

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JULY 6, 2015
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. DAVID CHINNIS

- Requests to Address Council
- Adoption of Minutes from the June 15, 2015, County Council Meeting
- Dorchester County Employee Longevity Program
- Public Hearing and 2nd Reading of an Ordinance to Amend the Code of Ordinances, Dorchester County, South Carolina, to Amend Chapter 44, Utilities, Article III, Water and Sewer Services, Division 23, Section 44-206 and Section 44-207
- Adoption of Resolution #15-12, Approving the Application of Berkeley County, South Carolina, for Membership in the Lake Marion Regional Water Agency, and Other Matters Related Thereto
- Correspondence

3. GUEST

- Mr. Doug Briggs, Old Fort Home Owners Association Petition for Stop Signs

4. COUNCIL MEMBER'S TIME – MR. WILLIAM R. HEARN, JR.

- 1st Reading and Referral to the Planning Commission and Planning Zoning Office for a Recommendation to Council Regarding “An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, As Previously Amended, with Respect to Article XI: ‘Special Areas,’ Section 11.5: ‘Ashley River Historic Overlay District’ to Amend Section 11.5.2, 11.5.4, and 11.5.7, First Paragraph, (d), and (g), Delete District 3 (Sections 11.5.5 and 11.5.10) and District 4 (Section 11.5.6 and 11.5.11), to Delete Exhibit C, and to Delete Exhibit B: ‘Ashley River Historic Overlay District Map’ and to Replace It with a New Exhibit B Depicting District 1 and District 2” *[The purpose of this amendment is to reset the southern boundary of the Ashley River Historic Overlay District from County Line Road to Rantowles Creek, no closer than 4.5 miles to the Ashley River.]*

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

- Request for Approval to Authorize the Transfer of \$42,101 from the Sale of the Kamatsu Motorgrader and Chevy Dump Truck to Purchase One John Deere 5065M Tractor and Two John Deere HX7 Lift-Type Rotary Cutters
- Request for Approval of Near Miss Hazard and Incident Reporting Policy
- Request for Approval to Authorize the Appraisal of TMS #161-00-00-016 and TMS #161-00-00-017
- Request for Approval to Authorize the Administrator to Approve Position Title Changes When the Changes Would Result in a Lower or Lateral Grade Level
- Request for Approval to Sell One Used Sheriff's Patrol Vehicle to the Town of St. George

6. COMMITTEE REPORTS

Chairwoman Duncan – Planning, Development & Building Committee (6:00 p.m.)

- Public Hearing and Recommendation for 2nd Reading of Rezoning Request #709 by Jonathan P. Wimer and Kelly M. Wimer for TMS #162-09-03-018, 162-09-03-020 and 162-09-03-021 *[This request is to rezone a total of 0.6 acres of land located on Dorchester Road from Single-Family Residential District (R-2) to Office and Institutional District (OI).]*

Chairman Hargett – Public Works, Property & Utilities Committee (6:15 p.m.)

- Public Hearing and Recommendation for 3rd Reading of an Ordinance Supplementing the Code of Ordinances, Dorchester County, South Carolina, By Adding to Chapter 38, A New Article VIII, Regulating the Installation of Speed Humps on County Maintained Roads

Chairman Bailey – Public Safety, Health and Human Services Committee (6:30 p.m.)

- 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 16-2, To Provide For the Imposition Of Fees For the Deployment Of Dorchester County Fire Rescue Department Personnel and Equipment To Motor Vehicle Accidents In Unincorporated Dorchester County
- S.C. Code SEC. 24-7-120, As Amended

7. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Request for Approval of an Easement for SCE&G to Serve the New Detention Center
- Request for Approval of a Lease with Charleston North Charleston MSA Limited Partnership d/b/a Verizon Wireless for the Installation of Communications Equipment on the Wescott Water Tower
- Executive Session
 - Legal Advice
 - Recent Developments Regarding FOIA: ACT 70 and Donohue v. City of N. Augusta
 - Contractual Matter
 - School Resource Officers for Dorchester County School District Two
 - Agreement between Dorchester County and Dorchester County Water Authority Regarding Water Service to East Edisto Development
- 1st Reading of an Ordinance to Amend Dorchester County Ordinance #15-14, “1st Reading of an Ordinance to Amend Dorchester County Ordinance #15-14, “An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposes for Dorchester County for the Fiscal Year Beginning July 1, 2015, and ending June 30, 2016; To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County,” to increase the county general fund revenues by \$518,671 and county capital fund revenues by \$103,078 and authorize additional expenditures in the county general fund and county capital fund in order to hire and equip additional Sheriff’s Office Personnel to Serve as School Resource Officers

9. ADJOURN

C. DAVID CHINNIS
CHAIRMAN

GEORGE H. BAILEY
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SALLY K. HEBERT
CLERK TO COUNCIL



JAY BYARS

WILLIE DAVIS

CARROLL S. DUNCAN

LARRY S. HARGETT

WILLIAM R. HEARN, JR.

COUNTY COUNCIL OF DORCHESTER COUNTY

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

**MINUTES
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JULY 6, 2015
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. David Chinnis, Chairman
Mr. George H. Bailey, Vice Chairman
Mr. Willie Davis
Mrs. Carroll S. Duncan
Mr. Larry S. Hargett
Mr. William R. Hearn, Jr.
Mr. Jason Ward, County Administrator
Ms. Ashley Jacobs, Deputy Administrator
Mr. John Frampton, County Attorney
Ms. Sally K. Hebert, Clerk to Council

ABSENT: Mr. Jay Byars

Chairman Chinnis called to order the meeting of Dorchester County Council. He invited all to stand for the invocation, given by Councilman Davis, and the Pledge of Allegiance. Chairman Chinnis announced that Councilman Byars was on a well-deserved vacation with his wife and children.

CHAIRMAN'S TIME

REQUESTS TO ADDRESS COUNCIL:

- Mr. Steven Wright, 102 Hammermill Drive, Summerville, asked County Council to deny the request by Dorchester School District Two for a one-mill tax increase to fund School Resource Officers (SROs). He asked that District Two move forward with a plan, recommended by a consulting firm, to save money by directly hiring school security or a private security company rather than using deputies from the Dorchester County Sheriff's Office.

- Mr. John Braund, 352 Bertram Road, Summerville, asked County Council to deny the request by the Dorchester School District Two for a one-mill tax increase to fund SROs. He also asked that District Two move forward with a plan, recommended by a consulting firm, to save money by directly hiring school security or a private security company rather than using deputies from the Dorchester County Sheriff's Office.
- Ms. Karen Radcliff, Principal of Ashley Ridge High School, asked County Council to approve the request by Dorchester School District Two for a one-mill tax increase to fund SROs. She said the schools have spent seven years building relationships among the SROs, students, parents, faculty and staff to keep the schools safe. She called the need for funding critical.
- Ms. Peggy Bangle, 114 Ravenwood, Summerville, said Dorchester School District Two is in arrears by two years in paying Dorchester County and the municipalities for SROs. She said approving a one-mill tax increase for SROs would amount to double taxation. She said taxpayers are already in a double taxation situation with the state legislature regarding the Local Government Fund in the midst of a state surplus. Ms. Bangle called for the comprehensive evaluation of costs in terms of schools, buses, teachers, students, fire/EMS, Sheriff's deputies, roads, etc., when new neighborhoods are planned.

ADOPTION OF MINUTES

1. On the motion of Councilman Davis, seconded by Councilman Hearn, Council voted six in favor, with one absent, to adopt the minutes from the June 15, 2015, County Council meeting.

DORCHESTER COUNTY LONGEVITY PROGRAM

Dorchester County recognized and thanked employees for achieving years-of-service milestones during the second quarter of 2015. Mrs. Leonitta Turner, Human Resources Director, along with Mr. Ward and County Council, presented the following employees with pins and certificates: Mr. Charles Gelina (10 years) of the ITS Department, Mrs. Cindy Busby (10 years) of the Veterans Affairs Office and Mrs. Peggy Dunn (25 years) of the Sheriff's Department.

WATER AND SEWER ORDINANCE

Chairman Chinnis announced that the next item on the agenda was a public hearing for an Ordinance to amend the Code of Ordinances, Dorchester County, South Carolina, to amend Chapter 44, Utilities, Article III, Water and Sewer Services, Division 23, Section 44-206 and Section 44-207.

Chairman Chinnis struck the gavel, opening the Public Hearing. He invited the public to come forward to speak on this issue. Ms. Bangle asked several questions from her seat. Chairman Chinnis invited Mr. Ward to respond.

Mr. Ward said over the last eight years, County Council has not made any adjustments to water and sewer rates. During that time, Charleston Water System, which provides the majority of the water supplied to Dorchester County's customers, has increased rates to Dorchester County government just in the last three years by three times. Additionally, electricity costs have increased in the operation of 125 pump stations associated with our sewer system. We ask that County Council consider a rate increase to keep up with the cost of delivering that service to our citizens that are ratepayers, said Mr. Ward.

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

2. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted six in favor, with one absent, to approve 2nd Reading of an Ordinance to amend the Code of Ordinances, Dorchester County, South Carolina, to amend Chapter 44, Utilities, Article III, Water and Sewer Services, Division 23, Section 44-206 and Section 44-207.

RESOLUTION #15-12

3. On the motion of Councilman Davis, seconded by Councilman Hearn, Council voted six in favor, with one absent, to approve Resolution #15-12, approving the application of Berkeley County, South Carolina, for membership in the Lake Marion Regional Water Agency (LMRWA), and other matters related thereto.

Chairman Chinnis called on Mr. Ward to describe this resolution. Mr. Ward said Berkeley County has applied to become a member of the LMRWA. Current members are Dorchester County, Orangeburg County, Calhoun County and the Town of Santee. If all four current members adopt this Resolution, then the Secretary of State's office will consider adding Berkeley County back as a member of the LMRWA. This would give them the opportunity to receive water via the LMRWA, including service to the Camp Hall tract (future site of Volvo).

CORRESPONDENCE: Mr. Ward said staff forwarded items of correspondence upon receipt.

GUEST: MR. DOUG BRIGGS, OLD FORT HOME OWNERS ASSOCIATION

In the absence of Mr. Briggs, Mrs. Lynne Briggs addressed Council, requesting two additional stop signs be added to the intersection of Old Fort Drive and Recess Drive near Oakbrook Elementary School and Oakbrook Middle School. She said she and her husband have lived in the neighborhood since 1988. She said there have always been stop signs there. She stated concerns about children crossing to get to school without the benefit of stop signs. Mrs. Briggs said a petition is in the works. Councilman Hargett said Old Fort Drive is in his District, and he supports a four-way stop. Mr. Ward said the South Carolina Department of Transportation has indicated that it wants to do a traffic count once school starts.

COUNCIL MEMBER'S TIME – MR. WILLIAM R. HEARN, JR.

Councilman Hearn said the Ashley River Historic Overlay District, which is comprised of four districts, was created in 2007. He said the boundaries that were drawn seem a bit arbitrary, specifically regarding the southwestern boundary in district three and a portion of four, which is eight miles from the Ashley River. Councilman Hearn said he does not challenge the necessity of having an overlay district, but rather the benefit of the depth of the outer boundaries of the district.

