

AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
APRIL 7, 2014
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

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

- Requests to Address Council
- Adoption of Minutes from the March 17, 2014, County Council Meeting, and the March 21, 2014, Special Called County Council Meeting
- Dorchester County Employee Longevity Program (*County Council will recognize employees who completed 5, 10, 15, 20, 25 and 30 years of service during the first quarter of 2014.*)
- Discussion of Proviso 110.8 Regarding a Call for Counties to Track and Report Credit Card Processing Fees and a Chairman's Letter
- Correspondence

3. COUNCIL MEMBER'S TIME – MR. DAVID CHINNIS

- Request for Dorchester County Boards and Commissions to Submit Agendas, Meeting Minutes and Attendance Records to County Council for Publication on the County Website

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

- Request for Funding for Forfeited Land Commission

5. COMMITTEE REPORTS

Chairman Hargett – Public Works, Property and Utilities Committee (6:00 p.m.)

- Request for Approval of a Service Contract with Woolpert, Inc., for NPDES/MS4 Stormwater Program Audit

Chairman Bailey – Public Safety Health and Human Services Committee (6:15 p.m.)

- Public Hearing and Recommendation for 2nd Reading of an Ordinance to Amend the Code of Ordinances, Dorchester County, South Carolina, By Adding a Section to Chapter 16, Article I, Which Shall Be Numbered Section 16-1, to Provide For the Use of a Key Lock Box to Enable Rapid Entry to a Structure By the Fire Department During an Emergency

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

- Public Hearing and Recommendation for 2nd Reading of “An Ordinance to Amend Dorchester County Zoning and Land Development Standards, Ordinance #04-13, as Previously Amended to Delete and Replace in its Entirety Section 12.4: Tree and Canopy Protection Standards”
- Public Hearing and Recommendation for 2nd Reading on “An Ordinance to Adopt the 2014 Dorchester County Tree Planting Plan”

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

- Nomination of Seven Appointees by Council District for the Ad Hoc Committee of the Planning, Development & Building Committee to Address Jurisdictional and Non-Jurisdictional Wetlands

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

- 2nd Reading of “An Ordinance Authorizing the Execution and Delivery of a Fee-In-Lieu of Tax Agreement By and Between Dorchester County and Scout Boats, Inc., Whereby Dorchester County Will Enter Into a Fee-In-Lieu of Tax Arrangement With Scout Boats, Inc., and Providing For Payment By Scout Boats, Inc. of Certain Fees-In-Lieu of *Ad Valorem* Taxes; Providing For Special Source Revenue or Infrastructure Improvement Credits; Providing For the Allocation of Fees-In-Lieu of Taxes Payable Under the Agreement for the Establishment of a Multi-County Industrial/Business Park; and Other Matters Relating Thereto”

- 2nd Reading of “An Ordinance to Amend the Agreement for Development of a Joint Industrial Park, By and Between Dorchester County, South Carolina 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 Dorchester County As Part Of the Joint County Industrial Park”
- 1st Reading, By Title Only, To An Ordinance Approving a Development Agreement Between Dorchester County, South Carolina, and MWV – Ridgeville, LLC
- Request for Approval of Consolidated Review Committee Agreement
- Executive Session
 - Legal Advice
 - Special Exception Request by the Highway 178 Mudplex
 - Status Report on Ayer v. Dorchester County
 - Old Fort Fire District Request for Bond Issue
 - Municipal Advisor Rule on Financial Advisors
 - Personnel Matter

8. ADJOURN

**AGENDA - AMENDED
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
APRIL 21, 2014
7:00 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

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

- Requests to Address Council
- Adoption of Minutes from the April 7, 2014, County Council Meeting
- Adoption of Proclamation #14-02, Naming May 15, 2014, Peace Officers' Memorial Day in Dorchester County
- Correspondence

3. GUEST

- Mr. Justin Powell, Dorchester County Chief Financial Officer, Budget Report for March 2014

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

- Recognition of Norfolk Southern for Adopt-A-Highway, County Group of the Year, Dorchester County

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

- 3rd Reading of an Ordinance to Amend the Code of Ordinances, Dorchester County, South Carolina, By Adding a Section to Chapter 16, Article I, Which Shall Be Numbered Section 16-1, to Provide For the Use of a Key Lock Box to Enable Rapid Entry to a Structure By the Fire Department During an Emergency
- 3rd Reading of "An Ordinance to Amend Dorchester County Zoning and Land Development Standards, Ordinance #04-13, as Previously Amended to Delete and Replace in its Entirety Section 12.4: Tree and Canopy Protection Standards"
- 3rd Reading on "An Ordinance to Adopt the 2014 Dorchester County Tree Planting Plan"
- Request to Approve a Fee In Lieu of Planting Trees Requirement for Mitigation Pursuant to Section 12.4.7 of Ordinance 04-13, the Dorchester County Zoning and Land Development Standards Ordinance
- Request for Approval for the Public Works Department to Petition the Town of Summerville to Annex a Portion of Briarwood Lane
- Request for Approval of Reclassification of an Admin III (Grade 7) to an Customer Support Supervisor (Grade 8) in the Water and Sewer Department
- Request for Approval of Transfers from the County Administrator's Full-Time Salaries Line Item for Operating Requirements for the Courthouse
- Request for Approval of Transfer of \$5,000 from Facility, Grounds and Recreation Full-Time Salaries to Equipment Repairs and Maintenance Line Item
- Request for Approval of Memorandum of Agreement Between Dorchester County Fire Rescue and the South Carolina Fire Academy

6. COMMITTEE REPORTS

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

- Request for New Water and Sewer Service for David Lawson at 191 Holbrook Drive in the Old Fort Estates Subdivision Near the City of North Charleston, TMS #162-04-05-005
- Request for New Sewer Service for Barbara Robertson on Renau Boulevard in the Pine Forest County Club Subdivision in the Town of Summerville, TMS #129-06-16-016
- Request for New Sewer Service for Charles Hart at 211 Lake Drive in the Pine Hill Acres Subdivision near the Town of Summerville, TMS #129-05-02-020
- Request for New Sewer Service for Dorchester School District Two Maintenance Facilities Building at 164 McQueen Boulevard Near the Town of Summerville, TMS #122-00-00-103

- Request for New Sewer Service for The Spinx Company at 4895 Ashley Phosphate Road in the City of North Charleston, TMS #181-00-00-050
- Request for New Sewer Service for Susanna H. Reeves at 315 South Parler Avenue in the Town of St. George, TMS #058-02-13-006

7. APPOINTMENTS TO BOARDS AND COMMISSIONS

- Request for Appointment to Trident Workforce Investment Board

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

- Public Hearing and 3rd Reading of “An Ordinance Authorizing the Execution and Delivery of a Fee-In-Lieu of Tax Agreement By and Between Dorchester County and Scout Boats, Inc., Whereby Dorchester County Will Enter Into a Fee-In-Lieu of Tax Arrangement With Scout Boats, Inc., and Providing For Payment By Scout Boats, Inc. of Certain Fees-In-Lieu of *Ad Valorem* Taxes; Providing For Special Source Revenue or Infrastructure Improvement Credits; Providing For the Allocation of Fees-In-Lieu of Taxes Payable Under the Agreement for the Establishment of a Multi-County Industrial/Business Park; and Other Matters Relating Thereto”
- Public Hearing and 3rd Reading of “An Ordinance to Amend the Agreement for Development of a Joint Industrial Park, By and Between Dorchester County, South Carolina 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 Dorchester County As Part Of the Joint County Industrial Park”
- Authorization for Submission of the Revised PUD for Pine Trace to the Town of Summerville
- Executive Session
 - Confidential Economic Development Projects
 - Legal Advice
 - Williams v. Dorchester County
 - Personnel Matters
 - Public Works Director
 - Delinquent Tax Collector

9. ADJOURN

WILLIAM R. HEARN, JR.
CHAIRMAN

GEORGE H. BAILEY
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SALLY K. HEBERT
CLERK TO COUNCIL



JAY BYARS

DAVID CHINNIS

WILLIE DAVIS

CARROLL S. DUNCAN

LARRY S. HARGETT

COUNTY COUNCIL OF DORCHESTER COUNTY

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

MINUTES
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
APRIL 21, 2014
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 Bailey and followed by the Pledge of Allegiance.

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

Chairman Hearn congratulated Councilman Bailey on serving his 29th and final year as Chairman of the World Grits Festival parade.

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

ADOPTION OF MINUTES

1. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted six in favor, with one abstention, to adopt the minutes from the April 7, 2014, County Council meeting. Councilman Byars abstained.

PROCLAMATION #14-02, NAMING MAY 15, 2014, PEACE OFFICERS' MEMORIAL DAY

2. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to adopt Proclamation #14-02, Naming May 15, 2014, Peace Officers' Memorial Day in Dorchester County. All flags posted at Dorchester County buildings will be flown at half staff on May 15, 2014, in recognition of Peace Officers' Memorial Day and in memory of those law enforcement officers, who through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and to honor those law enforcement officers presently serving the community.

CORRESPONDENCE: Items of correspondence were sent to County Council upon receipt by staff.

GUEST – MR. JUSTIN POWELL, CHIEF FINANCIAL OFFICER, MARCH 2014 BUDGET REPORT

Mr. Powell presented the March 2014 budget report to County Council and answered questions.

COUNCIL MEMBER'S TIME – MR. GEORGE BAILEY

Councilman Bailey introduced Ms. Jennifer Gruber, County Coordinator for the Adopt-A-Highway program. Ms. Gruber said partners in the Adopt-A-Highway program participate in at least four cleanups per year. She recognized Norfolk Southern Railway as the County Group of the Year in Dorchester County for maintaining the right-of-way of more than five miles of US 78, including litter removal and routine mowing. Ms. Gruber said in 2013, the Norfolk Southern Adopt-A-Highway group picked up and disposed of approximately 4,000 pounds of litter. She thanked Norfolk Southern participants for 10 years of partnership in the program, having joined January 1, 2004. She presented Mr. Joel Wells, Manager of Brosnan Forest for Norfolk Southern Railway, with an award for the County Group of the Year in Dorchester County. Council led a round of applause and congratulated Norfolk Southern Railway for maintaining a beautiful and scenic roadway.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

3RD READING OF "AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, DORCHESTER COUNTY, SOUTH CAROLINA, BY ADDING A SECTION TO CHAPTER 16, ARTICLE I, WHICH SHALL BE NUMBERED SECTION 16-1, TO PROVIDE FOR THE USE OF A KEY LOCK BOX TO ENABLE RAPID ENTRY TO A STRUCTURE BY THE FIRE DEPARTMENT DURING AN EMERGENCY"

3. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to approve 3rd Reading of "An Ordinance to Amend the Code of Ordinances, Dorchester County, South Carolina, By Adding a Section to Chapter 16, Article I, Which Shall Be Numbered Section 16-1, to Provide For the Use of a Key Lock Box to Enable Rapid Entry to a Structure By the Fire Department During an Emergency."

3RD READING OF "AN ORDINANCE TO AMEND DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS, ORDINANCE #04-13, AS PREVIOUSLY AMENDED TO DELETE AND REPLACE IN ITS ENTIRETY SECTION 12.4: TREE AND CANOPY PROTECTION STANDARDS"

Councilwoman Duncan offered an amendment to this Ordinance before Council voted on 3rd Reading.

4. On the motion of Councilwoman Duncan, seconded by Councilman Davis, Council voted unanimously to amend the Ordinance to replace 12.4.7(b) with the following language, "(b) Any tree at least six (6) inches DBH but less than twelve (12) inches DBH, as well as any pine tree at least 12 inches but less than 24 inches DBH, retained within the area of disturbance of the development may be retained to contribute to a

tree mitigation requirement, provided that tree does not stand in a wetland, any type of buffer, or other area of the site in which the tree would be required to be conserved. As allowable, a 6-inch DBH tree shall contribute 6 inches to a total number of inches to be mitigated. Such trees shall be protected as Required trees.”

5. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to approve 3rd Reading as amended of “An Ordinance to Amend Dorchester County Zoning and Land Development Standards, Ordinance #04-13, as Previously Amended to Delete and Replace in its Entirety Section 12.4: Tree and Canopy Protection Standards.”

Councilman Chinnis said this ordinance covers areas not already covered by stricter rules. He said citizens who live in neighborhoods governed by stricter Home Owners Association covenants and restrictions cannot use this ordinance to cut trees down. Those stricter covenants supersede this ordinance, he said.

3RD READING OF “AN ORDINANCE TO ADOPT THE 2014 DORCHESTER COUNTY TREE PLANTING PLAN”

6. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to approve 3rd Reading on “An Ordinance to Adopt the 2014 Dorchester County Tree Planting Plan.”

