

GEORGE H. BAILEY, SR.
CHAIRMAN

C. DAVID CHINNIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

TRACEY L. LANGLEY
CLERK TO COUNCIL



JAMES LEX BYARS, III

EDWARD IVY CROSBY, JR.

WILLIAM R. HEARN, JR.

LARRY S. HARGETT

HARRIET A. HOLMAN

COUNTY COUNCIL OF DORCHESTER COUNTY

500 N. MAIN STREET, SUITE 2
SUMMERVILLE, SOUTH CAROLINA 29483
(843) 832-0196 or (843) 563-0196

MINUTES DORCHESTER COUNTY COUNCIL KENNETH F. WAGGONER SERVICES CENTER WILLIE R. DAVIS COUNCIL CHAMBERS, ST. GEORGE DECEMBER 09, 2019 6:00 P.M.

Pursuant to the Freedom of Information Act, a notice was posted on the bulletin board 24 hours before the meeting, and the following media outlets were notified: The Eagle-Record, The Summerville Journal Scene, The Post and Courier, WCBD Channel 2, WCIV Channel 4 and WCSC Channel 5.

PRESENT: Mr. George H. Bailey, Chairman
Mr. David Chinnis, Vice Chairman
Mr. Eddie Crosby
Mr. Larry S. Hargett
Mr. William R. Hearn, Jr.
Ms. Harriet A. Holman
Mr. Jason L. Ward, County Administrator
Mr. Daniel Prentice, Deputy Administrator/CFO
Mr. John Frampton, County Attorney
Mr. Bradley Mitchell, Deputy County Attorney
Ms. Tracey L. Langley, Clerk to Council

ABSENT: Mr. Jay Byars (Attended Via Teleconference)
Ms. Rebecca Vance, Deputy Administrator/Community Services

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

CHAIRMAN'S TIME – MR. GEORGE BAILEY

REQUESTS TO ADDRESS COUNCIL

- Rev. General Britt, 637 First Texas Road, St. George, he said no improvements have been done to his property, but his taxes went up \$400. He has a mobile home on four acres of land and doesn't mind paying his share but does not want to pay for the whole road.
- Mr. Henry Carson, 223 Doodle Hill Drive, St. George, he is the Commander of St. George DAV Chapter 78. He thanked Council for recognizing and supporting Veterans, and said he hopes Council considers Veterans again in the future.

MINUTES

1. On the motion of Councilman Hearn, seconded by Councilman Chinnis, County Council voted unanimously to approve the minutes from the November 18, 2019, County Council Meeting.

PUBLIC HEARING FOR 3RD READING OF AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 4 ANIMALS, SECTIONS 4-1 THROUGH 4-20

Chairman Bailey announced County Council would hold a public hearing for 3rd reading of an Ordinance to Amend and Supplement the Code of Ordinances, Dorchester County, South Carolina, by Amending and Supplementing Chapter 4 Animals, Sections 4-1 Through 4-20.

He struck the gavel, opening the Public Hearing. Ms. Carol Thompson, Director of Community Services described the Ordinance and its purpose.

Chairman Bailey invited the public to come forward to speak on this issue. In the absence of any requests to speak, he struck the gavel again, closing the public hearing.

3RD READING OF ORDINANCE #19-32, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 4 ANIMALS, SECTIONS 4-1 THROUGH 4-20

2. On the motion of Councilman Hargett, seconded by Councilman Chinnis, County Council voted unanimously to give 3rd reading of Ordinance #19-32, an Ordinance to Amend and Supplement the Code of Ordinances, Dorchester County, South Carolina, by Amending and Supplementing Chapter 4 Animals, Sections 4-1 Through 4-20.

2ND READING OF AN ORDINANCE FOR THE ISSUANCE OF PARKS AND RECREATION BONDS

3. On the motion of Councilman Byars, seconded by Councilman Crosby, County Council voted unanimously to give 2nd reading of an Ordinance to Provide for the Issuance and Sale of Not Exceeding Thirty Eight Million Dollars (\$38,000,000) Dorchester County, South Carolina, General Obligation Bonds; to Prescribe the Purposes for Which the Proceeds Shall be Expended; to Provide for the Payment Thereof; and Other Matters Relating Thereto (Parks and Recreation Bonds).

2ND READING OF AN ORDINANCE FOR THE ISSUANCE OF LIBRARY BONDS

4. On the motion of Councilman Crosby, seconded by Councilman Chinnis, County Council voted unanimously to give 2nd reading of an Ordinance to Provide for the Issuance and Sale of Not Exceeding Thirty Million Dollars (\$30,000,000) Dorchester County, South Carolina, General Obligation Bonds; to Prescribe the Purposes for Which the Proceeds Shall be Expended; to Provide for the Payment Thereof; and Other Matters Relating Thereto (Library Bonds).

CORRESPONDENCE: No correspondence received.