4. On the motion of Councilman Hearn, seconded by Councilman Davis, Council voted six in favor, with one absent, to approve 1st Reading and referral to the Planning Commission and Planning and Zoning Office for a recommendation to Council regarding, "An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, As Previously Amended, with Respect to Article XI: 'Special Areas,' Section 11.5: 'Ashley River Historic Overlay District' to Amend Section 11.5.2, 11.5.4, and 11.5.7, First Paragraph, (d), and (g), Delete District 3 (Sections 11.5.5 and 11.5.10) and District 4 (Section 11.5.6 and 11.5.11), to Delete Exhibit C, and to Delete Exhibit B: 'Ashley River Historic Overlay District Map' and to Replace It with a New Exhibit B Depicting District 1 and District 2" *[The purpose of this amendment is to reset the southern boundary of the Ashley River Historic Overlay District from County Line Road to Rantowles Creek, no closer than 4.5 miles to the Ashley River.]*

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

PUBLIC WORKS VEHICLES

5. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted six in favor, with one absent, to authorize the transfer of \$42,101 from the sale of the Kamatsu motor grader and Chevy dump truck to purchase one John Deere 5065M tractor and two John Deere HX7 lift-type rotary cutters.

Councilman Bailey thanked Mr. Ward for spending local tax dollars with local merchants.

NEAR-MISS HAZARD AND INCIDENT REPORTING POLICY

6. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted six in favor, with one absent, to approve, as amended, a Near-Miss Hazard and Incident Reporting Policy as recommended by the Risk Manager.

There was some discussion about tweaking the language in the policy.

CONSERVATION APPRAISALS

7. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted six in favor, with one absent, to approve the authorization of the appraisal of TMS #161-00-00-016 and TMS #161-00-00-017, totaling approximately 6.44 acres near the Ashley River as recommended by the Dorchester County Conservation Commission.

POSITION TITLE CHANGES

8. On the motion of Councilwoman Duncan, seconded by Councilman Bailey, Council voted six in favor, with one absent, to authorize the County Administrator to approve position title changes when the changes would result in a lower or lateral grade level.

SALE OF PATROL CAR

9. On the motion of Councilman Bailey, seconded by Councilman Hearn, Council voted six in favor, with one absent, to approve the sale of one used Sheriff's patrol vehicle, a 2010 Crown Victoria scheduled for replacement, to the Town of St. George at a cost of \$2,000.

COMMITTEE REPORTS

CHAIRWOMAN DUNCAN – PLANNING, DEVELOPMENT AND BUILDING COMMITTEE

Chairwoman Duncan said the Committee met at 6 p.m., held a public hearing and unanimously recommends Council approval of 2nd Reading for Rezoning Request #709.

10. Council voted six in favor, with one absent, to approve 2nd Reading of Rezoning Request #709 by Jonathan P. Wimer and Kelly M. Wimer for TMS #162-09-03-018, 162-09-03-020 and 162-09-03-021 to rezone 0.6 acres of land located on Dorchester Road from Single-Family Residential District (R-2) to Office and Institutional District (OI).

CHAIRMAN HARGETT – PUBLIC WORKS, PROPERTY AND UTILITIES COMMITTEE

Chairman Hargett said the Committee met at 6:15 p.m., held a public hearing and unanimously voted to adjourn debate on 3rd Reading of an Ordinance Supplementing the Code of Ordinances, Dorchester County, South Carolina, by adding to Chapter 38, a new Article VIII, regulating the installation of speed humps on county-maintained roads. The item remains in Committee. No action was required or taken by Council.

CHAIRMAN BAILEY – PUBLIC SAFETY, HEALTH AND HUMAN SERVICES COMMITTEE

Chairman Bailey said the Committee met at 6:30 p.m. and took up two items. Regarding the first item, he said the Committee voted unanimously to recommend Council approves 2nd Reading of an Ordinance regarding the imposition of fees for the deployment of Dorchester County Fire Rescue personnel and equipment to motor vehicle accidents in unincorporated Dorchester County.

11. Council voted six in favor, with one absent, to approve that the proposed Ordinance, providing for the imposition of fees for the deployment of Dorchester County fire rescue department personnel and equipment to motor vehicle accidents in unincorporated Dorchester County, be given 2nd Reading and that a public hearing be held by Dorchester County Council at the time the proposed Ordinance is scheduled for 3rd Reading.

Regarding the second item, S.C. Code SEC. 24-7-120, As Amended, Chairman Bailey said the Committee voted unanimously to take no action. He recommended deleting the item from Committee. Chairman Chinnis said the item would return to Council's agenda at the July 20 meeting.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

12. On the motion of Councilman Bailey, seconded by Councilwoman Duncan, Council voted six in favor, with one absent, to recommend the Governor reappoint Mr. Ronnie Givens to the Charleston Naval Complex Redevelopment Authority.
13. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted six in favor, with one absent, to appoint Mr. Willie Jenkins to the Codes Board of Appeals/Contractors Licensing Board.

This lapsed Board is being revived at the request of Ms. Melissa Hopkins, Dorchester County Chief Building Official.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

SCE&G EASEMENT

14. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted six in favor, with one absent, to authorize the granting of an easement to SCE&G for the purpose of allowing them to install and maintain electric service to the new Dorchester County Detention Center.

LEASE AGREEMENT: VERIZON WIRELESS

15. On the motion of Councilman Davis, seconded by Councilman Hearn, Council voted six in favor, with one absent, to approve a water tower lease agreement with Verizon Wireless and authorize the County Administrator to execute the lease.

The Water and Sewer Department will receive \$21,600 per year in rent from Verizon for the use of the water tower. The lease is a five-year lease that renews automatically and includes an automatic 10 percent increase at the beginning of each subsequent five-year extension.

EXECUTIVE SESSION

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

- Legal Advice
- Recent Developments Regarding FOIA: ACT 70 and Donohue v. City of N. Augusta
- Contractual Matters
- School Resource Officers for Dorchester County School District Two
- Agreement between Dorchester County and Dorchester County Water Authority Regarding Water Service to East Edisto Development

16. On the motion of Councilman Davis, seconded by Councilman Hearn, Council voted six in favor, with one absent, to enter into Executive Session at approximately 7:54 p.m. to discuss the previously stated matters.

RECONVENE FROM EXECUTIVE SESSION

At approximately 10:14 p.m., the County Attorney reported that Council discussed the previously announced items, but no action was taken.

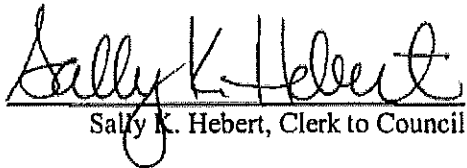
17. On the motion of Councilman Bailey, seconded by Councilwoman Duncan, Council voted six in favor, with one absent, to authorize the County Administrator to execute the Term Sheet between Dorchester County, the Dorchester County Waste Authority and MWV-East Edisto Summers Corner, LLC, which sets out in

principle the provision of water to serve the MWV-East Edisto Summers Corner, LLC, development with a final Agreement to be prepared and approved by formal action by the parties.

18. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted five in favor, with one absent and one opposed, to give 1st Reading of an Ordinance to Amend Dorchester County Ordinance #15-14, "An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposes for Dorchester County for the Fiscal Year Beginning July 1, 2015, and ending June 30, 2016; To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County," to increase the county general fund revenues by \$518,671 and county capital fund revenues by \$103,078 and authorize additional expenditures in the county general fund and county capital fund in order to hire and equip additional Sheriff's Office Personnel to serve as School Resource Officers. Councilman Hargett opposed the motion.

ADJOURNMENT

19. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted six in favor, with one absent, to adjourn at approximately 10:17 p.m.


Sally K. Hebert, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERSVILLE
JULY 20, 2015
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. DAVID CHINNIS

- Requests to Address Council
- Adoption of Minutes from the July 6, 2015, County Council Meeting
- Adoption of Proclamation #15-06, Proclaiming the Week of July 27-August 2, 2015, as Gullah-Geechee Nation Appreciation Week
- 3rd Reading of an Ordinance to Amend the Code of Ordinances, Dorchester County, South Carolina, to Amend Chapter 44, Utilities, Article III, Water and Sewer Services, Division 23, Section 44-206 and Section 44-207
- Public Hearing and 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 16-2, To Provide For the Imposition Of Fees For the Deployment Of Dorchester County Fire Rescue Department Personnel and Equipment To Motor Vehicle Accidents In Unincorporated Dorchester County
- 2nd Reading of an Ordinance to Amend Dorchester County Ordinance #15-14, “An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposes for Dorchester County for the Fiscal Year Beginning July 1, 2015, and Ending June 30, 2016; To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County,” to increase the county general fund revenues by \$518,671 and county capital fund revenues by \$103,078 and authorize additional expenditures in the county general fund and county capital fund in order to hire and equip additional Sheriff’s Office Personnel to serve as School Resource Officers
- S.C. Code SEC. 24-7-120, As Amended, for the Imposition of Fees for Municipal Inmates
- Correspondence

3. GUESTS

- Mr. Wayne Welch, Dorchester County Assessor, 2015 Reassessment Update
- Chief Tres Atkinson, Dorchester County Fire Rescue, Improved ISO Classification for Countywide Fire

4. COUNCIL MEMBER'S TIME – MRS. CARROLL DUNCAN

- Orangeburg Road Project (Information Only)
- Dorchester Seniors, Inc. (Information Only)

5. COUNTY ADMINISTRATOR'S TIME – MS. ASHLEY JACOBS, DEPUTY ADMINISTRATOR

- 3rd Reading of Rezoning Request #709 by Jonathan P. Wimer and Kelly M. Wimer for TMS Numbers 162-09-03-018, 162-09-03-020 and 162-09-03-021 [*This request is to rezone a total of 0.6 acres of land located on Dorchester Road from Single-Family Residential District (R-2) to Office and Institutional District (OI).*]
- Request for Approval to Use Bond Funds for a Force Main Relocation at Whitfield Commerce Park
- Request for Approval to Use Up to \$22,000 from the Economic Development Fund for Due Diligence on Three Parcels of Land, TMS Numbers 059-00-00-009, 059-00-00-042, 059-00-00-010 and 046-00-00-023
- Commissioning of Sharon Sharpe as a Code Enforcement Officer to Assist as Zoning Administrator
- Request for Approval to Accept The Bluff at Ashley River Phase Four into the One-Year Warranty Period Via the Road Maintenance Acceptance Application

- Request for Approval to Accept The Bluff at Ashley River Phase Six into the One-Year Warranty Period Via the Road Maintenance Acceptance Application

6. COMMITTEE REPORT

Chairman Chinnis – Water and Sewer Committee (6:45 p.m.)

- Request for New Water and Sewer Service by Dorchester County School District Two for a Fort Dorchester High School Addition Located at 8500 Patriot Boulevard in the City of North Charleston, TMS #172-00-00-068
- Request for New Sewer Service by Highland Park of Charleston, LLC, (Dopson Tract) for 64 Residential Lots off of West Butternut Road in the Town of Summerville, TMS #136-00-00-134
- Request for New Sewer Service by Brian Reeves for 210 Ann Street, a 0.09-Acre Residential Parcel in the Town of St. George, TMS #045-10-16-007
- Request for Approval to Initiate Refinancing of the 2006 Water and Sewer Revenue Bonds

7. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Condemnation of Boone Easement
- Executive Session
 - Confidential Economic Development Project, Winding Woods
 - Contractual Matter, Potential Sale of a Portion of the Pine Trace Tract to Mungo Homes

9. ADJOURN

C. DAVID CHINNIS
CHAIRMAN

GEORGE H. BAILEY
VICE CHAIRMAN

JASON L. WARD
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COUNTY COUNCIL OF DORCHESTER COUNTY

500 N. MAIN STREET, SUITE 2
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MINUTES DORCHESTER COUNTY COUNCIL DORCHESTER COUNTY HUMAN SERVICES BUILDING COUNCIL CHAMBERS, SUMMERVILLE JULY 20, 2015 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. David Chinnis, Chairman
Mr. George H. Bailey, Vice Chairman
Mr. Jay Byars
Mr. Willie Davis
Mrs. Carroll S. Duncan
Mr. Larry S. Hargett
Mr. William R. Hearn, Jr.
Ms. Ashley Jacobs, Deputy Administrator
Mr. John Frampton, County Attorney
Ms. Sally K. Hebert, Clerk to Council

ABSENT: Mr. Jason Ward, County Administrator

Chairman Chinnis called to order the meeting of Dorchester County Council. He invited all to stand for the invocation, given by Councilman Bailey, and the Pledge of Allegiance. During the meeting, he announced that Mr. Ward was on vacation.