FEE IN LIEU OF PLANTING TREES REQUIREMENT FOR MITIGATION

7. On the motion of Councilman Chinnis, seconded by Councilman Byars, Council voted unanimously to approve a Fee In Lieu of Planting Trees Requirement for Mitigation Pursuant to Section 12.4.7 of Ordinance 04-13, the Dorchester County Zoning and Land Development Standards Ordinance.

Councilman Chinnis and Councilman Byars both commented about the fact that the mitigation will allow business and industry to pay for trees to be replanted in a park or other public space.

PETITIONING TOWN OF SUMMERVILLE TO ANNEX A PORTION OF BRIARWOOD LANE

8. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to authorize the County Administrator to petition the Town of Summerville to annex and subsequently maintain a portion of Briarwood Lane, which is currently maintained by Dorchester County.

RECLASSIFICATION OF AN ADMIN III (GRADE 7) TO A CUSTOMER SUPPORT SUPERVISOR (GRADE 8) IN THE WATER AND SEWER DEPARTMENT

9. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to approve reclassification of an Admin III (Grade 7) to a Customer Support Supervisor (Grade 8) in the Water and Sewer Department.

TRANSFERS FROM THE COUNTY ADMINISTRATOR’S FULL-TIME SALARIES LINE ITEM FOR OPERATING REQUIREMENTS FOR THE COURTHOUSE

10. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to approve the transfer of \$3,000 from personnel wage savings in the Administrator’s Office to Equipment Repairs Maintenance line item to repair and replace courtroom audio and visual equipment.

TRANSFER OF \$5,000 FROM FACILITY, GROUNDS AND RECREATION FULL-TIME SALARIES TO EQUIPMENT REPAIRS AND MAINTENANCE LINE ITEM

11. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to approve the transfer of \$5,000 from personnel wage savings in the Facilities, Grounds and Recreation Full-Time Salaries line item to Equipment Repairs and Maintenance line item to cover the cost of contract services for HVAC repairs.

MEMORANDUM OF AGREEMENT BETWEEN DORCHESTER COUNTY FIRE RESCUE AND THE SOUTH CAROLINA FIRE ACADEMY

12. On the motion of Councilman Bailey, seconded by Councilman Chinnis, Council voted unanimously to authorize the County Administrator to execute an agreement to allow the South Carolina Fire Academy to be housed in three offices in the County Annex building in exchange for providing \$6,000 in training to Dorchester County firefighters, as recommended by the Fire Chief and Deputy Administrator for Community Services.

COMMITTEE REPORT

Chairman Hearn passed the gavel to Vice Chairman Bailey before giving his Committee Report.

CHAIRMAN HEARN – WATER AND SEWER COMMITTEE

Chairman Hearn reported that the Committee met at 6:45 p.m., with six items on the agenda.

13. As recommended by the Committee, Council voted unanimously to approve a request for new water and sewer service for David Lawson at 191 Holbrook Drive in the Old Fort Estates Subdivision near the City of North Charleston, TMS #162-04-05-005.
14. As recommended by the Committee, Council voted unanimously to approve a request for new sewer service for Barbara Robertson on Renau Boulevard in the Pine Forest County Club Subdivision in the Town of Summerville, TMS #129-06-16-016.
15. As recommended by the Committee, Council voted unanimously to approve a request for new sewer service for Charles Hart at 211 Lake Drive in the Pine Hill Acres Subdivision near the Town of Summerville, TMS #129-05-02-020.
16. As recommended by the Committee, Council voted unanimously to approve a request for new sewer service for Dorchester School District Two Maintenance Facilities Building at 164 McQueen Boulevard near the Town of Summerville, TMS #122-00-00-103.
17. As recommended by the Committee, Council voted unanimously to approve a request for new sewer service for The Spinx Company at 4895 Ashley Phosphate Road in the City of North Charleston, TMS #181-00-00-050.
18. As recommended by the Committee, Council voted unanimously to adjourn debate on a request for new sewer service for Susanna H. Reeves at 315 South Parler Avenue in the Town of St. George, TMS #058-02-13-006.

Vice Chairman Bailey passed the gavel back to Chairman Hearn.

APPOINTMENTS TO BOARDS AND COMMISSIONS

19. On the motion of Councilman Hargett, seconded by Councilman Bailey, Council voted unanimously to appoint Mr. Terry Cunningham, Vice President of Operations for the Summerville Medical Center, to the Trident Workforce Investment Board.
20. On the motion of Councilman Byars, seconded by Councilwoman Duncan, Council voted unanimously to appoint Ms. Tiffany Heber to serve on the Dorchester County Grievance Committee.
21. On the motion of Councilman Byars, seconded by Councilman Bailey, Council voted unanimously to appoint Mr. Chris Campeau to the Planning, Development and Building Committee's Ad Hoc Committee.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

PUBLIC HEARING AND 3RD READING OF AN ORDINANCE AUTHORIZING SCOUT BOATS PILOT

Mr. Frampton requested Council hold a public hearing on an ordinance authorizing a Fee-In-Lieu of Tax Agreement with Scout Boats. Chairman Hearn struck the gavel, opening the public hearing. He invited members of the public to approach the podium to speak on this issue. In the absence of any speakers, Chairman Hearn struck the gavel again, closing the public hearing.

22. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to approve 3rd Reading and final approval of "An Ordinance Authorizing the Execution and Delivery of a Fee-In-Lieu of Tax Agreement By and Between Dorchester County and Scout Boats, Inc., Whereby Dorchester County Will Enter Into a Fee-In-Lieu of Tax Agreement With Scout Boats, Inc., and Providing For Payment By Scout Boats, Inc. of Certain Fees-In-Lieu of Ad Valorem Taxes; Providing For Special Source Revenue or Infrastructure Improvement Credits; Providing For the Allocation of Fees-In-Lieu of Taxes Payable Under the Agreement for the Establishment of a Multi-County Industrial/Business Park; and Other Matters Relating Thereto."

Councilman Chinnis said he had an opportunity to visit Scout Boats today and speak with senior leadership. He said it was very impressive to see the manufacturing operations of an international exporter based here in Dorchester County. Councilman Chinnis encouraged the local school systems to bring students on tours of Scout Boats and ready them to work in this sector of manufacturing. He said we can all be proud to have Scout Boats as a partner in Dorchester County.

PUBLIC HEARING AND 3RD READING OF AN ORDINANCE INCLUDING SCOUT BOATS IN JOINT COUNTY INDUSTRIAL PARK

Mr. Frampton requested Council hold a public hearing on an ordinance including Scout Boats in the joint county industrial park. Chairman Hearn struck the gavel, opening the public hearing. He invited members of the public to approach the podium to speak on this issue. In the absence of any speakers, Chairman Hearn struck the gavel again, closing the public hearing.

23. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to approve 3rd Reading and final approval of "An Ordinance to Amend the Agreement for Development of a Joint Industrial Park, By and Between Dorchester County, South Carolina 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 Dorchester County As Part Of the Joint County Industrial Park."

SUBMISSION OF THE REVISED PUD FOR PINE TRACE TO THE TOWN OF SUMMERVILLE

Mr. Frampton asked for Council's consideration in authorizing the submission to the Town of Summerville of the revised Planned Unit Development plan for the Pine Trace property, owned by Dorchester County with a portion under contract by Mungo Coastal Homes.

24. On the motion of Councilman Bailey, seconded by Councilman Byars, Council voted unanimously to authorize the County Administrator to submit a revised Planned Unit Development plan to the Town of Summerville that will remove the age restriction for residential parcels and will result in a larger commercial tract of land owned by Dorchester County.

EXECUTIVE SESSION

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

- Legal Advice
 - Williams v. Dorchester County
- Personnel Matters
 - Public Works Director
 - Delinquent Tax Collector


25. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to enter into Executive Session at approximately 7:40 p.m. to discuss the above listed items.

RECONVENE FROM EXECUTIVE SESSION

At approximately 9:34 p.m., the County Attorney reported that Council discussed the previously announced items, but no action was taken.

ADJOURNMENT

26. On the motion of Councilman Byars, seconded by Councilman Hargett, Council voted unanimously to adjourn at approximately 9:34 p.m.


Sally K. Hebert, Clerk to Council

**AGENDA – AMENDED
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERSVILLE
MAY 5, 2014
7:00 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

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

- Requests to Address Council
- Adoption of Minutes from the April 21, 2014, County Council Meeting
- Adoption of Resolution #14-04, In Memory of Mr. Charlie Miller
- Adoption of Resolution #14-05, Expressing Gratitude for the Assistance Provided By Organizations and Volunteers That Assisted Residents After the Ice Storm That Occurred on February 12, 2014
- Correspondence

3. GUEST

- Mr. Bill Peters, Renau Boulevard

4. COUNCIL MEMBER’S TIME – MR. DAVID CHINNIS

- Recognition of Mr. Jim Stein for Service on the Dorchester County Board of Zoning Appeals
- Request to Add 11 Acres of Wetlands Along Chandler Bridge Creek from the Forfeited Land Commission to the County Parks System to Further Protect Green Space in Eastern Dorchester County

5. COUNCIL MEMBER’S TIME – MR. LARRY HARGETT

- Request for Chairman’s Letter to SCDOT for an Intersection Improvement at Parlor Drive and Dorchester Road

6. COUNTY ADMINISTRATOR’S TIME – MR. JASON WARD

- 1st Reading for FY 2014-2015 Dorchester County Budget (By Title Only)
- Request for Approval of Funding for Delinquent Tax Office Software
- Request for Approval of Revision to the FY2014-2015 Budget Calendar
- Discussion of Regulations for the Use of County-Owned Meeting Facilities

7. COMMITTEE REPORTS

Chairman David Chinnis – Planning, Development and Building Committee (6:00 p.m.)

- Public Hearing and Recommendation for 2nd Reading of an Ordinance to Adopt the “2013 Dorchester County Comprehensive Plan Review and Progress Report”
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #679 for Michail Apostolova and Youlia Apostolova for TMS #145-07-04-024 and TMS #145-07-04-025 [*This request is to rezone two lots totaling 2.5 acres on Miles-Jamison Road between Arbor Road and Sugar Plum Drive near Summersville from Multi-Family Residential (R-4) to Commercial/Light Industrial-2 (CLI-2)*]
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #680 for Ashley Forest Development, LLC, for TMS #153-13-04-015 [*This request is to rezone a vacant 1.26-acre lot at the corner of Tyvola Drive and Dorchester Road from Single-Family Residential (R-2) to Neighborhood Commercial (CN).*]
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #681 for Barbara Mascarelli for TMS #122-13-01-013 [*This request is to rezone a 0.67-acre lot on Lingos Drive near Jedburg from Single-Family Residential (R-1) to Single-Family Residential – Manufactured Housing District (R-1M).*]

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

- Request for Approval for Dorchester County Water and Sewer Department to sell a 2.17-acre parcel on Swan Drive in the Teal on the Ashley Subdivision near the Town of Summerville, TMS# 151-11-00-078, which is the site of a former wastewater treatment plant and is zoned R2 (Single-Family Residential)
- Request for New Sewer Services for A&M Ventures at 605 Bob-O-Link Court in the Plantation Ridge Subdivision near the City of North Charleston, TMS# 162-01-12-009
- Request for New Sewer Service for Susanna H. Reeves at 315 South Parler Avenue in the Town of St. George, TMS #058-02-13-006

8. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Public Hearing and 2nd Reading for a Proposed Development Agreement By and Between MWV-Ridgeville, LLC, and Dorchester County, Regarding the Ridgeville Tract, TMS #097-00-00-002, TMS #087-00-00-097 and TMS #087-00-00-096, Located in Dorchester County along U.S. Highway 78
- 1st Reading for “An Ordinance (1) Authorizing the Execution and Delivery of a Fee In Lieu of Tax and Incentive Agreement (the “Incentive Agreement”) By and Between Dorchester County, South Carolina (the “County”) and MWV-Ridgeville, LLC, Acting For Itself, or One or More Affiliates or Other Project Sponsors, (the “Company”), in Connection With the Establishment of Certain Facilities and/or the Making of Certain Investments in the County (the “Project”); (2) Authorizing the Benefits of a Multi-County Industrial or Business Park to be Made Available to the Company and the Project; (3) Authorizing Certain Special Source Revenue Credits in Connection with the Project; and (4) Authorizing Other Matters Relating Thereto”
- 1st Reading for “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 Owned By MWV-Ridgeville, LLC, or One or More Companies Related Thereto; and Authorizing Other Related Matters”
- Executive Session
 - Confidential Economic Development Projects
 - Legal Advice
 - Zoning Special Exception: Bair
 - Dorchester Road