GUESTS

MR. DANIEL PRENTICE, DORCHESTER COUNTY DEPUTY ADMINISTRATOR/CFO

Mr. Daniel T. Prentice, Dorchester County Deputy Administrator/CFO, recognized and presented Business Services staff with the Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting for the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2018. Dorchester County is one of eight counties in the state to receive the CAFR and Budget Awards from GFOA.

MR. DOUG WARREN, DORCHESTER COUNTY EMERGENCY MEDICAL SERVICES DIRECTOR

Mr. Doug Warren, Dorchester County Emergency Medical Services Director, introduced Mr. Chad McIntyre, Dorchester County Emergency Medical Services Deputy Director. Mr. McIntyre joined Dorchester County as Deputy Director of EMS on November 25, 2019. He came to Dorchester County from Jacksonville, Florida, where he managed the Trauma 1 Medical Helicopter Program, a system consisting of three aircraft operating in North Florida. He served on numerous committees in Florida and has been both a member of the Board of Directors and Treasurer of the National Association of EMTs.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

1ST READING OF REZONING REQUEST #796

5. On the motion of Councilman Hearn, seconded by Councilman Crosby, County Council voted unanimously to give 1st reading and referral to the Planning, Development and Building Committee for a public hearing and recommendation regarding Rezoning Request #796 by Anthony Conway to rezone .84 acre located at 153 Prince Edward Drive near Summerville, TMS #128-11-02-001 and 128-11-02-002, from Transitional Residential District (TRM) to Single-Family Residential Manufactured Housing District (R-1M).

REQUEST FOR APPROVAL OF FUNDING FOR ROSEBROCK PARK PLAYGROUND

6. On the motion of Councilman Hargett, seconded by Councilman Chinnis, County Council voted unanimously to approve a request to allocate \$70,000 from 2010 GO Bond proceeds for Rosebrock Park Playground.

REQUEST FOR APPROVAL OF ECONOMIC DEVELOPMENT FUNDS TO FUND YEAR TWO OF THE CONTRACT WITH RETAIL STRATEGIES, LLC FOR RETAIL MARKET ANALYSIS

7. On the motion of Councilman Chinnis, seconded by Councilman Crosby, County Council voted unanimously to approve a request to utilize \$20,000 in Economic Development funds to fund year two of the contract with Retail Strategies, LLC for Retail Market Analysis and retail recruitment for Dorchester County and the Town of Summerville.

REQUEST FOR APPROVAL TO ADD A NEW SCHOOL RESOURCE OFFICER AT ODYSSEY EDUCATIONAL CENTER

8. On the motion of Councilman Crosby, seconded by Councilman Chinnis, County Council voted unanimously to approve a request to add a new School Resource Officer for Dorchester School District Four at Odyssey Educational Center.

COMMITTEE REPORT

CHAIRMAN BAILEY – WATER AND SEWER COMMITTEE

Chairman Bailey reported that the Committee met at 5:45 p.m. to discuss the following item:

9. On the recommendation of the Committee, County Council voted unanimously to approve a request for new sewer service by Lennar – Coastal Carolina for a 53-lot subdivision off Hwy 61 near the Town of Summerville, TMS #160-00-00-092.

APPOINTMENTS TO BOARDS AND COMMISSIONS

10. On the motion of Councilwoman Holman, seconded by Councilman Crosby, County Council voted unanimously to appoint Dr. James Hodges to Dorchester Seniors, Inc.

COUNTY ATTORNEY’S TIME – MR. JOHN FRAMPTON

ADOPTION OF RESOLUTION #19-26, MAYRIVER INDUSTRIES, LLC

11. On the motion of Councilman Hearn, seconded by Councilman Crosby, County Council voted unanimously to adopt Resolution #19-26, a Resolution Consenting to the Participation and Addition of a Sponsor Affiliate to that Certain Fee Agreement Between Dorchester County, South Carolina, and Mayriver Industries, LLC Dated as of January 7, 2019; and Other Related Matters.

1ST READING OF AN ORDINANCE SO AS TO INCLUDE ADDITIONAL PROPERTY IN THE COUNTY AS PART OF THE JOINT COUNTY INDUSTRIAL PARK

12. On the motion of Councilman Chinnis, seconded by Councilman Crosby, County Council voted unanimously to give 1st reading of an Ordinance Authorizing the Execution and Delivery of an Amendment to the Amended and Restated Agreement for Development of a Joint County Industrial Park, Effective as of May 17, 2010, Between the County and Orangeburg County, South Carolina, Providing for the Development of a Jointly Owned and Operated Industrial/Business Park so as to Include Additional Property in the County as Part of the Joint County Industrial Park; and Other Matters Relating Thereto.

MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN U.S. MARINE FORCES, SPECIAL OPERATIONS COMMAND (MARSOC), DORCHESTER COUNTY, SOUTH CAROLINA, AND THE DORCHESTER COUNTY SHERIFF'S OFFICE

13. On the motion of Councilman Crosby, seconded by Councilman Hargett, County Council voted unanimously to approve a Memorandum of Understanding (MOU) between U.S. Marine Forces, Special Operations Command (MARSOC), Dorchester County, South Carolina, and the Dorchester County Sheriff's Office.