CHAIRMAN'S TIME

REQUESTS TO ADDRESS COUNCIL:

- **Mr. Kyle T. Hutchinson**, 107 Driver Avenue, Summerville, spoke in opposition of the ordinance, scheduled tonight for third reading, which would provide for the imposition of fees for the deployment of Dorchester County Fire Rescue Department personnel and equipment to motor vehicle accidents in unincorporated Dorchester County involving a vehicle not registered in Dorchester County. He objected to fees for a public service presumably paid for through taxes. He called the fees expensive and noted

there is no provision to exempt drivers not at fault for causing the accident. He said the fees will be a financial hardship for poor people and recommended cash-strapped travelers should drive around rather than through Dorchester County. He asked Council to reconsider the ordinance.

- **Mr. Keith Johnson**, 4278 Willow Street, Charleston, also spoke in opposition to the fire-rescue fee ordinance. He spoke from the perspective of small businesses with a vehicle weighing more than 26,000 pounds. He said these vehicles are already taxed by the state with funds distributed back to the counties for discretionary use. He called the fees exorbitant and noted a lack of controls as to whether the services are needed. He asked for postponement of third reading for Council to receive more information.
- **Mr. Russ Dubisky**, Columbia, of the South Carolina Insurance News Service, representing 17 leading property and casualty insurers doing business in this state, spoke in opposition to the accident-response fees. He said, in many cases, there is not insurance coverage for liability that does not include bodily injury or property damage. Many of our member companies have not reached a conclusion that accident response fees fall into either of those categories. So in most cases, currently under most policies, these fees are not covered by insurance. The responsibility would then fall to the individual. We think that is a concern. As a private contract, nothing stops an insurance company from covering this; however, if they were to cover this, they would attach a premium to those coverages. We want to make sure that is understood by Council. He asked Council to vote against third reading.
- **Mr. Tim Higgins**, 256 West Meadow Drive, Ridgeville, said he is a taxpayer in Dorchester School District Four (DD4) where they are in the habit of paying their school bills and balancing their budget. He referred to Dorchester School District Two (DD2) as the wealthy brethren in the lower part of the county that still owes approximately \$500,000 to Dorchester County government for School Resource Officers (SROs) despite maintaining \$20 million in cash reserves. He urged County Council to vote against the proposed 1 mill tax increase, which he said would be taking from the poor and giving to the rich.
- **Mr. John Hull**, 9697 Pebble Creek Boulevard, Summerville, referenced the recent shooting in Chattanooga, Tenn., and said it would be unconscionable to leave our schools unprotected. He called taxation on property a necessary evil, and noted that every time we raise the tariff on property, we lower its value.
- **Mr. David Messinger**, 917 Simmons Avenue, Summerville, spoke in favor of DD2 hiring former and retired law enforcement officers as in-house security, as discussed in numerous DD2 workshops and approved at a June 8 DD2 meeting. He said the school security staff would not include security guards with no police experience and would provide a huge cost saving. He noted that DD2 currently pays almost double what neighboring school districts pay but with no say as to who is selected to go into the schools. He cited a South Carolina law that provides for security officers to have the same authority and arrest powers as a deputy sheriff while on the property assigned. He said other school boards throughout the state and country hire in-house security, including the Newtown Public School District, Conn., for Sandy Hook Elementary, the site of a 2012 shooting. He asked the school board to reinstate the plan voted on at the June 8 meeting.
- **Mr. Eugene Lemieux**, 233 Garden Grove Drive, The Bridges of Summerville, spoke in opposition of a 1 mill tax increase to pay for SROs because he said it is illegal under South Carolina Act 388. He said DD2 has approximately \$21 million in cash reserves yet has failed to reimburse Dorchester County government approximately \$500,000 for two years of SRO services. He questioned why Dorchester County has not collected this debt.

At this point in the meeting, Chairman Chinnis stated that the SRO debt has been collected from DD2. He said school officials would speak about this later.

- **Ms. Peggy Bangle**, 114 Ravenwood Court, encouraged all government entities to dot the i's and cross the t's before leaping off the cliff with a new way to tax the taxpayer. She asked Council to vote against new tax increases.

- **Ms. Gail Hughes**, Chairwoman of DD2 School Board, thanked Dorchester County for support during the recent budget process, enabling the school system to provide teacher raises and fund other needs. She asked Council to approve second reading of the Ordinance, providing a 1 mill tax increase for SROs. She said the school board stands united in saying this is necessary to ensure the safety of our children. In recent years, she said the school system has improved security thorough upgrades in surveillance equipment around school buildings, fencing on school grounds and lighting around buildings and parking areas. But the professionalism and presence of uniformed officers from the Dorchester County Sheriff's Department and the Summerville Police Department have proved to be the most effective means for keeping children in school and safe from Kindergarten to graduation. She thanked Dorchester County Sheriff Knight and Summerville Police Chief Owens for the great security provided over the years.
- **Ms. Karen Radcliffe**, resident of Dorchester County, parent of a high school student and principal of Ashley Ridge High School, thanked Council for approving the millage increase adopted as part of the budget passed in June. She said she has worked with the Dorchester County Sheriff's Department for the past seven years, building a strong relationship based upon trust and a great deal of communication. Our students and staff deserve the best protection possible, she said. Assigning officers to our schools is a strong, visible, authoritative and proactive approach for protecting our students and our staff members.
- **Ms. Allyson Duke**, DD2 Chief Financial Officer, said she wanted to take this opportunity to clear up some information. She made the following points:
 - DD2's total cost for SROs is close to \$1 million, including eight SROs supplied by the Town of Summerville (\$480,000) and seven by Dorchester County (\$500,000) and seven more by the City of North Charleston (zero cost to DD2).
 - What was approved in our budget by the County is \$520,000. That was the cost for when we were proposing in-house security at a lesser cost.
 - The additional \$450,000 is needed so that we can continue the SRO program the way it is. The two ways to fund this \$450,000 would be either add an additional millage onto the County, which is what is proposed tonight. Or if it is put on the school district, it would be 2 mills because we cannot tax homeowners under Act 388. Either type of tax would have to be approved by County Council because we do not have school autonomy.
 - If the school district was given the ability to increase the 2 mills, it would not violate Act 388 because Act 388 allows you to go to a cap. And the 4 mills increase was not yet at the cap.
 - As far as not paying the past bills, as Chairman Chinnis said, we have paid them. But what happened was, two years ago, we were ready to go before County Council with our budget. We had it prepared, our board had approved it, we had done our public hearing. The week before, we received an additional cost on the SROs. We could not go back and amend the budget at that time. We went to the County with our approved budget. So since then, we have been trying to work out how we were going to pay for this additional cost. And then for this past year, we just received the bill for that additional cost. Yes, we did end up paying it. We paid it out of our reserves, that \$21 million reserve, which is only about 12 percent of our \$179 million operating budget.
 - I challenge you to ask DD4 about their reserves and what percent of the fund balance it is.
 - If we continue to go into our reserves and they continue to drop – they should be at least 15 percent – we will start issuing debt to make our payrolls. We would have to issue tax anticipation notes. Thereby it would be more costly for the taxpayer. Also, we have a good bond rating. That would go down, which would mean higher interest rates.
 - We all agree that we need to maintain or expand our current SRO program. When we were looking at hiring in-house security, it wasn't that we were attacking the current program. We love the program. We just were trying to do something so that we had something in place. We felt like something is better than nothing.
 - The money collected from the proposed 1 mill tax in the DD4 area would be for DD4. It would not go to DD2.

- **Ms. Mary Lematty**, 111 Timberlake Court, Quail Arbor V, Summerville, is a Dorchester County employee, Dorchester County resident for the past 23 years and parent of a rising junior at Ashley Ridge High School. She said she sent a letter detailing her concerns to the School Board and County Council. She spoke against eliminating SROs in DD2 schools. She said that we don't just let anybody teach our children, and we shouldn't let anybody protect our children. She emphasized the benefits of training and certification.
- **Mr. Joe Pye**, DD2 Superintendent, spoke about the Tidwell report, saying it was a voluntary survey conducted over the course of four days based on interviews with teachers and staff. Only four districts of 85 participated. During these interviews, one staff person promoted the saving achieved through the outsourcing of bus services and stated the district was looking at savings that could be achieved through in-house security. Mr. Pye said he has an email from an author of the Tidwell report stating that the idea for in-house security came from information from DD2 staff, and Tidwell conducted no independent research regarding safety on which to base their recommendation. He said outsourcing the buses was a mistake. We tried to do it for cost savings, said Mr. Pye, but it is not what we want for our children and the safety and efficiency of getting kids to school. Mr. Pye stated that DD2 is not an affluent district and does not receive the monies neighboring districts receive. He said the \$21 million that has been alluded to as our reserve fund is about 20 days of operating costs. So if something happened, a catastrophe, we've got 20 days worth of money to pay 3,000 employees, said Mr. Pye.
- **Ms. Laura Blanchard**, principal of William Reeves Elementary School, DD2 parent, Dorchester County resident, thanked Council for the recent support in the budgeting process. Regarding SROs, she said Reeves shares an SRO with Dubose Middle School. At a time when schools are increasingly a reflection of all that is happening in our society, we appreciate knowing that support is there for us when we need it, said Ms. Blanchard. Research shows SROs serve as a reminder of safety and protocol in schools. Our children and our parents remark that the officers do serve as that reminder and of all that our children mean to us, she said. We troubleshoot unique and difficult custody situations and other situations on a daily basis. Our school resource officer serves as a great resource in navigating that and sometimes very contentious situations, she said. They are also a part of maintaining a decorum that ensures a safe environment for our children and learning. Again, I have appreciated the many ways that Council has supported and partnered with us over the years and this past year in our mission of serving children. I am hopeful that we will be able to continue to fund and utilize SROs from the Sheriff's Department, said Ms. Blanchard.
- **Ms. Devane Trigiany**, DD2 parent, Ft. Dorchester High School teacher, spoke in support of having SROs in the schools. She stated that she is trained to teach her students, but is not trained to protect them in the event of an extreme situation such as what happened recently in Charleston.
- **Ms. Alice Kelley**, Dorchester County resident, DD2 parent, Summerville High School teacher, spoke in support of having SROs in the schools. She said they not only protect us, but build rapport with students and prevent potential problems.
- **Ms. Rene Harris**, Dorchester County resident, principal of Beech Hill Elementary School, spoke in support of having SROs in the schools. She said this is no longer a luxury line item, but a valuable and appropriate component of a safe and secure school setting.
- **Sheriff Knight**, a lifetime resident of Dorchester County, reminded Council of recent crimes, including one on Ashley Phosphate Road where a bicyclist was confronted and killed by three males – ages 14, 16 and 18. Those are the ages of people we have in our schools, he said. We need SROs in our schools.