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

MINUTES
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
MAY 5, 2014
7:00 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. 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:

- Mr. John Mott, 244B Luden Drive, Summerville, asked Council to consider several ideas he proposed for a pedestrian and bicycle crossing at Sawmill Branch and Bacons Bridge Road to avoid closing that portion of the trail during road construction. He advocated in favor of renting a bridge for a pedestrian

- and bicycle crossing. In another issue, Mr. Mott asked Council to deny a request by County staff to sell a 2.17-acre parcel on Swan Drive along the Ashley River. He requested this property become a kayak launch site. Mr. Mott referenced maps during both presentations, which were provided to Council.
- Ms. Liz Elmore, 181 Bayridge Court, Ridgeville, asked Council for support in getting this dirt road paved. Councilman Davis agreed that Bayridge Court needs to be paved. He described the process for getting the dirt road paved, which includes residents agreeing to a 50-foot right-of-way. Ms. Elmore said there are 13 homes on this road, which becomes nearly impassible during heavy rains.
 - Ms. Youlia Apostolova, 230 Cypress Hill Lane, Ridgeville, asked Council to approve the posting of a business sign on her property at 305 Miles Road since Rezoning Request #679 was denied in the Planning, Development and Building Committee meeting held this evening. The Chairman called on Mr. Alec Brebner, Planning and Zoning Manager, for comment. Mr. Alec Brebner said the Planning Commission asked this question recently, and he took it to the County Attorney. Because this is a home-based business and because access to the property is residential, commercial signage is not advisable, he said.
 - Ms. Barbara Blake, 121 Luetta Lane, Ridgeville, said she and her brother Mr. Roosevelt Geddis have addressed Council in the past, requesting that Luetta Lane be paved. She said she was here tonight for an update. Councilman Davis said he visited the road, and a 50-foot right-of-way is needed for ditches. When it rains, the road is below Hwy 61, and water floods in the residents' yards, he said. Mr. Jason Ward, Dorchester County Administrator, said it is his understanding that there is not sufficient right-of-way without dedication of additional right-of-way. He said he would ask the Interim Public Works Director to send out a letter stating requirements for paving. Councilman Davis thanked her for coming and invited her to continue attending because squeaky wheels get the grease.
 - Mr. Pat D'Angelo, 126 Eagerton Lane, Ridgeville, said he lives off of Stable Lane. He requested Council's support in getting Stable Lane – a state road – paved, or even a portion of the road paved. He said it was on the referendum to be paved using monies from the one-cent sales tax. Mr. D'Angelo said the residents on a portion of the road will agree to the 50-foot right-of-way. He also suggested the County take it over to avoid the 50-foot right-of-way requirement. Mr. Ward said he would follow up with the Interim Public Works Director to see what discussions have occurred with engineers at the South Carolina Department of Transportation about acquiring right-of-way. He said the County does not typically purchase right-of-way along dirt roads. He said the 50-foot right-of-way is a state standard. If it is a non-major road, the County would require 20 feet plus the necessary ditch sections. As far as a road swap with the state, Mr. Ward said typically the state wants the County to provide them with really nice roads, but does not want to provide really nice roads in return. What we are trying to attempt is to get the roads paved, so we can reduce our maintenance in terms of having to send motor graders out to keep roads maintained, Mr. Ward said. And that was the purpose of getting these roads paved through the referendum, he said.
 - Ms. Peggy Bangle, 114 Ravenwood Court, Summerville, congratulated Council on the rainy day fund, but objected to contractors only picking up debris from one entity at a time – town, county or state – rather than picking up all debris from an entire road. She said it was a poor use of resources. She called for coordination of resources among the town, county and state to reduce costs. She asked for better coordination on road projects with the utility companies to complete projects efficiently and avoid unintended consequences. She asked Council to make sure any new regulations cancel out old regulations to avoid unintended consequences. And before making a new regulation, ask if the existing one is being enforced. Chairman Hearn noted that in order to receive reimbursements from FEMA, each jurisdiction had to monitor and document expenditures from the February 12 ice storm. Mr. Ward said the County signed an agreement with DOT in January and was told at that time not to remove debris from state roads. As a result of that, the only thing County employees were allowed to do is first push, moving debris off of state roads. When debris collection from County roads was about 75 percent complete, the state came back to us and said they would like to involve us in the process, said Mr. Ward. But we would have had to redouble our efforts. It wasn't because we didn't attempt to coordinate at the district level. It wasn't because we didn't have an agreement in place. But those decisions were made higher up, he said.

ADOPTION OF MINUTES

1. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to adopt the minutes from the April 21, 2014, County Council meeting.

RESOLUTION #14-04, IN MEMORY OF MR. CHARLIE MILLER

2. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to adopt Resolution #14-04, In Memory of Mr. Charlie Miller. Several Council members shared memories of Mr. Miller. Council presented the resolution to Mr. Miller's family.

RESOLUTION #14-05, EXPRESSING GRATITUDE FOR THE ASSISTANCE PROVIDED BY ORGANIZATIONS AND VOLUNTEERS AFTER THE FEBRUARY 12, 2014, ICE STORM

3. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted unanimously to adopt Resolution #14-05, Expressing Gratitude for the Assistance Provided By Organizations and Volunteers That Assisted Residents After the Ice Storm That Occurred on February 12, 2014.

Chairman Hearn said the Resolution would be presented to the volunteer organizations at a later date.

CORRESPONDENCE: Chairman Hearn said Council received a thank you letter from Mayor Riley, City of Charleston, for the Resolution thanking them for the mutual aid after the February 12 ice storm. He said they were very gracious in receiving the Resolution. Also, Dorchester County received a plaque thanking us for participation in the Ashley Cooper Stormwater Education Consortium, he said.

Mr. Ward gave an update on the status of Dorchester County's portion of the Local Government Fund included in the new fiscal year budget for the State of South Carolina. He said the recommendation from the State's Senate Finance Committee is to make further cuts to the Local Government Fund, resulting in Dorchester County losing \$389,252 in addition to the \$1.8 million already cut by the State House of Representatives. Several Council Members commented that this is money paid by Dorchester County taxpayers and forwarded to Columbia, a portion of which is statutorily required to be sent back to Dorchester County to fund state-mandated services. There was some discussion on this issue. Councilman Hargett noted that the State Senate voted themselves a \$12,000 raise in the new budget.

GUEST – MR. BILL PETERS, RENAU BOULEVARD

Mr. Bill Peters, 106 Torrey Pines Drive, Summerville, asked for Council's support in getting Renau Boulevard improved and repaved. Mr. Ward said Mr. Mike Goldston, Dorchester County Interim Public Works Director, will take this issue to the Dorchester County Sales Tax Transportation Authority at its next meeting on Monday, May 12. This road was previously a dirt road, said Mr. Ward, when it was paved approximately five years ago using a triple treatment process, not a traditional asphalt process. The policy was to pave what was in place at that time, said Mr. Ward.

COUNCIL MEMBER'S TIME – MR. DAVID CHINNIS

Councilman Chinnis presented Mr. Jim Stein with a plaque, recognizing his 19 years of service as a member of the Dorchester County Board of Zoning Appeals. Council gave him a round of applause and thanked him for his dedication and volunteer service to the residents of Dorchester County.

Councilman Chinnis then discussed protecting 11 acres of wetlands along Chandler Bridge Creek located between Oakbrook Commons and the Bridges. He said the property is owned by the Forfeited Land Commission. He suggested the property could be sold to a company for wetlands mitigation while preserving it as green space or maintained as part of the Dorchester County Parks System. He asked the County Attorney to provide Council with more data on what is required to move forward with protecting the property as green space.

COUNCIL MEMBER'S TIME – MR. LARRY HARGETT

Councilman Hargett asked for Council's support in the form of a Chairman's letter to the South Carolina Department of Transportation, requesting SCDOT funding for the construction of an additional right turn lane from

Parlor Drive onto Dorchester Road because of Sunoco developing a parcel of land at that intersection as a convenience store/gas station.

4. On the motion of Councilman Hargett, seconded by Councilman Davis, Council voted unanimously to send a Chairman's letter to the South Carolina Department of Transportation, requesting funding for the construction of an additional right turn lane from Parlor Drive onto Dorchester Road.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

1ST READING FOR FY 2014-2015 DORCHESTER COUNTY BUDGET (BY TITLE ONLY)

5. On the motion of Councilman Chinnis, seconded by Councilwoman Duncan, Council voted unanimously to approve 1st Reading for FY 2014-2015 Dorchester County Budget (By Title Only).

Mr. Ward said the proposed budget would be placed on the Dorchester County website and at the two Dorchester County libraries for public review.

FUNDING FOR DELINQUENT TAX OFFICE SOFTWARE

6. On the motion of Councilman Hargett, seconded by Councilman Davis, Council voted unanimously to approve the expenditure of \$6,505.60 from the land sale fund for the purchase of software to reconcile records of overages.

REVISION TO THE FY 2014-2015 BUDGET CALENDAR

7. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to approve changing the calendar to move 3rd Reading of the budget from June 2, 2014, to June 16, 2014.

Mr. Ward said this change is needed in light of the uncertainty in the amount of funding from the Local Government Fund.

DISCUSSION OF REGULATIONS FOR USING COUNTY-OWNED MEETING FACILITIES

Mr. Ward said there is one entity that has used Council Chambers in Summerville 28 times from January through April. He said he did not believe the current policy was adopted with the intent for a single entity to use County facilities for little or no cost that number of times during a year. Currently, if there is a group that has a public interest and a sponsor from County Council, the fees are typically waived. Mr. Ward said he spoke with the Director of the South Carolina Workers' Compensation Commission last week, and the Director is aware that this is a concern. Mr. Ward said he requested information from Workers' Comp regarding other facilities utilized and the frequency with which they are utilized. In the Berkeley, Charleston, Dorchester area, Mr. Ward said he was told Workers' Comp attempts to hold hearings in the resident county of the person coming before the Commission. He said the Clerk to Council has collected information from other counties on fees for using meeting space. Chairman Hearn referred this issue to the Budget, Finance and Purchasing Committee for further review.

COMMITTEE REPORTS

CHAIRMAN CHINNIS – PLANNING, DEVELOPMENT AND BUILDING COMMITTEE

Chairman Chinnis reported that the Committee met at 6 p.m., with four items on the agenda.

He reported that the Committee held a Public Hearing for an Ordinance to Adopt the "2013 Dorchester County Comprehensive Plan Review and Progress Report," and the Committee recommends two in favor, with one absent, that Council approves 2nd Reading as presented.

8. As recommended by the Committee, Council voted unanimously to approve 2nd Reading of an Ordinance to Adopt the "2013 Dorchester County Comprehensive Plan Review and Progress Report," incorporating by reference as a plan update the following four plans and studies: 2009 Comprehensive Transportation Master

Plan, 2010 Parks and Recreation Master Plan, 2010 Retail Market Study and Marketing Strategy and 2012 Economic Development Strategic Plan.

Chairman Chinnis reported that the Committee held a Public Hearing for Rezoning Request #679, and the Committee recommends two in favor, with one absent, that Council denies 2nd Reading.

9. As recommended by the Committee, Council voted unanimously to deny Rezoning Request #679 for Michail Apostolova and Youlia Apostolova for TMS #145-07-04-024 and TMS #145-07-04-025 to rezone two lots totaling 2.5 acres on Miles-Jamison Road between Arbor Road and Sugar Plum Drive near Summerville from Multi-Family Residential (R-4) to Commercial/Light Industrial-2 (CLI-2).

Chairman Chinnis reported that the Committee held a Public Hearing for Rezoning Request #680, and the Committee recommends three in favor that Council approves 2nd Reading.

10. As recommended by the Committee, Council voted unanimously to approve 2nd Reading for Rezoning Request #680 for Ashley Forest Development, LLC, for TMS #153-13-04-015 to rezone a vacant 1.26-acre lot at the corner of Tyvola Drive and Dorchester Road from Single-Family Residential (R-2) to Neighborhood Commercial (CN).

Chairman Chinnis reported that the Committee held a Public Hearing for Rezoning Request #681, and the Committee recommends three in favor that Council denies 2nd Reading.

11. As recommended by the Committee, Council voted unanimously to deny Rezoning Request #681 for Barbara Mascarelli for TMS #122-13-01-013 to rezone a 0.67-acre lot on Lingos Drive near Jedburg from Single-Family Residential (R-1) to Single-Family Residential – Manufactured Housing District (R-1M).

