill Road from Helen Drive to Greenwave Blvd., R-01, would be reserved as a project for future years.*)
- Public Hearing Regarding the Removal and Relocation of an Unmarked Grave in a Portion of a Cemetery Near the Corner of Dorchester Road and White Church Lane in Summerville Known as Salters Cemetery
- Authorization for the Removal and Relocation of an Unmarked Grave in a Portion of a Cemetery Near the Corner of Dorchester Road and White Church Lane in Summerville Known as Salters Cemetery

- Approval of a Proposed Contract of Sale of Real Property Between Dorchester County and Larry and Tammy Curtis Whereby the County Proposes to Sell to Larry and Tammy Curtis a Tract of Land Bearing TMS #171-01-01-016, Which Comprised the Former Kings Grant Wastewater Treatment Facility
- Executive Session
  - Confidential Economic Development Projects
  - Legal Advice
    - Condemnation of TMS #129-01-05-011, 188 McMakin Drive in Pine Hill Acres
    - Bylaws for the New Dorchester Economic Development Corporation
    - SC Counties OPEB Trust
    - PREA Compliance and Juvenile Detention Center in St. George
    - Legal Residence Penalty
    - FOIA Request

**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**  
**DECEMBER 2, 2013**  
**7:00 P.M.**

Pursuant to the Freedom of Information Act, The Eagle-Record,  
The Summerville Journal Scene and The Post and Courier were notified,  
and a notice was posted on the bulletin 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 R. Davis  
Mrs. Carroll S. Duncan  
Mr. Larry S. Hargett  
Mr. Jason Ward, County Administrator  
Ms. Ashley Jacobs, Deputy Administrator  
Mr. Justin Powell, Chief Financial Officer  
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 Byars 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:

- Mr. Toby Litaker, 1031 Edisto River Road, Reevesville, asked Council to reopen the closed portion of Edisto River Road. He said he has lived there 10 years and is concerned about having only one entrance/exit for police, fire, EMS and postal services.

- Mr. William "Mike" Richardson, 957 Edisto River Road, Reevesville, said he bought his property about the same time as Mr. Litaker and has some of the same concerns. He noted that Edisto River Road is lined with pine trees and borders I-95. He questioned how the Reevesville Fire Department would reach them if the woods caught fire from someone flicking a cigarette from a car window on I-95. He stated similar concerns about the Reevesville Postal Service being able to deliver mail. He questioned whether his property insurance would rise and property value fall should the road be closed permanently. He said his property is about three miles from either entry point. He asked Council to reopen the road.
- Mr. Ronnie Judy, 1872 Sandridge Road, Dorchester, asked Council to reopen Edisto River Road.
- Ms. Sandra Salmon, 307 Runnymede Lane, Summerville, said she is a 38-year resident in Kings Grant and previously served 11 years on the neighborhood Homeowners Association (HOA) Board of Directors. She posed four questions for Council to consider regarding the potential sale of the property.
- Ms. Michele McCullough, 128 Lancer Road, Summerville, thanked Chairman Hearn and other Council members for visiting the property since the last Council meeting. She said she hoped Council understood the HOA perspective.
- Mr. Rick Dandridge, 112 White Heron Lane, Summerville, asked everyone from Kings Grant to stand. He asked Council to consider the case against selling the property and to vote against the current contract.
- Mr. Myron Johnson, 400 Shaftesbury Lane, Summerville, said Council should not think about immediate gratification, but rather the potential liability of the sale of the Kings Grant property. Additionally, he asked if the buyers were aware of the Ashley River Historic Overlay District, and how it would affect the property. He asked Council to vote against the contract.
- Mr. Herbert Linning, 212 Linning Road, Summerville, asked questions about the boundaries of Salter cemetery, location of the grave found in the right-of-way and whether there were other graves in the right-of-way as well.
- Ms. Loustine Green, 144 Salters Lane, Summerville, asked about the wall being built between the road construction and cemetery, and whether it would obstruct the view into the cemetery. She stated concerns about vandalism in the cemetery.
- Mr. Ivo Colucci, 400 Murray Blvd, Summerville, spoke in favor of Rezoning Request #676 regarding 2.6 acres he owns on Dorchester Road.