PUBLIC HEARING REGARDING AN ORDINANCE AUTHORIZING CERTAIN ECONOMIC DEVELOPMENT INCENTIVES FOR MAGNOLIA BOTANICALS, LLC

The County Attorney requested Council’s consideration to open the public hearing so County Council can receive public comments regarding an Ordinance Authorizing Certain Economic Development Incentives for Magnolia Botanicals, LLC Including Entering Into a Fee In Lieu of Property Tax Agreement for the Project, and Other Related Matters, Between Dorchester County, South Carolina and Magnolia Botanicals, LLC Pursuant to Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as Amended.

Chairman Bailey struck the gavel, opening the public hearing. Chairman Bailey then invited the public to come forward to speak on this issue. In the absence of additional requests to speak, Chairman Bailey struck the gavel, closing the public hearing.

EXECUTIVE SESSION

The County Attorney requested Council’s consideration to enter into Executive Session at 6:39 p.m. to discuss the following:

- Contractual Matters

- Potential Purchase of Real Estate
- Potential Purchase of Real Estate for a Fire Station on Sandridge Road
- Consideration of Letter of Intent for Commercial Lease at 320-B Midland Parkway for the Dorchester County Alcohol and Drug Commission

- Confidential Economic Development Project
 - Confidential Economic Development Project

- Legal Advice
 - Courthouse Litigation
 - Status of Referendum Lawsuit

RECONVENE FROM EXECUTIVE SESSION

At approximately 7:33 p.m., Mr. Frampton reported that Council discussed the previously announced items, but no action was taken.

3RD READING OF ORDINANCE #19-33, MAGNOLIA BOTANICALS, LLC

14. On the motion of Councilman Hearn, seconded by Councilman Chinnis, County Council voted six in favor, with one absent (Byars), to give 3rd reading of Ordinance #19-33, an Ordinance Authorizing Certain Economic Development Incentives for Magnolia Botanicals, LLC Including Entering Into a Fee In Lieu of Property Tax Agreement for the Project, and Other Related Matters, Between Dorchester County, South Carolina and Magnolia Botanicals, LLC Pursuant to Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as Amended.

PURCHASE OF 627 ACRES IN THE WINDING WOODS INDUSTRIAL PARK

15. On the motion of Councilman Hargett, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Byars), to authorize the County Administrator to execute the Letter of Understanding for the purchase of approximately 627 acres in the Winding Woods Industrial Park for the sum of \$7 million as presented in Executive Session with such additions, modifications, and amendments as deemed appropriate by him in consultation with county staff.

SETTLEMENT OF ATTORNEYS' FEES FOR BOND REFERENDUM CASE

16. On the motion of Councilman Chinnis, seconded by Councilman Crosby, County Council voted six in favor, with one absent (Byars), to authorize the County Administrator to settle the potential claim for Plaintiff's attorneys' fees in the Ziegler bond referendum case by the payment of \$65,000 together with the contingency discussed in Executive Session.

LETTER OF INTENT FOR 320 MIDLAND PARKWAY

17. On the motion of Councilman Crosby, seconded by Councilwoman Holman, County Council voted six in favor, with one absent (Byars), to authorize the County Administrator to execute a revised Letter of Intent increasing the square footage to be leased by 1900 sq. ft. for office space for the Dorchester County Alcohol and Drug Commission at 320 Midland Parkway, Summerville as discussed in Executive Session.

PURCHASE OF REAL ESTATE FOR A FIRE STATION ON SANDRIDGE ROAD

18. On the motion of Councilman Chinnis, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Byars), to authorize the County Administrator to negotiate and execute a Real Estate Purchase Agreement with Thomas Finley as discussed in Executive Session for the purchase of approximately five acres of land located on Sandridge Road for the purpose of a fire station site and to execute any and all documents necessary to consummate a closing.

**FIRST ADDENDUM TO MEMORANDUM OF SETTLEMENT AND RELEASE REGARDING
PENDING LITIGATION BETWEEN DORCHESTER COUNTY AND LCM
CONSTRUCTORS, INC.**

19. On the motion of Councilman Hearn, seconded by Councilman Chinnis, County Council voted six in favor, with one absent (Byars), to authorize the County Administrator to execute the First Addendum to Memorandum of Settlement and the Release regarding the pending litigation between Dorchester County and LCM Constructors, Inc., with such additions, modifications, and amendments as deemed appropriate by him in consultation with county staff.

ADJOURNMENT

20. On the motion of Councilwoman Holman, seconded by Councilman Crosby, County Council voted six in favor, with one absent (Byars), to adjourn at approximately 7:37 p.m.

Tracey L. Langley

Tracey L. Langley, Clerk to Council