Chairman Chinnis thanked all of the speakers for coming out tonight and keeping their remarks to three minutes.

Chairman Chinnis said he recently had the honor of coming to the podium to thank Maj. Ernest Moultrie for 47 years of service as a law enforcement officer in Dorchester County. Maj. Moultrie – hired by then Sheriff Carl Knight – was the first African American deputy on the job in Dorchester County. He currently works security at the county courthouse in St. George. At the July 16 event, it was announced that the

intersection of U.S. 78 and Deming Way in Summerville will be named the “Ernest Samuel Moultrie Intersection.”

ADOPTION OF MINUTES

1. On the motion of Councilwoman Duncan, seconded by Councilman Hearn, Council voted six in favor, with one abstention, to adopt the minutes from the July 6, 2015, County Council meeting. Councilman Byars abstained from voting because he was absent from the July 6 meeting.

PROCLAMATION #15-06, GULLAH-GEECHEE NATION APPRECIATION WEEK

2. On the motion of Councilman Davis, seconded by Councilman Hearn, Council voted unanimously to adopt Proclamation #15-06, proclaiming the week of July 27-August 2, 2015, as Gullah-Geechee Nation Appreciation Week.

WATER AND SEWER ORDINANCE

3. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted unanimously to give 3rd Reading and final approval of an Ordinance to amend the Code of Ordinances, Dorchester County, South Carolina, to amend Chapter 44, Utilities, Article III, Water and Sewer Services, Division 23, Section 44-206 and Section 44-207.

FIRE RESCUE FEES: 3RD READING

Chairman Chinnis struck the gavel, opening the public hearing regarding an ordinance to provide for the imposition of fees for the deployment of Dorchester County Fire Rescue personnel and equipment to motor vehicle accidents in unincorporated Dorchester County involving a vehicle not registered in Dorchester County. He invited the public to come to the podium to speak on this issue, noting that several people had already done so at the beginning of the council meeting during “Requests to Address Council.” When no one immediately rose to speak, Chairman Chinnis invited Dorchester County Fire-Rescue Chief Tres Atkinson to speak. Chief Atkinson said the County is not going after individuals or the trucking industry, but rather making an effort to recoup funds available through insurance reimbursements to keep services intact while working within a tight budget. He said the County will not use a collection agency to pursue unpaid fees. He answered questions from Council members and the public.

4. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to give 3rd Reading and final approval 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 16-2, To Provide For the Imposition Of Fees For the Deployment Of Dorchester County Fire Rescue Department Personnel and Equipment To Motor Vehicle Accidents In Unincorporated Dorchester County.

During discussion, Councilman Bailey addressed the trucking industry representative. He said if South Carolina passes legislation on this issue, then he will work with the local delegation to tweak the Dorchester County ordinance accordingly. He noted that the County needs funds to build and staff more fire stations. Councilman Bailey said that if Dorchester County had received its share of Local Government Fund money as promised by the state of South Carolina, then County Council would not be doing this today. If you want to blame anyone, said Councilman Bailey, then blame the legislature for not giving us the money we deserve. I was there for 20 years; it hurt me to say that, he said.

Councilman Hearn followed up by saying, you see a recurring theme here where we are seemingly being asked to provide services and pay for things out of thin air with smoke and mirrors. You cannot hide in excess of \$10 million in lost revenue (from the Local Government Fund). A great deal of these conversations wouldn't be happening, and a great deal of these conversations had never happened until the cumulative effect of the Local Government Fund cuts.

Councilman Davis said he appreciates this Council and the Dorchester County school districts for their ability to look at a situation, reassess and change courses. He cited several examples of unsuccessful

initiatives, including a long-ago effort by the County to privatize EMS, a DD4 effort to privatize custodial services and more recently the DD2 effort to privatize school bus service. A lot of effort goes into trying new things, he said. But sometimes when we find that those new things don't work, let's not be ashamed to go back and say they didn't work and start anew, said Councilman Davis.

Councilman Byars called this a recouping of real costs caused by people outside of Dorchester County. He noted that Dorchester County taxpayers currently cover these costs. He referenced the penny sales tax in Berkeley and Charleston Counties paid by Dorchester County residents who cross county lines to shop and thereby help pay for better roads, better schools and lower property taxes in those counties. He noted that without the penny tax in Dorchester County we are unable to recoup those lost revenues. This is a small measure that reverses that flow, he said.

Chairman Chinnis said this is not an effort to increase revenue but rather to cover costs. At this point in time, we are depending on the promises of the legislature, he said. We have to look for different ways to pay for things. It might not work. It may not be beneficial to us in the end. We may repeal it. But we have proven that we can put something in place and repeal it, equally as quickly, he said.

BUDGET AMENDMENT ORDINANCE: 2ND READING

5. On the motion of Councilman Bailey, seconded by Councilman Byars, Council voted five in favor with two opposed to approve 2nd Reading to amend Dorchester County Ordinance #15-14, "An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposes for Dorchester County for the Fiscal Year Beginning July 1, 2015, and Ending June 30, 2016; To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County," to increase the county general fund revenues by \$518,671 and county capital fund revenues by \$103,078 and authorize additional expenditures in the county general fund and county capital fund in order to hire and equip additional Sheriff's Office Personnel to serve as School Resource Officers. Councilman Hargett and Councilwoman Duncan opposed the budget amendment ordinance.

During discussion, Councilman Hargett said he is in favor of SROs. He said he has two grandchildren in DD2 schools. He said he likes having the gun in the school with a Sheriff's deputy. He said he does not like the way the county is paying for it. He stated as follows two reasons why he would not support the budget amendment ordinance:

- It is my belief that this requested 1 mill increase is a violation of ACT 388 enacted by the South Carolina General Assembly during 2006, which was specifically passed to give tax relief for homeowners.
- There appears to be double taxation for the DD2 SROs when one reads the proposed contract between DD2 and the County.

Councilman Hargett cautioned Council, saying there may be a legal challenge.

Councilman Hearn said the way that this has come about is frankly just awful. He went on to say, I don't want to be on a county council that has exposed our children, our faculty and our staff to dangerous situations.

Councilman Bailey said he previously was a proponent of school districts hiring in-house security staff as a cost-saving measure. He said he has since learned that that is not a good idea and regrets supporting the measure.

Councilwoman Duncan thanked Mr. Pye for information about the Tidwell Report. She said we all agree we need SROs in the schools. She said what we are really talking about is an expansion of the SRO program. I am not inclined at this time to vote on a tax increase for the homeowners from our county operating budget, said Councilwoman Duncan. I do believe that it is a DD2 operating budget issue.

Councilman Byars said he likes the fact that we think outside of the box in considering other security measures. But he followed, up saying external threats to schools are real and he would vote for a \$6 tax on a house to put an armed officer in the schools to make sure our kids and teachers are protected by qualified officers. When we are talking about whether this violates Act 388, said Councilman Byars, I think we need to find a way to get rid of Act 388.

Chairman Chinnis noted that SROs are Dorchester County Sheriff's deputies contracted to the school districts. He announced that a public hearing and 3rd Reading would occur at a Special Called County Council meeting on Monday, July 27, at 1 p.m. in Summerville Council Chambers.

IMPOSITION OF FEES FOR MUNICIPAL INMATES

6. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to disapprove the item titled S.C. Code SEC. 24-7-120, As Amended, for the Imposition of Fees for Municipal Inmates. The item will be removed from Council's Committee Items list.

CORRESPONDENCE: Ms. Jacobs said staff forwarded items of correspondence upon receipt.

GUEST: MR. WAYNE WELCH, DORCHESTER COUNTY ASSESSOR

Mr. Welch reported that reassessment for the 2015 tax year has been completed. He said reassessment notices will be mailed in early August. He gave a slideshow presentation. He answered questions from Council members.

GUEST: CHIEF TRES ATKINSON, DORCHESTER COUNTY FIRE RESCUE

Chief Atkinson reported that ISO has announced a new ISO Public Protection Classification of 5/10 for Dorchester County Fire Rescue. This means, 97 percent of the property in the Dorchester Fire-Rescue response district now falls within the ISO Class 5. Before this, only the properties in Harleyville, Reevesville and St. George were able to achieve an ISO Class 5. He answered questions from Council members, including whether insurance companies have been notified. Chief Atkinson said a public information campaign is underway and new rates should become effective October 1. Chairman Chinnis congratulated Chief Atkinson and his staff for their work in accomplishing an improved rating faster than anticipated.

COUNCIL MEMBER'S TIME – MRS. CARROLL DUNCAN

Councilwoman Duncan said there are a lot of good things going on in Dorchester County. She said she wanted to highlight a few recent actions.

She announced that the Faith Sellers Center had a surprise visit from former Lt. Gov. Yancy McGill, who is now the Director of the South Carolina Office on Aging. She said he praised their operations and programs. He particularly loved the picture they had of the 100-hour volunteers. She thanked the staff and board members of Dorchester Seniors, Inc., for all their efforts.

Councilwoman Duncan gave an update on the Orangeburg Road widening and paving project, from Dorchester Road to 17A. Banks Construction was the low bidder. Once the contract is signed, Banks has 30 days to begin work and then 60 days to completion. She thanked Mr. Ward and the Dorchester County Sales Tax Transportation Authority (DCTA) for helping her bring this project back to life. She recognized from the audience Mr. Marshall Murdaugh, DCTA Chairman; Chief Allston, Vice Chairman; and Mr. Matt Halter, her DCTA appointee. She thanked them for their work on activating this improvement project for a dangerous road.

COUNTY ADMINISTRATOR'S TIME – MS. ASHLEY JACOBS

REZONING REQUEST #709

7. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted unanimously to give 3rd Reading and final approval of Rezoning Request #709 by Jonathan P. Wimer and Kelly M. Wimer for

TMS #162-09-03-018, 162-09-03-020 and 162-09-03-021 to rezone a total of 0.6 acres of land located on Dorchester Road from Single-Family Residential District (R-2) to Office and Institutional District (OI).

WHITFIELD COMMERCE PARK

8. On the motion of Councilman Hearn, seconded by Councilman Davis, Council voted unanimously to approve the use of bond funds from the 2009 Special Source Revenue Bonds for a force main relocation at Whitfield Commerce Park.

ECONOMIC DEVELOPMENT FUND

9. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to use up to \$22,000 from the Economic Development Fund for due diligence on several parcels of land, TMS numbers 059-00-00-009, 059-00-00-042, 059-00-00-010 and 046-00-00-023.

Due diligence includes preliminary wetlands, geotechnical, cultural resource and threatened and endangered species for two sections of the Winding Woods property and one adjacent property. There is a \$3,300 savings to conduct due diligence on the parcels at the same time.

COMMISSIONING OF MRS. SHARON SHARPE

10. On the motion of Councilman Davis, seconded by Councilman Hearn, Council voted unanimously to approve the commissioning of Mrs. Sharon Sharpe as a Code Enforcement Officer.

Mrs. Sharpe of North Charleston has joined Dorchester County staff as Senior Planner. She will be responsible for managing rezoning requests and assisting with zoning administration, including tree removal permits and enforcement. Mrs. Sharpe is an experienced public administrator who has performed similar roles for local governments in Georgia and North Carolina.

ROAD MAINTENANCE APPLICATION: THE BLUFF AT ASHLEY RIVER, PHASE FOUR

11. On the motion of Councilman Byars, seconded by Councilman Hearn, Council voted unanimously to approve the acceptance of The Bluff at Ashley River Phase Four into the one-year warranty period via the Road Maintenance Acceptance application.