#### **ADOPTION OF MINUTES**

1. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to adopt the minutes, with one duly noted correction, from the November 18, 2013, County Council Meeting.

#### **PUBLIC HEARING: SC JOBS-ECONOMIC DEVELOPMENT AUTHORITY BONDS**

Chairman Hearn struck the gavel, opening the Public Hearing, to receive public comments on a proposal for Randolph Trucking to purchase compressed natural gas trucks and natural gas refueling infrastructure for use at its Ridgeville location, using bonds issued by the South Carolina Jobs-Economic Development Authority. Chairman Hearn invited the public to speak.

Mr. Gregory Montgomery of Abundant Power spoke in support of the issuance of bonds and approval of the resolution submitted on behalf of the project.

In the absence of any additional requests to speak, Chairman Hearn struck the gavel, closing the public hearing.

#### **RESOLUTION #13-16: SC JOBS-ECONOMIC DEVELOPMENT AUTHORITY BONDS**

2. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to approve Resolution #13-16, In Support of the Issuance by the South Carolina Jobs-Economic Development Authority of Its Qualified Energy Conservation Bonds, Pursuant to the Provisions of Title 41, Chapter 43,

of the Code of Laws of South Carolina, 1976, As Amended, in the Aggregate Principal Amount Not to Exceed \$3,000,000.

Councilwoman Duncan stated for the reassurance of the public that these bonds are not County bonds, and the bonds will have no effect on the County's debt capacity or bond rating.

**REZONING REQUEST #676: DORCHESTER ROAD AT MURRAY BOULEVARD**

3. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted six in favor with one opposed (Chairman Hearn) to give 3<sup>rd</sup> Reading and final approval to Rezoning Request #676 for HID, LLC, Dorchester Road at Murray Boulevard, TMS #152-00-00-022, to rezone a vacant 2.6-acre parcel from Transitional Residential (TRM) to Neighborhood Commercial (CN).

During discussion, Councilman Chinnis gave background information on the property as related to its review by the Planning, Development and Building Committee. Additionally, Chairman Hearn called on Mr. Alec Brebner, Planning and Zoning Manager, to review the property's history as related to the review by the Planning Commission and staff.

**CORRESPONDENCE:** Ms. Ashley Jacobs, Dorchester County Deputy Administrator-Community Services, said there were no items of correspondence at this time. Chairman Hearn thanked Ms. Jacobs for standing in for Mr. Jason Ward, County Administrator.

**GUEST**

**MR. ED CARTER, CHAIRMAN FOR DORCHESTER COUNTY, MEDAL OF HONOR BOWL**

Mr. Carter provided information about the 2 p.m., Saturday, January 11, 2014, Medal of Honor Bowl to be held at Johnson Hagood Stadium in Charleston. He said there would be more than 90 players with NFL rankings and more than 200 coaches and scouts. He said this is the first year of a five-year contract with an estimated local economic impact of \$10 million. Proceeds from the game will benefit Wounded Warriors and the Medal of Honor Foundation for the new museum to be built at Patriots Point in Mt. Pleasant.

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

**REQUEST FOR APPROVAL OF 2014 BUDGET CALENDAR**

4. On the motion of Councilman Hargett, seconded by Councilman Bailey, Council voted unanimously to approve the 2014 Budget Calendar as presented.

**REZONING REQUEST #678: CORNER OF HIGHWAY 78 AND HIGHWAY 27**

5. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted unanimously to approve 1<sup>st</sup> Reading and referral to the Planning, Development and Building Committee for Rezoning Request #678 for MWV-Ridgeville, LLC, at the Corner of Highway 78 and Highway 27, TMS #087-00-00-096, TMS #087-00-00-097, TMS #097-00-00-002, from Absence of Control District (AC) to Industrial District (I).