Chairman Hearn then passed the gavel to Vice Chairman Bailey before giving his Committee Report.

CHAIRMAN HEARN – WATER AND SEWER COMMITTEE

Chairman Hearn reported that the Committee met at 6:45 p.m., with three items on the agenda.

12. As recommended by the Committee, Council voted unanimously to approve County staff's request to acquire an appraisal of the property and subsequently to market as "for sale" a 2.17-acre parcel on Swan Drive in the Teal on the Ashley Subdivision near the Town of Summerville, TMS #151-11-00-078, which is the site of a former wastewater treatment plant and is zoned R2 (Single-Family Residential).
13. As recommended by the Committee, Council voted unanimously to approve a request for new sewer service for A&M Ventures at 605 Bob-O-Link Court in the Plantation Ridge Subdivision near the City of North Charleston, TMS #162-01-12-009.
14. As recommended by the Committee, Council voted unanimously to approve a request for new sewer service for Susanna H. Reeves at 315 South Parler Avenue in the Town of St. George, TMS #058-02-13-006.

Vice Chairman Bailey passed the gavel back to Chairman Hearn.

APPOINTMENTS TO BOARDS AND COMMISSIONS

15. On the motion of Councilman Bailey, seconded by Councilman Byars, Council voted unanimously to recommend the Governor appoint Mr. Christopher J. Hollowell to the Foster Care Review Board 1B.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

PUBLIC HEARING AND 2ND READING FOR AN ORDINANCE AUTHORIZING AND APPROVING A PROPOSED DEVELOPMENT AGREEMENT BY AND BETWEEN MWV-RIDGEVILLE, LLC, AND DORCHESTER COUNTY, REGARDING THE RIDGEVILLE TRACT

Mr. Frampton requested Council hold a public hearing on “An Ordinance Authorizing and Approving a Proposed Development Agreement By and Between MWV-Ridgeville, LLC, and Dorchester County, Regarding the Ridgeville Tract, TMS #097-00-00-002, TMS #087-00-00-097 and TMS #087-00-00-096, Located in Dorchester County along U.S. Highway 78.”

Chairman Hearn struck the gavel, opening the public hearing. He invited members of the public to approach the podium to speak on this issue. There was a question from a member of the audience, who did not approach the podium, as to what the ordinance involves. The Chairman restated the question for all to hear. Mr. Frampton said the ordinance involves an agreement between Dorchester County and Ridgeville, concerning how that area will be developed. Mr. Frampton then announced that a second public hearing – as required by the Development Agreement Act – will be held 7 p.m. May 19 in Council Chambers, Summerville. In the absence of any speakers, Chairman Hearn struck the gavel again, closing the public hearing.

16. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted unanimously to approve 2nd Reading for “An Ordinance Authorizing and Approving a Proposed Development Agreement By and Between MWV-Ridgeville, LLC, and Dorchester County, Regarding the Ridgeville Tract, TMS #097-00-00-002, TMS #087-00-00-097 and TMS #087-00-00-096, Located in Dorchester County along U.S. Highway 78.”

1ST READING OF AN ORDINANCE AUTHORIZING MWV-RIDGEVILLE, LLC, FILOT

17. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to approve 1st Reading for “An Ordinance (1) Authorizing the Execution and Delivery of a Fee In Lieu of Tax and Incentive Agreement (the “Incentive Agreement”) By and Between Dorchester County, South Carolina (the “County”) and MWV-Ridgeville, LLC, Acting For Itself, or One or More Affiliates or Other Project Sponsors, (the “Company”), in Connection With the Establishment of Certain Facilities and/or the Making of Certain Investments in the County (the “Project”); (2) Authorizing the Benefits of a Multi-County Industrial or Business Park to be Made Available to the Company and the Project; (3) Authorizing Certain Special Source Revenue Credits in Connection with the Project; and (4) Authorizing Other Matters Relating Thereto.”

1ST READING OF AN ORDINANCE INCLUDING MWV-RIDGEVILLE IN JOINT COUNTY INDUSTRIAL PARK

18. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to give 1st Reading for “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 Owned By MWV-Ridgeville, LLC, or One or More Companies Related Thereto; and Authorizing Other Related Matters.”

EXECUTIVE SESSION

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

- Confidential Economic Development Projects
- Legal Advice
 - Zoning Special Exception: Bair
 - Dorchester Road

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

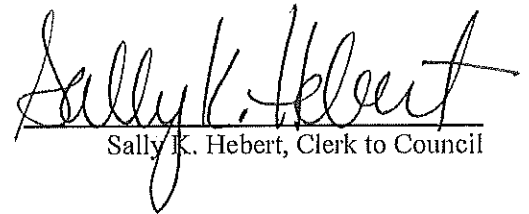
RECONVENE FROM EXECUTIVE SESSION

At approximately 9:42 p.m., the County Attorney reported that Council discussed the previously announced items, but no action was taken.

20. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted unanimously to approve \$200,000 be allocated from the Economic Development Fund for engineering studies at the Ridgeville Commerce Park.

ADJOURNMENT

21. On the motion of Councilman Bailey, seconded by Councilwoman Duncan, Council voted unanimously to adjourn at approximately 9:43 p.m.


Sally K. Hebert, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERSVILLE
MAY 19, 2014
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

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

- Requests to Address Council
- Adoption of Minutes from the May 5, 2014, County Council Meeting
- Adoption of Proclamation #14-03, Designating the Week of May 19-25, 2014, as Emergency Medical Services Week
- Presentation of the 2014 Mission: Lifeline EMS Silver Recognition Award
- Correspondence

3. GUESTS

- Mr. Justin Powell, Dorchester County Chief Financial Officer
 - Budget Report for April 2014
 - Request for Approval of Supplemental Appropriations for Ice Storm Expenses in General Fund and Fire Fund
- Mr. John Henderson, South Carolina Association of Counties Director of Risk Management, Presentation of Risk Management Awards

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

- Local Government Fund

5. COUNCIL MEMBER'S TIME – MR. DAVID CHINNIS

- Request for a Chairman's Letter to be Sent to SCDOT Regarding Phase II of Dorchester Road

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

- 3rd Reading of Ordinance #14-06, An Ordinance to Adopt the "2013 Dorchester County Comprehensive Plan Review and Progress Report"
- 3rd Reading of Rezoning Request #680 for Ashley Forest Development, LLC, for TMS #153-13-04-015 [*This request is to rezone a vacant 1.26-acre lot at the corner of Tyvola Drive and Dorchester Road from Single-Family Residential (R-2) to Neighborhood Commercial (CN).*]
- 1st Reading of Rezoning Request #682 for Moneat Williams for TMS #152-01-01-012 [*This request is to rezone a vacant 1.4-acre lot on Boone Hill Road near Fisher Road from Multi-Family Residential (R-4) to Single-Family Residential Manufactured Housing (R-2).*]
- Request for Approval of an Automatic Aid Agreement Between Dorchester County Fire Rescue and Old Fort Fire Department
- Request to Purchase Rescue Equipment with Argos Donation Funds

7. COMMITTEE REPORTS

Chairman William R. Hearn, Jr. – Budget, Finance and Purchasing Committee (5:00 p.m.)

- Budget Presentation for Dorchester School District Two
- Budget Presentation for Dorchester Seniors, Inc.
- Budget Presentation for Trident Technical College
- Budget Presentation for Children in Crisis
- Public Hearing and Recommendation for 2nd Reading for Dorchester County Budget Ordinance for Fiscal Year 2014-2015, "An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposes for Dorchester County for the Fiscal Year Beginning July 1, 2014, and

ending June 30, 2015; To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County”

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

- Request for New Sewer Service by Avtex Commercial Properties for Three New Commercial Buildings at 10635, 10645, and 10655 Dorchester Road, TMS #152-12-01-035, located near the Town of Summerville on 8.44 acres

8. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Public Hearing for An Ordinance Authorizing and Approving a Proposed Development Agreement By and Between MWV-Ridgeville, LLC, and Dorchester County, Regarding the Ridgeville Tract, TMS #097-00-00-002, TMS #087-00-00-097 and TMS #087-00-00-096, Located in Dorchester County along U.S. Highway 78
- 2nd Reading for “An Ordinance (1) Authorizing the Execution and Delivery of a Fee In Lieu of Tax and Incentive Agreement (the “Incentive Agreement”) By and Between Dorchester County, South Carolina (the “County”) and MWV-Ridgeville, LLC, Acting For Itself, or One or More Affiliates or Other Project Sponsors, (the “Company”), in Connection With the Establishment of Certain Facilities and/or the Making of Certain Investments in the County (the “Project”); (2) Authorizing the Benefits of a Multi-County Industrial or Business Park to be Made Available to the Company and the Project; (3) Authorizing Certain Special Source Revenue Credits in Connection with the Project; and (4) Authorizing Other Matters Relating Thereto”
- 2nd Reading for “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 Owned By MWV-Ridgeville, LLC, or One or More Companies Related Thereto; and Authorizing Other Related Matters”
- Executive Session
 - Confidential Economic Development Projects
 - Legal Advice
 - Zoning Special Exception: Bair
 - US Supreme Court Decision: Town of Greece v. Galloway
 - Tax Sale of DD2 Property
 - Contractual Matters
 - Real Estate Purchase: Thurman
 - MWV-Ridgeville Development Agreement
 - Lease Agreement with Greater Summerville/Dorchester County Chamber of Commerce

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

MINUTES
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
MAY 19, 2014
7:00 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. 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
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. Jason Ward, County Administrator

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

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

REQUESTS TO ADDRESS COUNCIL:

- Mr. Franklin Smith, 521 Central Avenue, Summerville, introduced himself to Council and stated concerns about unfunded state mandates.

ADOPTION OF MINUTES

1. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to adopt the minutes from the May 5, 2014, County Council meeting.

PROCLAMATION #14-03, EMERGENCY MEDICAL SERVICES WEEK

2. On the motion of Councilman Bailey, seconded by Councilman Chinnis, Council voted unanimously to adopt Proclamation #14-03, designating the week of May 19-25 as Emergency Medical Services Week in recognition of the value and accomplishments of the award-winning Dorchester County Emergency Medical Services Department and its employees.

PRESENTATION OF THE 2014 MISSION: LIFELINE EMS SILVER RECOGNITION AWARD

Chairman Hearn and County Council presented the 2014 Mission: Lifeline EMS Silver Recognition Award to Mr. Doug Warren, Dorchester County EMS Director. The American Heart Association recognized the Dorchester County EMS Department as a Silver Mission EMS Agency (high level of pre-hospital heart attack care) based on the Department providing pre-hospital 12 Lead ECG to patients; the Department providing pre-hospital First Medical Contact (FMC) to patients; and the Department transporting more than 75 percent of Segment Elevation Myocardial Infarction (STEMI) heart attack patients to hospitals that provide Fibrinolytic Therapy administration in 30 minutes or less.

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

GUEST – MR. JUSTIN POWELL, DORCHESTER COUNTY CHIEF FINANCIAL OFFICER

Mr. Powell gave a budget report on the month ending April 30, 2014. With the exception of increased expenses from the winter storm, he reported that expenditures and revenues are on track.

SUPPLEMENTAL APPROPRIATIONS FOR ICE STORM EXPENSES

3. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to authorize the County Administrator to use \$455,000 in Excess Land Proceeds to cover personnel expenses from the winter storm, pending FEMA reimbursement. The remaining funds will be used to supplement the "Rainy Day Fund" during hurricane season.

GUEST – MR. JOHN HENDERSON, SCAC DIRECTOR OF RISK MANAGEMENT

Chairman Hearn recognized Mr. John Henderson, the Director of Risk Management for the South Carolina Association of Counties. Mr. Henderson presented two awards to the Dorchester County Risk Management and Safety Office. He presented the Outstanding Safety Achievement Award, recognizing Dorchester County for its efforts to place reflective caution stripes on the tailgates of the Sign Crew and Meter Readers, allowing for greater visibility. As of the application date, no rear-end collisions had occurred in those vehicles. The second award was for Sustained Excellence in Risk Management. Mr. Henderson recognized Dorchester County for its sustained Risk Management programs. Representing Dorchester County, Mr. Craig Legates, Risk Manager; Mr. Leroy Blake, Safety Coordinator; and Ms. Amy Dixon, Administrative Assistant, were present to receive the awards.