ROAD MAINTENANCE APPLICATION: THE BLUFF AT ASHLEY RIVER, PHASE SIX

12. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to approve the acceptance of The Bluff at Ashley River Phase Six into the one-year warranty period via the Road Maintenance Acceptance application.

COMMITTEE REPORTS

CHAIRMAN CHINNIS – WATER AND SEWER COMMITTEE

Chairman Chinnis said the Committee met at 6:45 p.m. He said there were four items on the agenda. He asked Council to take one vote on the three requests for service.

13. Council voted unanimously to approve the following requests for service:
 - New water and sewer service by Dorchester County School District Two for a Fort Dorchester High School addition located at 8500 Patriot Boulevard in the City of North Charleston, TMS #172-00-00-068.
 - New sewer service by Highland Park of Charleston, LLC, (Dopson Tract) for 64 residential lots off of West Butternut Road in the Town of Summerville, TMS #136-00-00-134.
 - New sewer service by Brian Reeves for 210 Ann Street, a 0.09-acre residential parcel in the Town of St. George, TMS #045-10-16-007.

14. Council voted unanimously to authorize staff to initiate the refinancing of the 2006 Water and Sewer Revenue Bonds to take advantage of lower interest rates and annual cash flow savings. The estimated net present value savings are \$1.4 million.

APPOINTMENTS TO BOARDS AND COMMISSIONS: There were no appointments.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

CONDEMNATION OF BOONE EASEMENT

15. On the motion of Councilman Hearn, seconded by Councilwoman Duncan, Council voted unanimously to approve condemnation of a portion of TMS #129-00-00-145 for the purpose of obtaining an easement for the Pump Station #5 upgrade and force main.

Before the vote, Mr. Frampton said this property appears to be heirs' property. We have not been presented with any evidence that an estate has been opened; therefore, we cannot obtain signatures on the easement document. The only way to proceed is through condemnation, he said.

EXECUTIVE SESSION

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

- Confidential Economic Development Project, Winding Woods
- Contractual Matter, Potential Sale of a Portion of the Pine Trace Tract to Mungo Homes

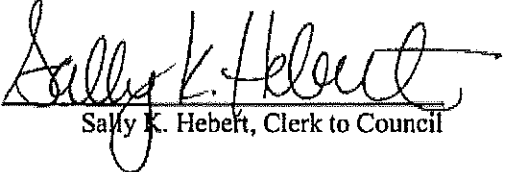
16. On the motion of Councilman Hargett, seconded by Councilman Hearn, Council voted unanimously to enter into Executive Session at approximately 9:11 p.m. to discuss the previously stated matters.

RECONVENE FROM EXECUTIVE SESSION

At approximately 9:46 p.m., the County Attorney reported that Council discussed the previously announced items, but no action was taken.

ADJOURNMENT

17. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to adjourn at approximately 9:46 p.m.


Sally K. Hebert, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
SPECIAL CALLED COUNCIL MEETING
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JULY 27, 2015
1:00 PM

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. DAVID CHINNIS

- Public Hearing regarding an Ordinance to Amend Dorchester County Ordinance #15-14, “An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposes for Dorchester County for the Fiscal Year Beginning July 1, 2015, and Ending June 30, 2016; To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County,” to increase the county general fund revenues by \$518,671 and county capital fund revenues by \$103,078 and authorize additional expenditures in the county general fund and county capital fund in order to hire and equip additional Sheriff’s Office Personnel to serve as School Resource Officers

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

- Executive Session
 - Legal Advice, Act 388
 - Contractual Matters
 - Potential Sale of a Portion of the Pine Trace Tract to Mungo Homes
 - Disposal of Recyclables
- 3rd Reading of an Ordinance to Amend Dorchester County Ordinance #15-14, “An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposes for Dorchester County for the Fiscal Year Beginning July 1, 2015, and Ending June 30, 2016; To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County,” to increase the county general fund revenues by \$518,671 and county capital fund revenues by \$103,078 and authorize additional expenditures in the county general fund and county capital fund in order to hire and equip additional Sheriff’s Office Personnel to serve as School Resource Officers
- Approval of SRO Agreement between Dorchester County and Dorchester School District Two
- Approval of SRO Agreement between Dorchester County and Dorchester School District Four
- Approval of SRO Agreement between Dorchester County and Dorchester County Career and Technology Center

4. ADJOURN

C. DAVID CHINNIS
CHAIRMAN

GEORGE H. BAILEY
VICE-CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SALLY K. HEBERT
CLERK TO COUNCIL



JAY BYARS

WILLIE DAVIS

CARROLL S. DUNCAN

LARRY S. HARGETT

WILLIAM R. HEARN, JR.

COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET
ST. GEORGE, SOUTH CAROLINA 29477
(843) 563-0196 or (843) 832-0196

**MINUTES
DORCHESTER COUNTY COUNCIL
SPECIAL CALLED COUNCIL MEETING
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JULY 27, 2015
1:00 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. David Chinnis, Chairman
Mr. Jay Byars
Mrs. Carroll S. Duncan
Mr. Willie Davis
Mr. Larry S. Hargett
Mr. William R. Hearn, Jr.
Ms. Ashley Jacobs, Deputy Administrator
Mr. John Frampton, County Attorney
Mrs. Chantell M. Glover, Administrative Assistant

ABSENT: Mr. George H. Bailey, Vice Chairman
Mr. Jason Ward, County Administrator
Ms. Sally K. Hebert, Clerk to Council

Chairman Chinnis called to order the Special Called meeting of Dorchester County Council. Councilman Davis gave the invocation and led attendees in the Pledge of Allegiance.

CHAIRMAN'S TIME – MR. DAVID CHINNIS

PUBLIC HEARING ON BUDGET AMENDMENT ORDINANCE

Chairman Chinnis struck the gavel, opening the public hearing regarding an Ordinance to Amend Dorchester County Ordinance #15-14, "An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposes for Dorchester County for the Fiscal Year Beginning July 1, 2015, and Ending June 30, 2016;

To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County,” to increase the county general fund revenues by \$518,671 and county capital fund revenues by \$103,078 and authorize additional expenditures in the county general fund and county capital fund in order to hire and equip additional Sheriff’s Office Personnel to serve as School Resource Officers. He invited the public to speak on this issue.

- Mr. Tim Higgins, Ridgeville, spoke against this tax increase.
- Ms. Kathleen Resnick, Bridlewood Farms, spoke against this tax increase.
- Ms. Angie Crum, 324 Coburn Town Road, asked questions about this tax increase.
- Ms. Judy Anderson, 227 Turtle Point Road, spoke against this tax increase.
- Mr. Gerard (Jerry) Ziegler, 105 Farmhill Drive, delivered a statement in opposition to the tax on behalf of (former) Sen. Mike Rose who was unable to attend the Public Hearing. (statement attached)
- Mr. Adrian Kwist, 109 Reynolds Road, spoke against this tax increase.
- Ms. Cori Gubler, 1300 Delong Court, spoke in favor of this tax increase.
- Mr. Jeff Calcutt, 36 Middleton Oaks Road, spoke against this tax increase.
- Ms. Peggy Bangle, 114 Ravenwood Court, asked questions about this tax increase.
- Mr. Franklin Smith, 521 Central Ave, spoke against this tax increase.
- Ms. Lori Estep, 105 Elena Court, spoke in favor of this tax increase.
- Ms. Joan Brown, 104 Franklin Court, spoke against this tax increase.
- Mr. John Hull, 9697 Pebble Creek Blvd, spoke against this tax increase.
- Mr. Sam Clark, 303 Pinehurst Ave, spoke in favor of this tax increase.
- Ms. Joyce Dearing, 228 Brandywine Drive, spoke in favor of this tax increase.
- Mr. Brian Mitchum, 212 Barberry Street, spoke in favor of this tax increase.
- Mr. David Messinger, 917 Simmons Avenue, spoke against this tax increase.

Chairman Chinnis struck the gavel again, closing the public hearing.

COUNTY ATTORNEY’S TIME – MR. JOHN FRAMPTON
EXECUTIVE SESSION

The County Attorney requested Council’s consideration to enter into Executive Session to discuss the Following:

- Executive Session
 - Legal Advice, Act 388
 - Contractual Matters
 - Potential Sale of a Portion of the Pine Trace Tract to Mungo Homes
 - Disposal of Recyclables
1. On the motion of Councilman Davis, seconded by Councilman Hearn, Council voted six in favor, with one absent, to enter into Executive Session at approximately 2:05 p.m. to discuss the previously stated matters.

During discussion, Councilman Hargett asked if there is a reason Mr. Frampton cannot give the legal advice in open session, instead of executive session. Chairman Chinnis stated that it is legal advice and it would be appropriate to go into executive session as it is typically done. Mr. Frampton said if he gives his opinion in executive session confidentially is maintained, if not they lose lawyer -client privilege. Councilman Hearn stated that the results of the executive session will be announced once they come out of executive session.

RECONVENE FROM EXECUTIVE SESSION

At approximately 2:30 p.m., the County Attorney reported that Council discussed the previously announced items, but no action was taken.

BUDGET AMENDMENT ORDINANCE

AN AMENDMENT TO AMEND 3RD READING

2. On the motion of Councilman Hargett, seconded by Councilwoman Duncan, Council voted two in favor, with four opposed and one absent, on an additional amendment to amend Dorchester County Ordinance #15-14, "An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposes for Dorchester County for the Fiscal Year Beginning July 1, 2015, and Ending June 30, 2016; To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County," to provide that the County not raise any additional county revenues for the SRO's referenced in County Ordinance #15-14 and to recommend the DD2 Board of Directors withdraw their request for Dorchester County to amend its operating budget to levy a one mill SRO school tax to all Dorchester County tax payers. The DD2 Board of Directors would request Dorchester County to consider an increase in DD2's operating budget sufficient to pay for said SRO's referenced in Ordinance #15-14 and, by agreement between the DD2 Board of Directors and Dorchester County, to reimburse Dorchester County for said SRO program annual cost. Opposing the motion were Councilman Byars, Chairman Chinnis, Councilman Davis and Councilman Hearn.
3. On the motion of Councilman Hearn, seconded by Councilman Byars, Council voted four in favor, with two opposed and one absent, to give 3rd reading and final approval of an Ordinance to Amend Dorchester County Ordinance #15-14, "An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposes for Dorchester County for the Fiscal Year Beginning July 1, 2015, and Ending June 30, 2016; To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County," to increase the county general fund revenues by \$518,671 and county capital fund revenues by \$103,078 and authorize additional expenditures in the county general fund and county capital fund in order to hire and equip additional Sheriff's Office Personnel to serve as School Resource Officers. Opposing the motion were Councilwoman Duncan and Councilman Hargett.

At this time Mr. Frampton left the meeting, at approximately 2:40 p.m.

4. On the motion of Councilman Hearn, seconded by Councilman Davis, Council voted six in favor, with one absent, to amend the DD2 SRO agreement to reduce the term from five years to three years.

SRO AGREEMENT: DORCHESTER SCHOOL DISTRICT TWO

5. On the motion of Councilman Byars, seconded by Councilman Hearn, Council voted four in favor, one opposed, one abstention, with one absent, to approve the SRO Agreement between Dorchester County and Dorchester School District Two, as amended. Councilwoman Duncan opposed the motion, and Councilman Hargett abstained from voting.

SRO AGREEMENT: DORCHESTER SCHOOL DISTRICT FOUR

6. On the motion of Councilman Davis, seconded by Councilman Byars, Council voted four in favor, one opposed, one abstention, with one absent, to approve the SRO Agreement between Dorchester County and Dorchester School District Four. Councilwoman Duncan opposed the motion, and Councilman Hargett abstained from voting.