**FUNDING FOR DORCHESTER TRUST FOUNDATION: ROSEBROCK PARK EXPENSES**

6. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted unanimously to approve funding, not exceeding \$7,000, from the Recreation Fund for the payment of legal fees and insurance coverage for the Dorchester Trust Foundation.

**HUMAN RESOURCES DIRECTOR POSITION RECLASSIFICATION**

7. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted six in favor with one abstaining (Councilman Bailey) to approve the reclassification of the Human Resources Director position from a grade 15 to a grade 16 to make the salary range more competitive with Berkeley and Charleston Counties.

Ms. Jacobs said no additional funding is required based on the current budgeted salary of approximately \$78,000. Staff conferred with Mr. Fagan Stackhouse, Charleston County Human Resources Director, who recommends this course of action as well, she said.

## **COMMITTEE REPORT**

### **CHAIRMAN HEARN – WATER AND SEWER COMMITTEE**

Chairman Hearn reported that the Water and Sewer Committee met at 6:45 p.m. this evening and recommends full Council approves two requests for service.

8. Council voted unanimously to approve providing new water and sewer service for Parchment Properties, LLC, Lot 57, Parchment Avenue, TMS #172-15-04-007.
9. Council voted unanimously to approve providing new water service for Ms. Patrice Felder, 110 Lula Bell Road, Ridgeville, TMS #119-00-00-054.

## **APPOINTMENTS TO BOARDS AND COMMISSIONS**

### **CHARLESTON-DORCHESTER MENTAL HEALTH CENTER BOARD OF DIRECTORS**

10. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted unanimously to recommend to the Governor reappointment of Mr. Wilson Inabinet, Jr., to the Charleston-Dorchester Mental Health Center Board of Directors.

### **DISTRICT #6 REAPPOINTMENTS**

11. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to reappoint on the recommendation of Chairman Hearn the following candidates to represent District #6 on the following Dorchester County Boards and Commissions: Mr. Cary Limehouse, Aeronautics Board; Ms. Bali Cuthbert, Alcohol and Drug Abuse Commission; Ms. Theresa McKnight, Grievance Committee; Mr. Robert Pratt, Planning Commission; Mr. Pete Knight, Procurement Appeals Board; and Mr. Robert Randall, Transportation Commission.

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

### **PUBLIC HEARING AND 3<sup>RD</sup> READING ON ORDINANCE #13-16, AMENDING THE CAPITAL IMPROVEMENTS PLAN FOR ROADWAYS IN UNINCORPORATED DORCHESTER COUNTY PROGRAMMING PROJECT #R-21 – US-17A FROM FLOOD HEIRS ROAD TO SC-642 – TO BEGIN FY'14 WHILE POSTPONING PROJECT #R-01 TO FUTURE YEARS**

Mr. Frampton asked Council to hold a Public Hearing on proposed Ordinance #13-16. Chairman Hearn struck the gavel, opening the Public Hearing. He invited the public to come forward to speak on this issue. In the absence of any requests to speak, Chairman Hearn struck the gavel again, closing the Public Hearing.

Mr. Frampton then asked Council to give 3<sup>rd</sup> Reading to proposed Ordinance #13-16.

12. On the motion of Councilman Davis, seconded by Councilman Byars, Council voted unanimously to give 3<sup>rd</sup> Reading and final approval for Ordinance #13-16, Amending the Capital Improvements Plan for Roadways in Unincorporated Dorchester County Programming Project #R-21 – US-17A from Flood Heirs Road to SC-642 – to begin FY'14 while postponing Project #R-01 to future years.

### **PUBLIC HEARING AND AUTHORIZATION OF THE REMOVAL AND RELOCATION OF AN UNMARKED GRAVE IN A PORTION OF A CEMETERY NEAR THE CORNER OF DORCHESTER ROAD AND WHITE CHURCH LANE IN SUMMERVILLE KNOWN AS SALTERS CEMETERY**

Mr. Frampton asked Council to hold a Public Hearing on the removal and relocation of an unmarked grave. This was discussed earlier. This unmarked grave was discovered as a result of the widening of Dorchester Road. He said the grave site was found in the Dorchester Road right-of-way, and therefore needs to be relocated.