COUNCIL MEMBER'S TIME – MR. LARRY HARGETT

Councilman Hargett made a motion, seconded by Councilman Davis, that should the South Carolina Legislature fail to fully fund the Local Government Fund as provided by the statutory law of the State, that the County Administrator, in conjunction with the County Chief Financial Officer, identify and cut from the proposed 2015 fiscal year budget the equivalent number of dollars that the Local Government Fund revenue is reduced, with such cuts being made to State agencies that receive support from Dorchester County. These provisions would be applicable only if language is included in House Bill 3710, sec. 110.7, for the year 2013-2014 regarding the exclusions so stated, which gives political subdivision flexibility. Specifically, Judges, Courts, Public Defenders and their offices, Masters In Equity and their offices, Solicitors and the SC Supreme Court and its offices would be excluded from this provision.

During discussion, Councilwoman Duncan asked Councilman Hargett if he would be agreeable to addressing the Delegation instead with a Chairman's letter, advocating on behalf of Dorchester County and all counties to cut the equivalent number of dollars from state mandated programs corresponding with cuts by the South Carolina Legislature from the Local Government Fund. Councilman Hargett agreed. There was some discussion among Council. Chairman Hearn noted the cumulative impact on public safety and the schools due to state cuts and the lack of recurring state dollars for the seventh year in a row.

4. On the motion of Councilwoman Duncan, seconded by Councilman Bailey, Council voted unanimously on an amendment to send a Chairman's letter to the Dorchester County Legislative Delegation, requesting that the Delegation include the political subdivision flexibility proviso in the state budget.

COUNCIL MEMBER'S TIME – MR. DAVID CHINNIS

5. On the motion of Councilman Chinnis, seconded by Councilman Byars, Council voted unanimously to approve sending a letter from the Chairman to the South Carolina Department of Transportation (SCDOT), expressing concern over substandard paver base in Phase II of Dorchester Road and requesting that SCDOT take responsibility for an additional five years after the five-year warranty bond on the road has expired – years six through ten – unless mitigation of the paver base is performed before final paving.

There was some discussion on this issue.

COUNTY ADMINISTRATOR'S TIME – MS. ASHLEY JACOBS

2013 DORCHESTER COUNTY COMPREHENSIVE PLAN REVIEW AND PROGRESS REPORT

6. On the motion of Councilwoman Duncan, seconded by Councilman Davis, Council voted unanimously to give 3rd Reading and final approval to Ordinance #14-06, An Ordinance to Adopt the "2013 Dorchester County Comprehensive Plan Review and Progress Report."

REZONING REQUEST #680

7. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to give 3rd Reading and final approval to Rezoning Request #680 for Ashley Forest Development, LLC, for TMS #153-13-04-015, rezoning a 1.26-acre lot at the corner of Tyvola Drive and Dorchester Road from Single-Family Residential (R-2) to Neighborhood Commercial (CN).

REZONING REQUEST #682

8. On the motion of Councilman Chinnis, seconded by Councilwoman Duncan, Council voted unanimously to give 1st Reading and referral to the Planning, Development and Building Committee for a public hearing and further consideration of Rezoning Request #682 for Moneat Williams for TMS #152-01-01-012, rezoning a vacant 1.4-acre lot on Boone Hill Road near Fisher Road from Multi-Family Residential (R-4) to Single-Family Residential Manufactured Housing (R-2).

AUTOMATIC AID AGREEMENT

9. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to approve an Automatic Aid Agreement between Dorchester County Fire-Rescue and Old Fort Fire District, covering reported structure fires in the Ridgeville, Givhans and Sandhill districts, as well as the areas served by the Knightsville, Jedburg and "The Ponds" stations.

PURCHASING RESCUE EQUIPMENT WITH ARGOS DONATION FUNDS

10. On the motion of Councilwoman Duncan, seconded by Councilman Chinnis, Council voted unanimously to authorize the County Administrator to purchase high-angle rescue equipment using donated funds from Argos Cement in the amount of \$7,500.

COMMITTEE REPORTS

Chairman Hearn passed the gavel to Vice Chairman Bailey before giving his Committee Reports.

CHAIRMAN HEARN – BUDGET, FINANCE AND PURCHASING COMMITTEE

Chairman Hearn reported that the Committee met at 5 p.m. to receive budget reports, for information only, from Dorchester School District Two, Dorchester Seniors, Trident Technical College and Children in Crisis. He reported that no one from the public addressed Council during the public hearing on the budget. The Committee then voted unanimously to recommend full Council gives 2nd Reading to the Budget Ordinance For Fiscal Year 2014-2015, said Chairman Hearn.

11. As recommended by the Committee, Council voted unanimously to approve 2nd Reading of Dorchester County Budget Ordinance for Fiscal Year 2014-2015, “An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposes for Dorchester County for the Fiscal Year Beginning July 1, 2014, and ending June 30, 2015; To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County.”

CHAIRMAN HEARN – WATER AND SEWER COMMITTEE

Chairman Hearn reported that the Committee met at 6:45 p.m., with one item on the agenda, which was unanimously approved by the Committee.

12. As recommended by the Committee, Council voted unanimously to approve a request for new sewer service by Avtex Commercial Properties for three new commercial buildings at 10635, 10645 and 10655 Dorchester Road, TMS #152-12-01-035, located near the Town of Summerville on 8.44 acres.

Vice Chairman Bailey passed the gavel back to Chairman Hearn.

APPOINTMENTS TO BOARDS AND COMMISSIONS: There were no appointments.

COUNTY ATTORNEY’S TIME – MR. JOHN FRAMPTON

2ND PUBLIC HEARING FOR AN ORDINANCE AUTHORIZING AND APPROVING A PROPOSED DEVELOPMENT AGREEMENT BY AND BETWEEN MWV-RIDGEVILLE, LLC, AND DORCHESTER COUNTY, REGARDING THE RIDGEVILLE TRACT

Mr. Frampton requested Council hold a public hearing on “An Ordinance Authorizing and Approving a Proposed Development Agreement By and Between MWV-Ridgeville, LLC, and Dorchester County, Regarding the Ridgeville Tract, TMS #097-00-00-002, TMS #087-00-00-097 and TMS #087-00-00-096, Located in Dorchester County along U.S. Highway 78.”

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

2ND READING OF AN ORDINANCE AUTHORIZING MWV-RIDGEVILLE, LLC, FILOT

13. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted unanimously to approve 2nd Reading for “An Ordinance (1) Authorizing the Execution and Delivery of a Fee In Lieu of Tax and Incentive Agreement (the “Incentive Agreement”) By and Between Dorchester County, South Carolina (the “County”) and MWV-Ridgeville, LLC, Acting For Itself, or One or More Affiliates or Other Project Sponsors, (the “Company”), in Connection With the Establishment of Certain Facilities and/or the Making of Certain Investments in the County (the “Project”); (2) Authorizing the Benefits of a Multi-County Industrial or Business Park to be Made Available to the Company and the Project; (3) Authorizing Certain Special Source Revenue Credits in Connection with the Project; and (4) Authorizing Other Matters Relating Thereto.”

2ND READING OF AN ORDINANCE INCLUDING MWV-RIDGEVILLE IN JOINT COUNTY INDUSTRIAL PARK

14. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to give 2nd Reading for "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 Owned By MWV-Ridgeville, LLC, or One or More Companies Related Thereto; and Authorizing Other Related Matters."

EXECUTIVE SESSION

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

- Confidential Economic Development Projects
 - Legal Advice
 - Zoning Special Exception: Bair
 - U.S. Supreme Court Decision: Town of Greece v. Galloway
 - Tax Sale of DD2 Property
 - Contractual Matters
 - Real Estate Purchase: Thurman
 - MWV-Ridgeville Development Agreement
 - Lease Agreement with Greater Summerville/Dorchester County Chamber of Commerce
- Before going into Executive Session, Mr. Frampton announced that this item was being withdrawn from Executive Session at the request of the Chamber of Commerce.
15. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to enter into Executive Session at approximately 7:58 p.m. to discuss the above listed items.

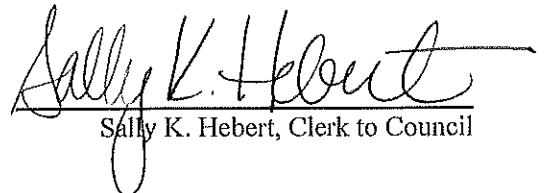
RECONVENE FROM EXECUTIVE SESSION

At approximately 9:25 p.m., the County Attorney reported that Council discussed the previously announced items, but no action was taken.

16. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to authorize the County Administrator to resolve the pending appeal of Mr. and Mrs. Bair by granting the requested zoning special exception with the conditions discussed in Executive Session.

ADJOURNMENT

17. On the motion of Councilman Bailey, seconded by Councilwoman Duncan, Council voted unanimously to adjourn at approximately 9:27 p.m.


Sally K. Hebert, Clerk to Council

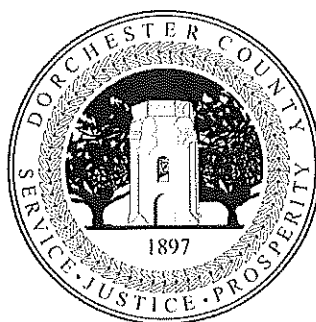
**AGENDA
DORCHESTER COUNTY COUNCIL
SPECIAL CALLED COUNCIL MEETING
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
MAY 23, 2014
9:00 AM**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

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

3. COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON
 - Executive Session
 - Legal Advice
 - Real Estate Purchase: Thurman
 - Contractual Matter
 - MWV-Ridgeville Development Agreement

4. ADJOURN



WILLIAM R. HEARN, JR.
CHAIRMAN

GEORGE H. BAILEY
VICE-CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SALLY K. HEBERT
CLERK TO COUNCIL

JAY BYARS

DAVID CHINNIS

WILLIE DAVIS

CARROLL S. DUNCAN

LARRY S. HARGETT

COUNTY COUNCIL OF DORCHESTER COUNTY

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

MINUTES
DORCHESTER COUNTY COUNCIL
SPECIAL CALLED COUNCIL MEETING
HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
MAY 23, 2014
9:00 A.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. William R. Hearn, Jr., Chairman
Mr. George H. Bailey, Vice Chairman
Mr. Jay Byars
Mr. David Chinnis
Mr. Willie Davis
Mrs. Carroll S. Duncan
Mr. Larry S. Hargett
Mr. Jason Ward, 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 Special Called meeting of the Dorchester County Council. Councilman Bailey gave the invocation, which was followed by the Pledge of Allegiance.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

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

- Legal Advice
- Real Estate Purchase: Thurman
- Contractual Matter
- MWV-Ridgeville Development Agreement

1. On the motion of Councilman Bailey, seconded by Councilwoman Duncan, Council voted unanimously to enter into Executive Session at approximately 9:04 a.m. to discuss the above listed items.

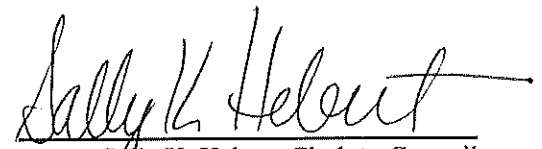
RECONVENE FROM EXECUTIVE SESSION

At approximately 11:02 a.m., the County Attorney reported that Council discussed the previously announced items, and no action was taken.

Chairman Hearn announced that Mr. and Mrs. Thurman contacted him and requested that any vote regarding their property be postponed at this time.

ADJOURNMENT

2. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to adjourn at approximately 11:03 a.m.


Sally K. Hebert, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
SPECIAL CALLED COUNCIL MEETING
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
MAY 27, 2014
6:30 PM

1. INVOCATION AND PLEDGE OF ALLEGIANCE

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

- Public Hearing for Dorchester County Budget Ordinance For Fiscal Year 2014-2015, “An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposes for Dorchester County for the Fiscal Year Beginning July 1, 2014, and ending June 30, 2015; To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County”

- Discussion of Proposal to Change the Budget Calendar, Moving the May 29 Budget Retreat to a Later Date

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
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
MAY 27, 2014
6:59 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. William R. Hearn, Jr., Chairman
Mr. George H. Bailey, Vice Chairman
Mr. Jay Byars
Mr. David Chinnis
Mr. Willie Davis
Mrs. Carroll S. Duncan
Mr. Larry S. Hargett
Mr. Jason Ward, 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 Special Called meeting of Dorchester County Council. Councilman Davis gave an invocation and led attendees in the Pledge of Allegiance at the Committee meeting held immediately before this meeting.

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

Chairman Hearn announced the two agenda items.

PUBLIC HEARING ON THE BUDGET ORDINANCE

Chairman Hearn struck the gavel, opening the public hearing. He invited members of the public to come to the podium to address the Committee regarding the Fiscal Year 2014-2015 budget ordinance, "An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposes for

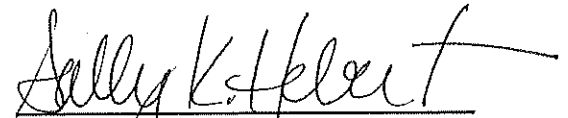
Dorchester County for the Fiscal Year Beginning July 1, 2014, and ending June 30, 2015; To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County.” In the absence of any requests to speak, Chairman Hearn struck the gavel again, closing the public hearing.