SRO AGREEMENT: DORCHESTER COUNTY CAREER AND TECHNOLOGY CENTER

7. On the motion of Councilman Davis, seconded by Councilman Hearn, Council voted four in favor, one opposed, one abstention, with one absent, to approve the SRO Agreement between Dorchester County and

Dorchester County Career and Technology Center. Councilwoman Duncan opposed the motion, and Councilman Hargett abstained from voting.

DISPOSAL OF RECYCLABLES

8. On the motion of Councilman Byars, seconded by Councilman Davis, Council voted six in favor, with one absent, to enter into a short term contract with Sunoco to handle the County's recyclables.

ADJOURNMENT

9. On the motion of Councilman Davis, seconded by Councilman Hearn, Council voted six in favor, with one absent, to adjourn.


Chantell M. Glover, Administrative Assistant

STATEMENT BY MICHAEL T. ROSE
PUBLIC HEARING RE DORCHESTER COUNTY TAX INCREASE FOR SROs

To: Members, Dorchester County Council

Subject: Pubic Hearing -- Opposition to Double Taxation and Taxation of Owner Occupied Residences for DD2 Operating Expenses for SROs in Violation of Act 388

Date: July 27, 2015

Members of Dorchester County Council:

I am unable to attend this public hearing today because I am traveling out-of-state.

In my absence, please allow this statement to be read to Council on behalf of myself and taxpayers whom I represent, and make it and its attachment¹ part of the public record.

We propose a method of funding DD2 SROs that would avoid the issues of both double taxation and the taxation of owner occupied residences in violation of Act 388. Specifically, we propose that even if SROs for DD2 are employed and controlled by the County, that the County not tax anyone for those SROs but, instead, that only DD2 tax its property owners to pay for DD2 SROs and that DD2 reimburse the County for DD2's SROs.

To accomplish that, Council should vote NOT to have the County raise taxes to pay for DD2's SROs and should vote to approve a future request by DD2 to raise its millage to pay the cost of those SROs. DD2's Board can simply submit to Council an amended budget request in the near future to pay for its SROs, and Council can approve that request.

In the alternative, if you are going to vote to allow the County to tax owner occupied residences for DD2 SROs while having an agreement that DD2 will reimburse the County for those SROs with taxes DD2 collects from its property owners, please explain to us citizens in detail how and why you justify doing that. Please provide us all facts, legal authorities and rationale that Council members and its attorney have that you think justifies your voting for Council to tax owner occupied homes for DD2 police protection, while agreeing that DD2 also will tax some of the same property owners (including me) for those same SROs.

We taxpayers ask you to obtain and provide us a written opinion from the County Attorney explaining the complete factual and legal basis for his advice that your vote to raise County millage for DD2 SROs is legal under these circumstances. We ask that you provide the public all agreements, signed and proposed, and all other information about this County millage increase for DD2 SROs, so that will have the information we need to ensure transparency and accountability by Council. None of this requested information needs to be withheld from the public. Thank you for your consideration.

¹ I sent each member of Council a letter address to Chairman David Chinnis dated July 13, 2015. That letter is attached and part of this statement.

**ATTACHMENT TO STATEMENT
BY MICHAEL T. ROSE**

To: David Chinnis
Chairman, Dorchester County Council

From: Michael T. Rose

Subject: Request for Rescheduling of Public Hearing and Disapproval of One Mill County Tax Increase by Dorchester County Council for SRO Program

Date: July 13, 2015

Dear David,

On behalf of myself and a coalition of concerned taxpayers, please consider this an emergency request that you consider, seriously, open-mindedly and without prejudgment, our facts, analysis and requests below, for the purpose of getting Dorchester County Council ("Council") and Dorchester School District 2 ("DD2") to cease violating state laws and implementing policies wrongfully and unnecessarily harming taxpayers.

As you know, on July 6, 2015, Council passed first reading of an amendment ("Amendment") to Council's previously approved 2015-2016 Budget Ordinance 15-14 to allow the County to add an additional mill of taxation of all property (including owner-occupied residences) in Dorchester County to fund School Resource Officers ("SROs") to be used, pursuant to a reimbursement contract, by DD2 at some of its schools. We object to this Amendment as being illegal and bad policy and to Council's process of passing this Amendment, for several reasons, including the following:

- I. **DOUBLE TAXATION:** Property owners in the County and DD2, including me, have been and, under the Amendment, would be TAXED TWICE – once by the County and once by DD2 – to pay for the SAME SROs. Here is proof that this is true:

The Amendment increases by \$461,000 the tax revenue "to reflect an additional county operating mill for the SRO Program;" increases the Personnel line items in the Sheriff's Office by \$310,999 "to fully cover the costs of the SRO Program;" and otherwise requires that monies from this one-mill County tax increase be given to the Sheriff's Office for this SRO Program. (Emphasis added.) (Note that according to this Amendment these monies would be given by the County directly to the Sheriff's Office, not to DD2, to pay the costs of DD2's SROs.)

The Amendment also requires that DD2 reimburse the County for the costs expended by the County for SROs. For example, the Amendment requires an increase in "charges for services revenue line item by \$49,776 to reflect additional funds [DD2] will pay the County in FY 2016 for the SRO Program." In addition, the Amendment mandates that the "County Council shall impose a fee for SRO services that shall be billed by the County to the School District;" the "County shall charge \$60,000 annually for each School Resource

Officer assigned and a prorate [sic] share of the SRO Supervisor at \$71,055, who will be supervising SROs in School District 2” and the “School District shall also pay the anticipated capital costs to equip the SROs required by this agreement in the amounts set forth below:” (1) FY 2015-2016: Six SROs \$360,000; Supervisor \$47,370; Capital \$87,616; Total \$494,986; (2) FY 2016-2017 Seven SROs \$420,000; Supervisor \$47,370; Capital \$43,808 Total \$511,178. (Emphasis added.)

In addition, a proposed or existing agreement (“Agreement”) between Dorchester County and DD2 “for the School Resource Officer (SRO) Program” imposes on DD2 exactly the same requirements that DD2 reimburse the County for SROs as stated in the sentence above.

Indeed, DD2 stated in the written Power Point presentation it made in support of its first budget request this year to County Council that at least \$386,000 of DD2’s requested millage increase would be spent on “SRO costs.” Another power point presentation by DD2 in support of its revised, four-mill tax increase recently approved by County Council specifically states that at least \$260,000 would be used to finance SROs.

Thus, there is absolutely no doubt that if the Amendment becomes law and the Agreement is signed County taxpayers who live within DD2, including me, will pay property taxes twice for the same SROs – once to the County and once to DD2.

Moreover, as the record shows, despite DD2 having funds already specifically appropriated to it to reimburse the County for SRO costs and DD2 having over \$21 million in cash reserves, DD2 already owes, repeatedly has been billed by the County for but has failed to pay about \$500,000 to reimburse costs expended by the County for SROs used by DD2 during FY 2013-2014 and 2014-2015. Thus, not only has DD2 taxed property owners for the SROs that the County also has taxed property owners, but DD2 deliberately has failed, and refuses, to pay the monies for SROs it has collected and owes. Further, the County has failed to require DD2 to repay the monies owed by DD2 to the County, which it could do simply by refusing to approve DD2’s budget until the monies owed by DD2 are paid.

A. TAXING RESIDENTIAL PROPERTY OWNERS = VIOLATING ACT 388:

In addition to taxpayers being taxed by both DD2 and the County for the same SROs, by passing the Amendment and signing the Agreement the County would continue taxing property in violation Act 388. While S.C. Code Ann. § 5-7-12 allows the county and the Town of Summerville to designate certain officers as SROs, it says nothing about how those SROs are to be funded. However, Act 388 does.

Specifically, S.C. Code Ann. §12-37-220 (B)(47)(a) states: “Effective for property tax years beginning after 2006 . . . one hundred percent of the fair market value of owner-occupied residential property . . . is exempt from all property taxes imposed for school

operating purposes . . .” (Emphasis added.) The Legislature was so adamant in its intention to not tax “owner occupied residential property” for “school operating purposes” that the Legislature made it almost impossible to do that by having Act 388 state that “[t]he exemptions allowed by this item may not be deleted or reduced except by a legislative enactment receiving a recorded roll call vote of at least a two-thirds majority of the membership of each house of the General Assembly.” (Emphasis added.) Thus, this state exemption from taxing owner-occupied property for school operating purposes can be rescinded only by 2/3 recorded vote of each house of the Legislature.

Despite the clarity of these requirements, Dorchester County has been and proposes to continue taxing “owner-occupied residential property,” including mine, “for school operating purposes” by taxing owner-occupied residential property in the County to finance police protection with SROs at DD2 schools. Regardless of the fact that the County collects and uses the taxes for SROs, nevertheless the purpose of collecting and using the taxes is for police protection at schools, which clearly is for a school operating purpose. Thus, the County has been and proposes to continue to impose “scofflaw millage” to subsidize DD2 SROs indirectly by manipulation to circumvent and violate the spirit and the letter of Act 388.

Moreover, if the County and DD2 can finance DD2 police protection in this manner, that precedent would allow the County to finance salaries, electricity and all other operating expenses of DD2 and afterwards obtain reimbursement from DD2, thereby double taxing property owners and taxing their owner-occupied homes illegally for all DD2 operating expenses.

Dorchester County needs to not only stop double taxing its property owners for SROs, but should refund to property owners all the monies it illegally has collected from property owners in the past, just as you and I got the Town of Summerville to refund property owners taxes illegally collected for fire protection from property owners newly-annexed into the Town of Summerville.

B. INCREASING TWO MILLAGE BASES ILLEGALLY:

The harm to taxpayers caused by the SRO funding arrangement specified by the Amendment and the Agreement extends beyond double taxation. State law requires DD2’s budget to increase annually by a percentage of its previous year’s budget, based on factors like inflation and population increases, and allows the County’s budget to do so. By taxing two entities, DD2 and the County, for the same purpose -- funding SROs -- both DD2 and the County, instead of only one of them, enable compounded annual increases to their budgets forever. Again, if this financing scheme by the County and DD2 for SROs is legal, the County and DD2 can finance all other DD2 operating expenses by taxing both DD2 and County property owners for those same expenses, and thereby cause a huge exponential annual increase of the budget and taxing authority of both entities forever.

C. TAXING DISTRICT 4 TO PAY DD2 SROs:

The proposed Agreement does not mention Dorchester School District 4 (“DD4”). Therefore, there is no requirement being officially considered to enable DD4 taxpayers to derive any benefit from taxes paid by DD4 property owners used to pay for SROs in DD2. Further, because no contract to pay DD4 was on the agenda of the Executive Session at Council’s last meeting, DD4’s tax issues should not have been discussed in that Executive Session. Doing so violated the Freedom of Information Act.

D. COMPEL PAYMENTS OWED BY DD2

The County long ago should have compelled DD2 to pay the monies DD2 owed the County for DD2 SROs, and should require payment now, instead of the County taxing property owners to make up the monies DD2 has failed to pay. That easily could be accomplished by refusing to approve DD2’s budget, as allowed by law, until DD2 pays its debts. Given DD2’s failure for years to pay the reimbursements it owes to the County, there is no reason to believe the Agreement for DD2 to repay the County for SROs would be honored, and the County should not trust DD2 would do so. Given the County’s failure for years to obtain from DD2 the reimbursements DD2 owes the County, there is no reason to believe the County will enforce any requirement in the Agreement for DD2 to reimburse the County, and taxpayers should not trust the County to do so.