Chairman Hearn struck the gavel, opening the Public Hearing. He invited the public to come forward to speak on this issue. He asked if those who spoke earlier on the issue during Requests to Address Council wished to speak again. In the absence of any requests to speak, Chairman Hearn struck the gavel again, closing the Public Hearing.

Mr. Frampton asked Council to find it necessary and expedient to relocate this grave.

13. On the motion of Councilman Chinnis, seconded by Councilwoman Duncan, Council voted unanimously to find it necessary and expedient for this grave to be relocated and for the DCTA to proceed with its relocation as outlined in its September 16, 2013, letter to the County Administrator.

During discussion, Mr. Chinnis clarified that the remains will be located within the physical cemetery as it stands today. He said the grave is being moved from the right-of-way today back into the cemetery today. Mr. Chinnis said questions about the wall are valid, and he does not know the answers. Mr. Frampton said the relocation must be supervised by a licensed mortician, and that is being accomplished with all costs borne by the DCTA.

Mr. Davis asked if there were other graves. Mr. Frampton said that is the only one that has been identified. Chairman Hearn said the County would follow up with Mr. Linning and Ms. Green on their questions.

**APPROVAL OF A PROPOSED CONTRACT OF SALE OF REAL PROPERTY BETWEEN DORCHESTER COUNTY AND LARRY AND TAMMY CURTIS WHEREBY THE COUNTY PROPOSES TO SELL TO LARRY AND TAMMY CURTIS A TRACT OF LAND BEARING TMS #171-01-01-016, WHICH COMPRISED THE FORMER KINGS GRANT WASTEWATER TREATMENT FACILITY**

14. On the motion of Councilman Chinnis, seconded by Councilwoman Duncan, Council voted four in favor, with two opposed (Councilman Hargett and Chairman Hearn) and one abstaining (Councilman Bailey), to approve the agreement and authorize the County Administrator to execute the agreement for the sale of real property between Dorchester County and Larry and Tammy Curtis whereby the County proposes to sell to Larry and Tammy Curtis a tract of land bearing TMS #171-01-01-016, which comprised the former Kings Grant wastewater treatment facility.

There was a lengthy discussion about this issue, including a recess, before the vote. The discussion included examination of a 2004 Ordinance with language about the Ashley River Historical Overlay District.

**EXECUTIVE SESSION**

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

- Confidential Economic Development Project
- Legal Advice
  - Condemnation of TMS #129-01-05-011, 188 McMakin Drive in Pine Hill Acres
  - Bylaws for the New Dorchester Economic Development Corporation
  - SC Counties OPEB Trust
  - PREA Compliance and Juvenile Detention Center in St. George
  - Legal Residence Penalty
  - FOIA Request

15. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to enter into Executive Session at approximately 8:35 p.m. to discuss the above listed items.


**RECONVENE FROM EXECUTIVE SESSION**

At approximately 10:32 p.m., the County Attorney reported that Council discussed the previously announced items, and no action was taken. The Chairman reported that Councilman Hargett left and did not enter into Executive Session.

16. On the motion of Councilman Bailey, seconded by Councilwoman Duncan, Council voted six in favor with one absent to authorize the condemnation of property located at 188 McMakin Drive, bearing the TMS #129-01-05-011. Councilman Hargett was absent.
17. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted six in favor with one absent to authorize the County Attorney and County Administrator to prepare an intergovernmental agreement and all other related documents for Dorchester County to participate in the South Carolina Counties OPEB Trust and to bring those documents to County Council for consideration no later than March 31, 2014. Councilman Hargett was absent.

**ADJOURNMENT**

18. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted six in favor with one absent to adjourn at approximately 10:33 p.m. Councilman Hargett was absent.

  
Sally K. Hebert, Clerk to Council