DISCUSSION OF PROPOSAL TO CHANGE THE BUDGET CALENDAR, MOVING THE MAY 29 BUDGET RETREAT TO A LATER DATE

1. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted unanimously to change the budget calendar, moving the May 29 Budget Retreat to June 12.

ADJOURNMENT

2. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted unanimously to adjourn at approximately 7:07 p.m.


Sally K. Hebert, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
JUNE 2, 2014
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

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

- Requests to Address Council
- Adoption of Minutes from the May 19 County Council Meeting as well as the May 23 and May 27 Special Called Council Meetings
- Adoption of Proclamation #14-04, In Recognition of Hurricane Awareness Week
- Public Hearing on the Edward Byrne Memorial Justice Assistance Grant Program
- Correspondence

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

- Dorchester Road Sound Wall Issue Near Ashborough West Subdivision

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

- 1st Reading of Rezoning Request #684 for The Ryland Group for portions of TMS #160-00-00-056, TMS #160-00-00-081 and TMS #160-00-00-082 *[This request is to rezone 51.8 acres of undeveloped land on Beech Hill Road from Multi-Family Residential (R-4) and Commercial-Light Industrial (CLI) to Planned Development District (PD).]*
- 1st Reading of Rezoning Request #686 for COPABREZ, Inc., TMS #136-07-05-011 *[This request is to rezone a 0.9-acre commercial lot at 1240 Central Avenue near Summerville from General Commercial (CG) to Neighborhood Commercial (CN).]*
- 1st Reading of an Ordinance to Amend the Dorchester County Zoning and Land Development Standards Ordinance, Ordinance #04-13, As Previously Amended To Revise Application Requirements for Planned Development Districts *[This request is to modify application requirements currently including a wetlands delineation certified by the US Army Corps of Engineers to a wetlands delineation submitted to the Corps of Engineers for certification. The effect of this amendment is that wetland boundaries would be finalized after Council action on zoning but before any applications for land development permits.]*

5. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Request for Approval of Amendment 1 to Task Order 5 for the Design and Permitting of the Timothy Creek Regional Pump Station and Force Main
- Executive Session
 - Confidential Economic Development Projects
 - Contractual Matter
 - Lake Marion Regional Water Agency Harleyville Reach

7. 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

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MINUTES
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
JUNE 2, 2014
7:00 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. 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:

- Mr. William H. Zoller, 1311 Givhans Road, Ridgeville, stated concerns about odor from a sewer line along Highway 27 near his home.

- Mr. Mark Carter, 1320 Givhans Road, Ridgeville, also stated concerns about odor from a sewer line along Highway 27 near his home.
- Mr. David Smith, 102 Liberty Court, Summerville, stated concerns about the sound walls along Dorchester Road.

ADOPTION OF MINUTES

1. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to adopt the minutes from the May 19, 2014, County Council meeting, as well as the May 23 and May 27, 2014, Special Called County Council meetings.

PROCLAMATION #14-04, HURRICANE AWARENESS WEEK

2. On the motion of Councilman Bailey, seconded by Councilman Chinnis, Council voted unanimously to adopt Proclamation #14-04, designating the week of June 1-7, 2014, as Hurricane Awareness Week in Dorchester County, and encouraging all residents to join the Emergency Management Department and the National Weather Service in an effort to foster hurricane preparedness.

Chairman Hearn called on Mr. Mario Formisano, Dorchester County Emergency Management Director, to announce events occurring as part of Hurricane Awareness Week.

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM

Chairman Hearn announced that Dorchester County is eligible for a grant of \$28,903 from the Edward Byrne Memorial Justice Assistance Grant Program. He said the Sheriff plans to use the grant to purchase seven digital radios for vehicles to replace seven analog radios. The public hearing is a requirement of the grant, and no vote of County Council is required.

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

CORRESPONDENCE: Mr. Ward gave an update on the status of the Local Government Fund and the Credit Card Proviso in the House and Senate versions of the South Carolina budget bill. He encouraged all present to keep in touch with their legislators regarding these two issues.

Councilman Bailey asked to be recognized to address statements in an email sent to the Dorchester County Transportation Committee (CTC). Before recognizing Councilman Bailey, Chairman Hearn confirmed with Mr. Frampton that this would be allowed under the rules and would not be considered an amendment to the agenda.

Councilman Bailey discussed a weekend email he said was sent by Mr. Lester Dempsey, candidate for County Council District #7. Councilman Bailey praised the work of the CTC and refuted statements in the campaign email. Councilman Bailey noted that 80 percent of his district is in the Summerville area. He said he cares about the road work accomplished in the Summerville area.

COUNCIL MEMBER'S TIME – MR. LARRY HARGETT – DORCHESTER ROAD SOUND WALL

Councilman Hargett discussed his dissatisfaction with both the South Carolina Department of Transportation (SCDOT) and the Dorchester County Sales Tax Transportation Authority (DCTA) regarding the sound walls built along Dorchester Road bordering the two Ashborough subdivisions. He said residents of these subdivisions contribute about six percent of the entire Dorchester County tax revenue. Councilman Hargett said it was time for Council to hear from the citizens of Ashborough and Ashborough East. He recognized Mr. Wes Birt, 104 Laurens Court, Summerville.

Mr. Birt described the history of the issue of the sound walls and the Ashborough residents' involvement in seeking funding for a continuous sound wall bordering the neighborhood along Dorchester Road.

Mr. Henry Proctor described the residents' attempts to seek help from elected officials at the local, state and federal levels, including a December 2013 meeting with South Carolina Governor Nikki Haley in Rock Hill, SC.

Mrs. Jo-Ann Wilhelm, 108 Greene Lane, Summerville, discussed the four petitions put forth through the years by the residents seeking construction of a sound wall.

Mr. Birt concluded the presentation with his own personal story and asked Council to fund 2,600 feet of sound wall.

There was discussion among Council members and the residents. A portion of the discussion centered on whether Ashborough residents would be willing to pledge Dorchester County tax monies to construct sound walls along Ladson Road, Bacons Bridge Road, Old Trolley Road, Orangeburg Road and other roads throughout the County if County Council commits local tax funds to complete an Ashborough sound wall. Several Council members stated that no one on Council is against Ashborough residents having a continuous sound wall. The dilemma is how to pay for it.

Chairman Hearn called on SCDOT officials present to answer questions. Ms. Heather M. Robbins, NEPA Division Manager Environmental Services with the SCDOT, said SCDOT has reviewed the Dorchester Road sound wall issue several times. She said SCDOT is not saying that noise is not an issue. She said SCDOT is saying that based on federal guidelines, SCDOT will not fund additional sections of a sound wall bordering Ashborough along Dorchester Road.

There was some discussion about the possibility of residents donating property for additional sections of sound wall and the Ashborough Homeowners Association maintaining the wall if constructed with local tax funds. But the question remained as to who would assume liability for the wall should a vehicle crash into it. Ms. Robbins said SCDOT would not accept liability of a wall located on property other than an SCDOT easement.

3. On the motion of Councilman Bailey, seconded by Councilwoman Duncan, Council voted unanimously to refer this issue to the Public Safety, Health and Human Services Committee for further discussion and review.

During discussion and before the vote, Councilman Byars called on DCTA members for comment on this issue as representatives of the public body managing Dorchester Road improvements, including the sound walls. Mr. Robby Robbins, DCTA member, said the issue would be discussed at the DCTA's monthly meeting on Monday, June 9.

Councilman Byars acknowledged that most of the citizens present at tonight's well-attended meeting are his constituents. He said he is trying to be objective about the issue and identify how to pay for sound walls when SCDOT will not. If SCDOT will not pay for the Ashborough sound wall, then he said the burden is on Dorchester County to pay for the remaining sections of the sound wall.

Councilman Byars said Walnut Farms, Tyvola Drive, Calomet Valley, Bacons Bridge Road and the rest of Ashborough East all want sound walls. Councilman Byars said an old estimate on the cost of the Ashborough wall is \$450,000. There are lots of other neighborhoods that expect and deserve to have a wall, he said. This is not political games. We will set a precedent that I am not sure I am ready to set, he said.

Councilman Byars said the County recently established a tree bank. In cases where SCDOT will not pay for sound walls, he said maybe the County could tap into the tree bank to establish natural berms with trees to keep the cost to the taxpayer at a minimum while protecting personal property values. He said other options are being considered.

Councilman Byars thanked members of SCDOT for attending. He said the conversations have certainly been had with SCDOT. He wanted SCDOT present tonight so the public could hear from them.

Chairman Hearn said the undercurrent of the election and the campaign is inescapable, eight days from a primary vote. This is really an amazing situation in that Council and Council members are taking bullets because we have

the integrity to tell you the truth, said Chairman Hearn. The very federal and state entities that Mr. Proctor and Mr. Birt spoke to are the same people that tell us we have to provide certain services, he said. And then they turn around and cut our budget at the state level – this year \$2.2 million. That is five percent of our operating budget. That is devastating, said Chairman Hearn. You have had a lot of frustration getting funding for this wall. We are having a lot of frustration getting funding. That is the problem, he said.

Chairman Hearn noted that Councilman George Bailey, the Chairman of the Public Safety Committee, offered to take this issue. He did not just hand it off to somebody else. He literally handed it off to himself, he said.

Chairman Hearn thanked the residents for doing a fantastic job of presenting their story. I think tonight we have established that Ashborough residents want to see some uniformity and parity, he said. And I think that has been said loud and clear. So the next phase of this is where do we find the money? What is the mechanism to make this happen?

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

REZONING REQUEST #684

4. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to give 1st Reading and referral to the Planning, Development and Building Committee for a public hearing and further consideration of Rezoning Request #684 for The Ryland Group for portions of TMS #160-00-00-056, TMS #160-00-00-081 and TMS #160-00-00-082 to rezone 51.8 acres of undeveloped land on Beech Hill Road from Multi-Family Residential (R-4) and Commercial-Light Industrial (CLI) to Planned Development District (PD).

REZONING REQUEST #686

5. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to give 1st Reading and referral to the Planning, Development and Building Committee for a public hearing and further consideration of Rezoning Request #686 for COPABREZ, Inc., TMS #136-07-05-011 to rezone a 0.9-acre commercial lot at 1240 Central Avenue near Summerville from General Commercial (CG) to Neighborhood Commercial (CN).

PLANNED DEVELOPMENT DISTRICTS

6. On the motion of Councilwoman Duncan, seconded by Councilman Bailey, Council voted unanimously to approve 1st Reading of an Ordinance to Amend the Dorchester County Zoning and Land Development Standards Ordinance, Ordinance #04-13, As Previously amended to Revise Application Requirements for Planned Development Districts.

Mr. Ward said this request is to modify application requirements. The effect of this amendment is that wetland boundaries would be finalized after Council action on zoning but before any applications for land development permits.

APPOINTMENTS TO BOARDS AND COMMISSIONS: There were no appointments.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

TIMOTHY CREEK REGIONAL PUMP STATION AND FORCE MAIN

7. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to approve Amendment 1 to Task Order 5 for the design and permitting of the Timothy Creek Regional Pump Station and Force Main, and to authorize the expenditure of funds to pay for the work from Sewer Impact Fees.

EXECUTIVE SESSION

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

- Confidential Economic Development Projects
- Contractual Matter
 - Lake Marion Regional Water Agency Harleyville Reach

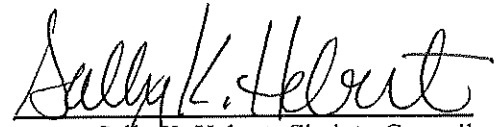
8. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to enter into Executive Session at approximately 9:15 p.m. to discuss the above listed items.

RECONVENE FROM EXECUTIVE SESSION

At approximately 10:02 p.m., the County Attorney reported that Council discussed the previously announced items, but no action was taken.

ADJOURNMENT

9. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously to adjourn at approximately 10:02 p.m.