II. TIDWELL REPORT

Admirably, DD2 volunteered to be the subject of a study sponsored and paid by the South Carolina General Assembly about how to improve DD2. In May, 2015, the Tidwell and Associates consulting firm recommended that DD2 stop paying Dorchester County and the Town of Summerville for police protection in schools and, instead, that DD2 directly hire its own district security officers or a private security company to provide that protection, both to save money and to eliminate the current "inequitable School Resource Officer coverage across the district." This was identified by Tidwell and Associates as a “Tier 1” recommendation, which it defined as “Greatest Impact: The district should implement these recommendations immediately.” (Emphasis added.)

Tidwell and Associates stated that DD2’s hiring of police protection in-house would save the District \$194,305 per year and that, over five years, the District would save \$1,755,600 if it hired a private security contractor to perform this service, as do Lancaster County School District and Lexington County/Richland County School District #5.

By hiring police protection in-house or from a private security firm, DD2 would totally eliminate the double taxation, illegal taxation of owner-occupied residences and excessive cost problems described above.

There is no valid reason for DD2 not to follow this money-saving and equity-increasing recommendation from Tidwell and Associates for the benefit of DD2 and taxpayers. Contrary to some claims, no Attorney General’s Opinion (including the one erroneously

relied on by the DD2 Board at the DD2 Board's last meeting) or other authority limits the power of a security officer hired directly by DD2 to protect DD2's students or prevents them from making arrests on school property. Contrary to what DD2 Board Chairman Gail Hughes is quoted in today's Post and Courier as stating, SROs hired in-house by DD2 would be able to make arrests while on school property. This is shown by S.C. Code Ann. § 40-18-140, which exempts DD2 from having to obtain a SLED license, and by S.C. Code Ann. § 40-18-110, which states as follows:

“SECTION 40-18-110. Authority and arrest powers of those licensed or registered under chapter.

A person who is registered or licensed under this chapter and who is hired or employed to provide security services on specific property is granted the authority and arrest power given to sheriff's deputies. The security officer may arrest a person violating or charged with violating a criminal statute of this State but possesses the powers of arrest only on the property on which he is employed.”

Even if it is true that an SRO who is an in-house employee of DD2 could not transport an individual the SRO arrested away from a school to a jail, that would not be a good reason for DD2 not to hire its own SROs. That is true because DD2 should not want its SROs being absent from school grounds to transport arrestees to a jail, and because other law enforcement officers from the County or a municipality can transport arrestees to jail when needed, just as they currently do throughout the County.

III. TRANSPARENCY AND ACCOUNTABILITY BY COUNCIL

Council has scheduled Second Reading of its Amendment to occur on July 20, 2015, without allowing a prior public hearing that would enable Council to hear all the facts before voting for Second Reading. For most required hearing on proposed ordinances, public hearings are held on Second Reading. Council's treating this Second Reading vote differently by not allowing a public hearing before the Second Reading vote has the effect and, perhaps, the purpose of shielding Council from the pressure of facts and public input before the Second Reading vote.

Further, Council has scheduled a final reading of this Amendment preceded by a public hearing on the Amendment at 9 am (purportedly changed to 1 pm) on July 27, 2015. This has the effect and, perhaps the purpose, of Council minimizing public input, as obviously few citizens can take off from their work and attend a public hearing at 9:00 A.M. on a Monday morning or at 1 pm on a Monday afternoon.

IV. CONCLUSION

Given the numerous legal, factual and policy issues regarding the Amendment and the Agreement, including those stated above, Council should slow down the process of

evaluating and voting on these issues, cancel the “quickie” Second and Third Reading dates scheduled and not take any additional vote on this Amendment until these issues are thoroughly vetted and resolved after receiving public input and verifying the accuracy of alleged facts. There is no reason Second and Third readings have to be voted on regarding this Amendment on the dates scheduled. If there is a legitimate danger of SROs being without their salaries in the near future, Council can simply pass a resolution continuing short-term the current payment arrangement for SROs, or making another suitable arrangement, for, for example, ninety days. Council absolutely should not obligate itself and the public to a contract for five years until all these issues are thoroughly vetted and publicly and accurately resolved. If Council does obligate itself to a long term agreement that is illegal or bad policy, taxpayers will suffer long term consequences for which Council and DD2 are to blame.

We ask that DD2 and Council follow the recommendations of the Tidwell Report by having DD2 hire its SROs in-house or from a private security company. If DD2 and Council do not implement these recommendations, we ask that DD2 Board members and Council members explain publicly why they think taxpayers should pay hundreds of thousands of dollars unnecessarily by not implementing the Tidwell Report recommendations. We ask that these reasons for rejecting the Tidwell Report recommendations be stated in writing, and that the public be given a reasonable opportunity to rebut those stated reasons with facts to overcome any erroneous beliefs and assumptions on which DD2 and Council make their decisions.

Further, we ask that Council’s decisions be based on facts verified independently by each Councilman and reasoning, rather than emotions. The issue at hand is not whether DD2 will have SROs, but how to pay for them and who will hire and control them. Therefore, emotional appeals about the need to avoid in DD2 another “Sandy Hook” massacre have no bearing on the decisions to be made because, again, the issue is not whether DD2 will have SROs but how to fund them and who will hire and control them. We ask that Council voluntarily discuss, as they are entitled, how to fund the SROs and who should hire and control them in public sessions and not in Executive Sessions, so that we taxpayers can observe and make our own conclusions about the wisdom and propriety of Council’s actions. This SRO issue is not a secret economic development project and therefore there is absolutely no reason why the SRO funding, hiring and control issues need to be discussed in a secret Executive Session.

For all the reasons stated above, we ask that Council cease double taxing property owners for SROs and cease taxing owner-occupied homes for SROs in violation of Act 388, and refund to County taxpayers the monies for SROs the County already has raised by taxing owner-occupied homes.

Finally, we citizens acknowledge that we may not have all the facts that Council and DD2 Board members know and keep to themselves. We therefore ask that you provide promptly any information that shows that any of the statements above are inaccurate.

Thank you for your consideration of these matters and for your service.

Respectfully,

s/Michael T. Rose

AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
AUGUST 10, 2015
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. DAVID CHINNIS

- Requests to Address Council
- Adoption of Minutes from the July 20, 2015, County Council Meeting and the July 27, 2015, Special Called County Council Meeting
- Request for Approval to Allocate Money from County Council's Contingency Fund to Include an Insert in the 2015 Tax Bills Explaining the Tax Increase Due to the General Assembly Not Fully Funding the Local Government Fund (State Aid to Political Subdivisions)
- 2nd Reading of an Ordinance to Amend the Code of Ordinances, Dorchester County, South Carolina, to Repeal and Delete in Its Entirety Chapter 2, Article IV, Division 6, and All Sections Contained Therein, As May Have Been Amended From Time To Time, Said Division Creating the Dorchester County Sales Tax Transportation Authority
- 1st Reading (By Title Only) of An Eighth Supplemental Ordinance Providing for the Issuance and Sale of Dorchester County, South Carolina, Waterworks and Sewer System Revenue Refunding Bonds, Series 2015, in the Principal Amount of Not Exceeding \$27 Million; Prescribing the Form and Details of Such Bonds; and Other Matters Relating Thereto
- Correspondence

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

- Address Council and the Dorchester County Sales Tax Transportation Authority (DCSTA) Issues

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

- Request for Approval to Allocate \$3,000 from Recreation Fund Balance for Direct Assistance to Friends of Dorchester County Parks
- Request for Approval to Issue RFP for Repairs to Taylor Pond Fire Station
- 1st Reading and Referral to the PDB Committee of Rezoning Request #710 for Chris M. Garcia to Rezone 3.08 Acres at 171 Mellichamp Road from Single-Family Residential – Manufactured Housing District (R1M) to Industrial District (I), TMS #129-07-00-001
- 1st Reading and Referral to the PDB Committee of Rezoning Request #711 for Clary C. Gambrell to Rezone 7.8 Acres at 314 Orangeburg Road from Multi-Family Residential District (R4) to Single-Family Residential – Manufactured Housing District (R1M), TMS #152-00-00-142
- Request for Approval to Suspend the Polk Swamp Restoration Project with the Army Corps of Engineers
- Request for Approval of Two Additional Part-Time Sheriff Transport Officers
- Request for Approval of a Temporary Part-Time Dispatch Position for Up to Six Months

5. COMMITTEE REPORT

Chairman Chinnis – Water and Sewer Committee (6:45 p.m.)

- Request for New Sewer Service by H&H Constructors Inc. for 100 Lingos Drive in the Pine Hill Acres Subdivision near the Town of Summerville, TMS #122-13-01-001
- Request for New Sewer Service by Glen Faircloth for 214 Powell Drive in the Clemson Terrace Subdivision near the Town of Summerville, TMS #122-16-08-007
- Request for New Sewer Service by Summerville Retail Investment, LLC, for 939 Orangeburg Road, 1610, 1614, and 1620 Central Avenue and 121 Brothers Lane in Knightsville, TMS #135-12-00-012, 135-12-00-016, 135-12-00-017, 135-12-00-018 and 135-12-00-020

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Request for Approval of the Fourth Amendment to Agreement of Purchase and Sale of Real Property
(This is an extension of the contract between Mungo Homes and Dorchester County for Pine Trace.)
- Executive Session
 - Contractual Matter
 - Lease Agreement Between the Town of Summerville and Dorchester County Regarding the Senior Citizens Center, Summerville

8. ADJOURN

C. DAVID CHINNIS
CHAIRMAN

GEORGE H. BAILEY
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SALLY K. HEBERT
CLERK TO COUNCIL



JAY BYARS

WILLIE DAVIS

CARROLL S. DUNCAN

LARRY S. HARGETT

WILLIAM R. HEARN, JR.

COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET
ST. GEORGE, SOUTH CAROLINA 29477
(843) 832-0196 or (843) 563-0196

**MINUTES
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
AUGUST 10, 2015
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. David Chinnis, Chairman
Mr. George H. Bailey, Vice Chairman
Mr. Jay Byars
Mr. Willie Davis
Mrs. Carroll S. Duncan
Mr. Larry S. Hargett
Mr. William R. Hearn, Jr.
Mr. Jason Ward, County Administrator
Ms. Ashley Jacobs, Deputy Administrator
Mr. John Frampton, County Attorney
Ms. Sally K. Hebert, Clerk to Council

Chairman Chinnis called to order the meeting of Dorchester County Council and invited all to stand for the invocation and the Pledge of Allegiance. Councilman Davis gave the invocation.

CHAIRMAN'S TIME

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

ADOPTION OF MINUTES

1. On the motion of Councilman Hearn, seconded by Councilman Byars, Council voted unanimously to adopt the minutes from the July 20, 2015, County Council meeting and the July 27, 2015, Special Called County Council meeting.

COUNTY TAX BILL INSERT

2. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted unanimously to approve the inclusion of an insert in the 2015 tax bills, explaining the tax increase due to the General Assembly not fully funding the Local Government Fund (State Aid to Political Subdivisions), and to approve funds not exceeding \$5,000 from County Council Contingency to pay for the insert.

REPEALING DCTA ORDINANCE

A motion was made by Councilman Hearn, seconded by Councilman Byars, to approve 2nd Reading of an Ordinance to Amend the Code of Ordinances, Dorchester County, South Carolina, to Repeal and Delete in Its Entirety Chapter 2, Article IV, Division 6, and All Sections Contained Therein, As May Have Been Amended From Time To Time, Said Division Creating the Dorchester County Sales Tax Transportation Authority.