Sally K. Hebert, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
JUNE 16, 2014
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

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

- Requests to Address Council
- Adoption of Minutes from the June 2, 2014, County Council Meeting
- Recognition of Mrs. Jessica D. Shuler, Dorchester County Budget Officer, for Contributions Resulting in the Distinguished Budget Presentation Award by the Government Finance Officers Association
- Correspondence

3. GUEST – MR. JUSTIN POWELL, DORCHESTER COUNTY CHIEF FINANCIAL OFFICER

- Budget Report for May 2014

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

- 1st Reading of an Ordinance to Amend the Dorchester County Zoning and Land Development Standards Ordinance #04-13, As Previously Amended, to Revise the List of Permissible Land Uses in Neighborhood Commercial Zoning Districts (*This request is to allow "Use Group 16 Business Office Service: Establishments of a business character that provide specialized office needs to individuals or other businesses" under the CN zoning classification.*)
- 1st Reading of Rezoning Request #685 for Ms. Lori R. Beier, TMS #136-00-00-179, to Rezone a 1.53-Acre Residential Lot at 860 Orangeburg Road near Summerville from Multi-Family Residential (R-4) to Neighborhood Commercial (CN)
- 1st Reading of Rezoning Request #687 for Mr. Donald E. Brazelton, TMS #172-00-00-006, to Rezone a 1.03-acre Commercial Lot at 3610 Ashley Phosphate Road near North Charleston from Office/Institutional (OI) to General Commercial (CG)
- 1st Reading of Rezoning Request #688 for Mr. Mark R. Hodge, TMS #136-00-00-209, to Rezone a 1.98-Acre Residential Lot at 161 Claussen Street near Summerville from Multi-Family Residential (R-4) to Single-Family Residential – Manufactured Housing (R-1M)
- Request for Approval to Allocate \$15,000 from the Economic Development Fund to Support the Harbor Entrepreneur Center Opening a Location in Dorchester County
- Request for Approval to Authorize the County Administrator to Enter Into a Federally Funded Public Assistance Agreement with the South Carolina Emergency Management Division
- 3rd Reading and Final Approval of Dorchester County Budget Ordinance #14-07 For Fiscal Year 2014-2015, "An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposes for Dorchester County for the Fiscal Year Beginning July 1, 2014, and ending June 30, 2015; To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County"
- Request for Approval for Changing a Deputy Position to a Corporal Position in the Sheriff's Investigation Division
- Request for Approval of an Advance on 2014 Taxes to the Dorchester County Library in an Amount not to Exceed \$200,000

5. COMMITTEE REPORT

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

- Discussion of Regulations for the Use of County-Owned Meeting Facilities

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Public Hearing on “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 Owned by MWV-Ridgeville, LLC, or One or More Companies Related Thereto; and Authorizing Other Related Matters”
- Public Hearing on “An Ordinance Authorizing (1) the Execution and Delivery of a Fee in Lieu of Tax and Incentive Agreement (the “Incentive Agreement”) by and between Dorchester County, South Carolina (the “County”) and MWV-Ridgeville, LLC, Acting for Itself, or one or more Affiliates or Other Project Sponsors, (the “Company”), in Connection with the Establishment of Certain Facilities and/or the Making of Certain Investments 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; (3) Certain Special Source Revenue Credits in Connection with the Project; and (4) Other Matters Relating Thereto”
- Request for Adoption of Resolution #14-06, A Resolution Consenting to an Assignment of Interests Under a Fee in Lieu of Tax Agreement With Dorchester County, South Carolina From SRE Dorchester LLC to Dorchester Biomass, LLC
- Executive Session
 - Confidential Economic Development Projects
 - Legal Advice
 - Contribution to Purchase TMS #137-14-07-006
 - Limehouse v. Dorchester County
 - FILOT for MWV-Ridgeville, LLC
 - Contractual Matter
 - Potential Sale of 373 Old Fort Drive
 - Personnel Matter
 - Delinquent Tax Collector

8. ADJOURN



WILLIAM R. HEARN, JR.
CHAIRMAN

GEORGE H. BAILEY
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SALLY K. HEBERT
CLERK TO COUNCIL

JAY BYARS

DAVID CHINNIS

WILLIE DAVIS

CARROLL S. DUNCAN

LARRY S. HARGETT

COUNTY COUNCIL OF DORCHESTER COUNTY

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

MINUTES
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
JUNE 16, 2014
7:00 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. William R. Hearn, Jr., Chairman
Mr. George H. Bailey, Vice Chairman
Mr. Jay Byars
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

ABSENT: Mr. David Chinnis

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 Bailey and followed by the Pledge of Allegiance.

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

REQUESTS TO ADDRESS COUNCIL:

- Mr. Donald Brazelton, 106 Old Tavern Lane, Summerville, asked Council to approve Rezoning Request #687 to rezone a commercial lot at 3610 Ashley Phosphate Road to accommodate a prospective restaurant.

ADOPTION OF MINUTES

1. On the motion of Councilman Hargett, seconded by Councilwoman Duncan, Council voted six in favor, with one absent, to adopt the minutes from the June 2, 2014, County Council meeting. Councilman Chinnis was absent.

PRESENTATION OF GFOA AWARD

Chairman Hearn invited Council to join him in presenting the Distinguished Budget Presentation Award from the Government Finance Officers Association to Mrs. Jessica D. Shuler, Dorchester County Budget Officer, for contributions resulting in Dorchester County receiving this recognition. Mr. Ward said only seven counties in South Carolina received this national award. He said Mrs. Shuler, Mrs. Kara Gunter, former Interim Finance Director, and Ms. Ashley Jacobs, Deputy Administrator, were part of the budget team that worked on the Fiscal Year 2013-2014 Dorchester County Budget. The document exceeds 350 pages and is available for public review on the Dorchester County website. The document includes information on demographics, projected demographics, current-year budget numbers and two years of prior actual budget numbers, he said.

CORRESPONDENCE: Mr. Ward reported that Dorchester County met the deadline to provide local match monies to the Army Corps of Engineers for the Harleyville reach from Holly Hill. This reach will provide up to 2 million gallons of potable water per day from Lake Marion. Dorchester County paid \$475,000 toward the total project cost of approximately \$7 million. Dorchester County is leveraging \$3.3 million from the 2013-2014 Army Civil Works Plan for this reach along with funding from the Rural Infrastructure Authority. Orangeburg County contributed a local match of \$475,000 as well, said Mr. Ward. Chairman Hearn noted that the long-term effect of this will be job opportunities and economic development.

GUEST – MR. JUSTIN POWELL, DORCHESTER COUNTY CHIEF FINANCIAL OFFICER

Mr. Powell gave a budget report on the month ending May 31, 2014, and answered questions from Council.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

ORDINANCE 04-13: REVISING LIST OF PERMISSIBLE LAND USES IN CN DISTRICTS

2. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted six in favor, with one absent, to give 1st Reading and referral to the Planning, Development and Building Committee for a public hearing and further consideration of "An Ordinance to Amend the Dorchester County Zoning and Land Development Standards Ordinance #04-13, As Previously Amended, to Revise the List of Permissible Land Uses in Neighborhood Commercial Zoning Districts." This proposed change would allow "Use Group 16 Business Office Service: Establishments of a business character that provide specialized office needs to individuals or other businesses" under the CN zoning classification. Councilman Chinnis was absent.

REZONING REQUEST #685

3. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted six in favor, with one absent, to give 1st Reading and referral to the Planning, Development and Building Committee for a public hearing and further consideration of Rezoning Request #685 for Ms. Lori R. Beier, TMS #136-00-00-179, to rezone a 1.53-acre residential lot at 860 Orangeburg Road near Summerville from Multi-Family Residential (R-4) to Neighborhood Commercial (CN). Councilman Chinnis was absent.

REZONING REQUEST #687

4. On the motion of Councilman Hargett, seconded by Councilman Bailey, Council voted six in favor, with one absent, to approve 1st Reading and referral to the Planning, Development and Building Committee for a public hearing and further consideration of Rezoning Request #687 for Mr. Donald E. Brazelton, TMS #172-00-00-006, to rezone a 1.03-acre commercial lot at 3610 Ashley Phosphate Road near North Charleston from Office/Institutional (OI) to General Commercial (CG). Councilman Chinnis was absent.

REZONING REQUEST #688

5. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted six in favor, with one absent, to approve 1st Reading and referral to the Planning, Development and Building Committee for a public hearing and further consideration of Rezoning Request #688 for Mr. Mark R. Hodge, TMS #136-00-00-209, to rezone a 1.98-acre residential lot at 161 Claussen Street near Summerville from Multi-Family Residential (R-4) to Single-Family Residential – Manufactured Housing (R-1M). Councilman Chinnis was absent.

HARBOR ENTREPRENEUR CENTER

6. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted six in favor, with one absent, to approve the allocation of \$15,000 from the Economic Development Fund to support the Harbor Entrepreneur Center opening a location in Dorchester County. Councilman Chinnis was absent.

Mr. Ward said the proposed location is in the current South Carolina Bank and Trust building adjacent to the Greater Summerville/Dorchester Chamber of Commerce. The Town of Summerville is contributing \$5,000, he said. The Center will provide assistance to start-up companies through a 14-week program that will prepare them to seek capital from potential investors.

Chairman Hearn said this is a regional trend in an effort to support the younger demographic, tech folks, start-ups and entrepreneurs. He called it an exciting opportunity for Dorchester County.

FEDERAL REIMBURSEMENT FOR WINTER STORM

7. On the motion of Councilman Hargett, seconded by Councilman Bailey, Council voted six in favor, with one absent, to authorize the County Administrator to enter into a federally funded public assistance agreement with the South Carolina Emergency Management Division and to authorize a Chairman's letter to the Dorchester County Legislative Delegation, requesting the state fund the required 25 percent local match or at least half of the local match. Councilman Chinnis was absent.

Mr. Ward said this is part of the process to seek reimbursement for the debris removal operations following the winter ice storm. He said in the past the state has provided some assistance in terms of the local match. He reminded Council that the Governor had indicated she was in favor of this action, but the General Assembly did not see fit to go along with that as there were 12 counties affected by the winter storm versus 46.

Chairman Hearn called this effort critical to receiving reimbursement for the Dorchester County rainy day fund.

2015 BUDGET ORDINANCE: AMENDMENT #1

8. On the motion of Councilwoman Duncan, seconded by Councilman Byars, Council voted six in favor, with one absent, to amend the proposed budget ordinance with the following revisions.

The General Fund shall include the following adjustments:

Reduce the amount for the Charleston Regional Development Alliance by \$123,000.

Transfer one MEO III from the Road Maintenance in the General Fund to the Solid Waste Fund; reducing the General Fund by \$49,566.

Reduce the amount for the Medically Indigent Assistance Program by \$41,585.

Fund reclassifications in the amount of \$82,191. The reclassifications will not take effect until approved by County Council at a subsequent meeting.

Authorize the establishment of a Grade 14, Capital Projects Manager in the Public Works Department in the amount of \$56,366. (9 months)

Increase Insurance line item in the General Fund by \$17,696.

Increase the County Administrator's Contingency by \$14,843 for improvements to the EMS Headquarters parking lot.

Increase the Rentals and Leases line item in Emergency Medical Services by \$11,700.

Increase the Equipment Repair Parts line item in Election and Voter Registration by \$11,500 for batteries.

Increase the Autopsies line item in the Coroner's Office by \$6,300.

Increase the Fuel budget by \$5,163.

Increase the Furniture and Fixtures line item in Risk Management by \$3,000 for chairs.

Increase the Postage line item in Clerk of Court by \$2,192.

Increase the Advertising line item in the Administrator's Office by \$2,000.

Increase the Memberships Fees line item in the Administrator's Office by \$1,200.

Authorize the transfer of the Budget Officer and \$65,422 from the Budget and Finance Department to Administrator's Office, and to rename the Budget and Finance Department the Finance Department.

Authorize the transfer of Transport Officers and \$188,233 from the Sheriff's Office to the Detention budget.

Authorize the transfer of \$30,000 from the Sheriff's PT-Other line item to the Sheriff's Overtime line item.

The total expenditures for the General Fund shall remain at \$44,264,107.

The Capital Fund shall include the following revisions:

Reduce the budget to purchase the EMS Headquarters Parking Lot by \$168,000.

Reduce the Computer Equipment line item in Information Technology Services by \$6,720.

Reduce the Computer Software line item in Information Technology Services by \$572.

Increase the Computer IT Lease Program line item in Information Technology by \$12,863 for software.

Increase the Other Capital Equipment line item in Emergency Medical Services by \$25,035 for stretchers.

Increase the Heavy Equipment line item in Facility, Grounds, and Recreation by \$137,394 for HVAC repair and replacement and other building repairs.

The total expenditures for the Capital Fund shall remain at \$3,819,578.

In the Fire Fund, the Insurance line item shall increase by \$3,012 with a corresponding decrease in the Contingency line item.

In the Water and Sewer Fund, the Insurance line item shall increase by \$12,049 with a corresponding decrease in the Expansion of System line item.

In the Stormwater Fund, the Insurance line item shall increase by \$1,506, with a \$1,000 decrease in Manholes and Accessories line item, a \$206 decrease in Computer Software line item, and a \$300 decrease in the Mobile and Cellular line item.

In the Solid Waste Fund, the budget shall increase \$49,566 for a MEO III position and an increase of \$3,012 in the Insurance line item. There will be a corresponding decrease in the Expansion of System line item.

And, increase the following revenues based upon the June 10 revenue estimates, without a millage increase:

Increase County General Fund <i>no increase in total revenue</i>		\$44,264,107
and amount from current year taxes	from \$25,798,044 to	\$25,859,714

County Capital Fund <i>no increase in total revenue</i>		\$3,819,578
Increase the amount from current year taxes	from \$3,603,623 to	\$3,612,223

Increase School District #2 Operating Budget		
Dorchester County (Net of State Portion)	from \$39,434,664 to	\$39,973,277
State of South Carolina Homestead Exemption Fund <i>(no change)</i>		\$31,022,809
Total	from \$70,457,474 to	\$70,996,086

Increase School District #4 Operating Budget		
Dorchester County (Net of State Portion)	from \$9,146,666 to	\$9,248,201
State of South Carolina Homestead Exemption Fund <i>(no change)</i>		\$3,498,298
Total	from \$12,644,964 to	\$12,746,499

Increase the Career School Operating Budget		
Dorchester County (Net of State Portion)	from \$2,569,217 to	\$2,603,219
State of South Carolina Homestead Exemption Fund <i>(no change)</i>		\$1,829,047
Total	from \$4,398,264 to	\$4,432,266

Increase the Trident Technical College	from \$1,831,805 to	\$1,836,461
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Increase the County Library	from \$2,570,037 to	\$2,576,179
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Increase the Dorchester Senior's Inc.	from \$990,579 to	\$993,106
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Increase the Children in Crisis	from \$521,109 to	\$522,317
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Increase Dorchester County Fire Protection Improvement Fund	from \$1,092,038 to	\$1,103,254
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Councilman Chinnis was absent.

Before the vote, Chairman Hearn thanked Councilwoman Duncan for reading the lengthy motion. Regarding the first item in the motion – reducing funding for the Charleston Regional Development Alliance (CRDA) – Chairman Hearn said he was unaware if Charleston County or Berkeley County had voted to reduce funding to \$50,000, the amount paid by private industry for a seat on the CRDA Board of Directors. He asked Council members if they were prepared to be, potentially, the first county to take this action. No one spoke in opposition.

2015 BUDGET ORDINANCE: AMENDMENT #2

9. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted six in favor, with one absent, to amend the proposed budget ordinance by removing the following language:

“Furthermore, there is hereby levied a 15.0 mill tax upon taxable property in the unincorporated areas of the County for fire protection.”

And replace it with the following language:

“Furthermore, there is hereby levied a 15.0 mill tax upon taxable property in the unincorporated areas of the County for fire protection, as well as in incorporated areas where a plan of service has not been established pursuant to 5-3-310 of the South Carolina Code of Laws.”

Councilman Chinnis was absent.

2015 BUDGET ORDINANCE: AMENDMENT #3

10. On the motion of Councilman Byars, seconded by Councilman Hargett, Council voted six in favor, with one absent, to increase the Dorchester County Library taxes by 0.2 mills, which based on June 10 revenue estimates will increase revenue by approximately \$105,484 for Fiscal Year 2014-2015. Councilman Chinnis was absent.

During discussion and before the vote, Councilman Byars noted that during budget meetings, the Library Board asked for the millage increase, which they described as equivalent to the cost of a Diet Coke annually for local taxpayers. He said the Summerville Library building is 25 years old and in serious disrepair.

Councilman Bailey called the millage increase a Band-Aid effort and said the County needs to consider relocating the Summerville Library.

Chairman Hearn stated that the budget amendments and discussion come on the heels of having been cut \$1.83 million for the 2015 fiscal year in the Local Government Fund, a figure somewhat lower than the previously proposed \$2.2 million reduction. We have done everything we could possibly do to work with what we have, particularly in the area of public safety, said Chairman Hearn. He noted that the Library building is owned by the County and said it is something the County needs to get serious about. The \$7.9 million that Dorchester County has not received in the last seven years from the General Assembly is adding up, and this is the result, Chairman Hearn said. It is getting more and more difficult every year, he said.

2015 BUDGET ORDINANCE

11. On the motion of Councilman Byars, seconded by Councilman Bailey, Council voted six in favor, with one absent, to give 3rd Reading and final approval as amended to the Dorchester County Budget Ordinance #14-07 for Fiscal Year 2014-2015, An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposes for Dorchester County for the Fiscal Year Beginning July 1, 2014, and Ending June 30, 2015; To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County. Councilman Chinnis was absent.

POSITION CHANGES IN THE SHERIFF'S INVESTIGATION DIVISION

12. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted six in favor, with one absent, to approve changing a Deputy position to a Corporal position in the Sheriff's Investigation Division as requested by the Sheriff. Councilman Chinnis was absent.

LIBRARY REVENUE ADVANCE

13. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted six in favor, with one absent, to authorize the Dorchester County Treasurer to advance up to \$200,000 to the Dorchester County Library to cover cash flow before receiving real property taxes, if required, and with the Administrator signing off on the request before funds are released. Councilman Chinnis was absent.

COMMITTEE REPORTS

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

Chairman Hearn reported that the Budget, Finance and Purchasing Committee met at 6:45 p.m. to discuss regulations for the use of County-owned meeting facilities. No action was taken.

APPOINTMENTS TO BOARDS AND COMMISSIONS: There were no appointments.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

PUBLIC HEARING OF AN ORDINANCE INCLUDING MWV-RIDGEVILLE IN JOINT COUNTY INDUSTRIAL PARK

Mr. Frampton requested Council hold a public hearing on "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 Owned by MWV-Ridgeville, LLC, or One or More Companies Related Thereto; and Authorizing Other Related Matters."

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

2ND READING OF AN ORDINANCE AUTHORIZING MWV-RIDGEVILLE, LLC, FILOT

Mr. Frampton requested Council hold a public hearing on "An Ordinance Authorizing (1) the Execution and Delivery of a Fee in Lieu of Tax and Incentive Agreement (the "Incentive Agreement") by and between Dorchester County, South Carolina (the "County") and MWV-Ridgeville, LLC, Acting for Itself, or one or more Affiliates or Other Project Sponsors, (the "Company"), in Connection with the Establishment of Certain Facilities and/or the Making of Certain Investments 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; (3) Certain Special Source Revenue Credits in Connection with the Project; and (4) Other Matters Relating Thereto."

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

RESOLUTION #14-06: DORCHESTER BIOMASS FILOT

14. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted six in favor, with one absent, to approve Resolution #14-06, A Resolution Consenting to an Assignment of Interests Under a Fee in Lieu of Tax Agreement with Dorchester County, South Carolina, From SRE Dorchester, LLC to Dorchester Biomass, LLC. Councilman Chinnis was absent.

EXECUTIVE SESSION

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

- Confidential Economic Development Projects
- Legal Advice
 - Contribution to Purchase TMS #137-14-07-006
 - Limehouse v. Dorchester County
 - FILOT for MWV-Ridgeville, LLC
- Contractual Matter
 - Potential Sale of 373 Old Fort Drive
- Personnel Matter
 - Delinquent Tax Collector

15. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted unanimously to enter into Executive Session at approximately 8 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, but no action was taken. Councilman Chinnis was absent.

CONTRIBUTION TO PURCHASE TMS #137-14-07-006

16. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted six in favor, with one absent, to authorize the payment of \$12,645.43 to resolve the property dispute concerning TMS #137-14-07-006 between Linda W. Pennington, Dorchester District 2, and Dorchester County contingent upon Ms. Pennington conveying the property to Dorchester District 2, Dorchester District 2 contributing the sum of \$13,854.57, and Ms. Pennington executing a release in favor of Dorchester County. The contribution by the County would be paid from the surplus funds turned over to the County by the Delinquent Tax Collector earlier this year. Councilman Chinnis was absent.

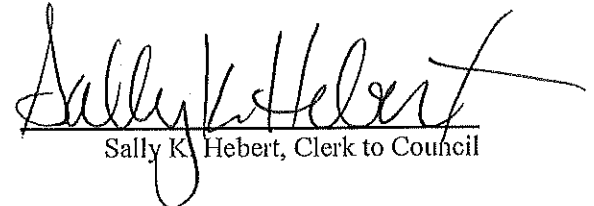
LIMEHOUSE V. DORCHESTER COUNTY

17. On the motion of Councilman Hargett, seconded by Councilman Davis, Council voted five in favor, with one absent and one abstention, to reject the settlement offer of Mr. Limehouse, which he proposed to resolve his suit against Dorchester County and the Delinquent Tax Collector. Councilman Byars abstained from voting, and Councilman Chinnis was absent.

Council thanked Ms. Suzie Davis for her 15 years of service as the Dorchester County Delinquent Tax Collector.

ADJOURNMENT

18. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to adjourn at approximately 9:35 p.m. Councilman Chinnis was absent.


Sally K. Hebert, Clerk to Council

**AGENDA
DORCHESTER COUNTY COUNCIL
SPECIAL CALLED COUNCIL MEETING
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JUNE 30, 2014
5:00 PM**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

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

- Request to Authorize the County Administrator to Enter Into a Delinquent Tax Collector Consulting Services Contract

- Real Estate Purchase: Thurman

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
JUNE 30, 2014
5:00 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. William R. Hearn, Jr., Chairman
Mr. George H. Bailey, Vice Chairman
Mr. Jay Byars
Mr. David Chinnis
Mr. Willie Davis
Mrs. Carroll S. Duncan
Mr. Larry S. Hargett
Mr. Jason Ward, 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 Special Called meeting of the Dorchester County Council. Councilman Hargett gave the invocation, which was followed by the Pledge of Allegiance.

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

DELINQUENT TAX COLLECTOR CONSULTING SERVICES CONTRACT

1. On the motion of Councilman Hargett, seconded by Councilman Bailey, Council voted unanimously to authorize the County Administrator to enter into a Delinquent Tax Collector Consulting Services Contract.

REAL ESTATE PURCHASE: THURMAN

Councilman Chinnis made a motion, which was seconded by Councilman Bailey, to purchase the Thurman property. On the recommendation of Mr. Frampton, County Attorney, the motion was amended by Councilman Chinnis and Councilman Bailey as stated below.

2. On the motion of Councilman Chinnis, seconded by Councilman Bailey, Council voted four in favor, one opposed and two abstaining, to authorize the County Administrator to proceed with the purchase of the real estate owned by Mr. and Mrs. Thurman in Trotters Ridge subdivision for the sum of \$247,000, together with usual and customary closing costs. The purchase by Dorchester County is contingent upon Mr. and Mrs. Thurman executing at closing a release and covenant not to sue in favor of Dorchester County. The funds for this purchase are to come from the stormwater fee fund balance. Councilwoman Duncan voted against the motion. Councilman Davis and Councilman Bailey abstained from voting.

During discussion and before the vote, Councilwoman Duncan said this issue has been weighing on the minds of all Council members for quite a long time. She said she understands the Thurman's dilemma. She said she would vote against the motion because she does not believe it would be in the best interest of the County or the taxpayers.

Councilman Davis said he understands this is probably a unique situation, but he would abstain from voting because whatever the County does for one, the County should be able to do for all in the same situation.

Chairman Hearn said the money to purchase the Thurman home will come from the stormwater fund balance. He said he does not believe the vote indicates an admission of liability but rather an effort to resolve the issue of flooding in and around the Trotters Ridge area.

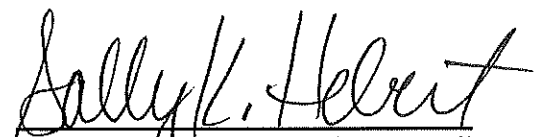
Councilman Byars said that by purchasing and removing the Thurman home, property becomes available to potentially create a retention pond to ameliorate the flooding issues some of the other residents are experiencing.

Councilman Chinnis said the County could spend \$500,000 on a study of Rumphs Hill Creek and still not accomplish any results. If this action can help the residents of Trotters Ridge, then we have done this correctly, he said.

Councilman Hargett asked when the closing date would be. Mr. Frampton said the County would work with the Thurmans to set a closing date, but that it would likely be within 60 days.

ADJOURNMENT

3. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted unanimously to adjourn at approximately 5:14 p.m.


Sally K. Hebert, Clerk to Council