A lengthy discussion ensued.

A motion was made by Councilman Byars, seconded by Councilman Hearn, to table 2nd Reading of an Ordinance to Amend the Code of Ordinances, Dorchester County, South Carolina, to Repeal and Delete in Its Entirety Chapter 2, Article IV, Division 6, and All Sections Contained Therein, As May Have Been Amended From Time To Time, Said Division Creating the Dorchester County Sales Tax Transportation Authority.

Councilman Byars and Councilman Hearn agreed to withdraw their motion and second to table second reading of an ordinance to disband the DCTA.

Councilman Hearn and Councilman Byars agreed to withdraw their motion and second to approve second reading of an ordinance to disband the DCTA, thereby deferring consideration of the matter.

3. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted – after more discussion – four in favor, with three opposed, to deny 2nd Reading of an Ordinance to Amend the Code of Ordinances, Dorchester County, South Carolina, to Repeal and Delete in Its Entirety Chapter 2, Article IV, Division 6, and All Sections Contained Therein, As May Have Been Amended From Time To Time, Said Division Creating the Dorchester County Sales Tax Transportation Authority. Opposing the motion were Councilman Byars, Chairman Chinnis and Councilman Hearn.

REFINANCING 2006 WATER AND SEWER REVENUE BONDS

4. On the motion of Councilman Hargett and seconded by Councilman Davis, Council voted unanimously to approve 1st Reading (By Title Only) of An Eighth Supplemental Ordinance Providing for the Issuance and Sale of Dorchester County, South Carolina, Waterworks and Sewer System Revenue Refunding Bonds, Series 2015, in the Principal Amount of Not Exceeding \$27 Million; Prescribing the Form and Details of Such Bonds; and Other Matters Relating Thereto.

CORRESPONDENCE: There were no items of correspondence.

COUNCIL MEMBER'S TIME – MR. GEORGE BAILEY

Councilman Bailey said he gave his comments during the DCTA discussion and had nothing further on the matter.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

FRIENDS OF DORCHESTER COUNTY PARKS

5. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to approve the use of \$3,000 from the Recreation Fund Balance for direct assistance to the Friends of Dorchester County Parks, as recommended by the Parks and Recreation Director.

REPAIRS TO TAYLOR POND FIRE STATION

6. On the motion of Councilman Hargett, seconded by Councilman Hearn, Council voted unanimously to approve the issue of an RFP for repairs to the Taylor Pond Fire Station and approve the use of not-to-exceed \$20,000 for the repairs.

REZONING REQUEST #710 AND #711

7. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted unanimously to approve 1st Reading and Referral to the PDB Committee for a Public Hearing and Recommendation on Rezoning Request #710 for Chris M. Garcia to rezone 3.08 acres at 171 Mellichamp Road from Single-Family Residential – Manufactured Housing District (R1M) to Industrial District (I), TMS #129-07-00-001 and Rezoning Request #711 for Clary C. Gambrell to rezone 7.8 acres at 314 Orangeburg Road from Multi-Family Residential District (R4) to Single-Family Residential – Manufactured Housing District (R1M), TMS #152-00-00-142.

POLK SWAMP RESTORATION PROJECT

8. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to approve – on the recommendation of the Public Works Director – the suspension of the Polk Swamp Restoration Project with the Army Corps of Engineers until funds can be identified as a part of the Fiscal Year 2016-2017 County Budget based on County Council’s priorities.

ADDITIONAL SHERIFF TRANSPORT OFFICERS

9. On the motion of Councilman Bailey, seconded by Councilwoman Duncan, Council voted unanimously to approve two additional part-time Sheriff Transport positions to relieve overtime with no additional funding required.

ADDITIONAL DISPATCH POSITION

10. On the motion of Councilwoman Duncan, seconded by Councilman Davis, Council voted unanimously to approve one temporary part-time Dispatcher position for up to six months (January 10, 2016) to relieve overtime until vacancies are filled.

COMMITTEE REPORT

CHAIRMAN CHINNIS – WATER AND SEWER COMMITTEE

Chairman Chinnis said the Committee met at 6:45 p.m. and one item on the agenda was overlooked. This being a Committee of the whole, the Chairman introduced the item for a Council vote.

11. On the motion of Councilman Hargett, seconded by Councilman Davis, Council voted unanimously to authorize the use of \$200,000 in Sewer Impact Fees to reimburse the developer for extending a new gravity main to pump station (PS) 106 and a sewer stub-out and easement to serve future customers in the Knightsville area.

Chairman Chinnis proceeded with his Committee report, announcing there were three requests for sewer service.

12. Council voted unanimously to approve the following items:
 - Request for new sewer service by H&H Constructors Inc. for 100 Lingos Drive in the Pine Hill Acres Subdivision near the Town of Summerville, TMS #122-13-01-001
 - Request for new sewer service by Glen Faircloth for 214 Powell Drive in the Clemson Terrace Subdivision near the Town of Summerville, TMS #122-16-08-007
 - Request for new sewer service by Summerville Retail Investment, LLC, for 939 Orangeburg Road, 1610, 1614, and 1620 Central Avenue and 121 Brothers Lane in Knightsville, TMS #135-12-00-012, 135-12-00-016, 135-12-00-017, 135-12-00-018 and 135-12-00-020.

APPOINTMENTS TO BOARDS AND COMMISSIONS: There were no appointments.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

MUNGO HOMES CONTRACT FOR PINE TRACE

13. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to approve the fourth amendment to the agreement of purchase and sale of real property between Mungo Homes and Dorchester County and to authorize the County Administrator to execute the agreement.

EXECUTIVE SESSION

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

- Executive Session
 - Contractual Matter
 - Lease Agreement Between the Town of Summerville and Dorchester County Regarding the Senior Citizens Center, Summerville
14. On the motion of Councilman Davis, seconded by Councilman Hearn, Council voted unanimously to enter into Executive Session at approximately 8:24 p.m. to discuss the previously stated matter.

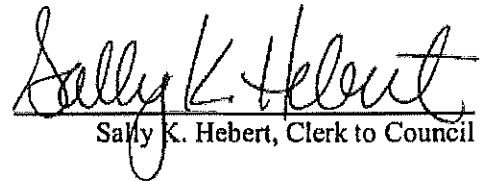
RECONVENE FROM EXECUTIVE SESSION

At approximately 8:49 p.m., the County Attorney reported that Council discussed the previously announced item, but no action was taken.

15. On the motion of Councilman Hearn, seconded by Councilman Davis, Council voted unanimously to authorize the County Administrator to execute any documents as necessary to terminate the lease agreement between the Town of Summerville and Dorchester County dated April 20, 2001, for the Senior Citizens building in Summerville so as to relinquish control of the Senior Citizens building in Summerville to the Town of Summerville contingent upon the Town of Summerville conveying the property to Dorchester Seniors, Inc. with a reverter clause to insure the property is used for the benefit of Dorchester County Seniors.

ADJOURNMENT

16. On the motion of Councilman Davis, seconded by Councilman Hearn, Council voted unanimously to adjourn at approximately 8:50 p.m.


Sally K. Hebert, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
SEPTEMBER 8, 2015
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. DAVID CHINNIS

- Requests to Address Council
- Adoption of Minutes from the August 10, 2015, County Council Meeting
- Adoption of Proclamation #15-07, Proclaiming September 2015 as Childhood Cancer Awareness Month
- 2nd Reading of an Eighth Supplemental Ordinance Providing for the Issuance and Sale of Dorchester County, South Carolina, Waterworks and Sewer System Revenue Refunding Bonds, Series 2015, in the Principal Amount of Not Exceeding \$27 Million; Prescribing the Form and Details of Such Bonds; and Other Matters Relating Thereto
- Correspondence

3. GUESTS

- Mrs. Phyllis Hughes, Chairwoman of Dorchester County Archives and History Center
 - Request for Additional Space in the Dorchester County Offices Annex
- Dr. Evelyn Delaine Hart, Director of the Greater Charleston Business Alliance
 - Request for Funding for the Greater Charleston Business Alliance
- Mrs. Jessica D. Shuler, Dorchester County Budget Officer
 - Request for Approval of the FY2014-2015 Carryover Budget
 - Request for Approval of the FY2016-2017 Budget Calendar
- Mrs. Tammie Sullivan, Dorchester County Comptroller
 - July 2015 Budget Report
- Mr. Tracey Todd, Dorchester County Accommodations Tax Advisory Committee Chairman
 - Presentation of Requests and Recommendations for Approval
- Mr. Eric Davis, Dorchester County Parks and Recreation Director
 - Information on Public Feedback on Parks and Recreation Master Plan Update
 - Request for Approval of Additional Funding for Ashley River Park Wetlands Delineation

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

- Request for County Council to Appoint and Commission Mr. Benjamin Justice and Ms. Samantha Allen as Code Enforcement Officers to Issue Summonses for Violations of Dorchester County Animal Control Ordinance
- Request for County Council to Appoint and Commission Ms. Lisa Simmons, Ms. Regina Corradina and Mr. Brian Byrd as Code Enforcement Officers to Issue Summonses for Violations of Dorchester County Building Code Ordinance and International Building Codes
- Request for Approval to Continue Capital for Software in the Register of Deeds Office for an Additional Year in the Amount of \$72,000
- Request for Approval to Use Personnel Savings for Training of Appraiser Trainee
- Request for Approval to Trade the 2002 Two-Door International Pumper for a Refurbished Four-Door Custom Pumper to be Used as a First-Run Pumper for Sandhill Fire Station
- Request for Approval to Accept Myers Mill Phase Seven into the One-Year Warranty Period Via the Road Maintenance Acceptance Application
- Request for Approval to Advertise RFP to Solicit Bids for Hiring of Consulting Arborist to Review Tree Removal Applications in the Appeal Process
- 1st Reading of “An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, As Previously Amended, with Respect to Article XI: ‘Special Areas,’

Section 11.2: 'Transitional Overlay District' (TOD)" *(The purpose of this amendment is to include architectural standards to Transitional Overlay Districts, which apply to arterial and collector roads primarily in urbanizing areas of the county.)*

- 1st Reading of "An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, as Previously Amended, with Respect to Article VII" 'Suburban District Regulations,' Section 7.12: 'Commercial/Light Industrial District 2' (CLI-2), to Add General Services Businesses (Use Group 17{b}) and Accessory Outdoor Storage (Use Group 22{b}) as Special Exception Uses, and to Consequently Renumber Subsections 7.12.5 Through 7.12.9 *(The purpose of this amendment is to allow certain commercial activity outside by Special Exception only, whereby the Board of Zoning Appeals would conduct a public hearing and determine the appropriateness of the use for a location proposed by the applicant within CLI-2 zoning districts.)*
- Request for Approval to Accept Real Estate Donated to the County as Expanded Transportation Right-of-Way along Summers Drive *(This request is to facilitate intersection improvements along Summers Drive at US-17A and SC-61 and maintain such improvements upon completion.)*

5. COMMITTEE REPORTS

Chairwoman Duncan – Planning, Development and Building Committee (6:00 p.m.)

- Staff Update Regarding a Proposed Ordinance to Amend the Ashley River Historic Overlay District
- Public Hearing and Recommendation for 2nd Reading of Rezoning Request #689 for Hopper Communities, TMS #128-00-00-021 and TMS #128-00-00-128, to Rezone 33.59 Acres at the Intersection of Orangeburg and East Butternut Roads from Multi-Family Residential (R-4) and General Commercial (CG) to Planned Development District (PD).
- Public Hearing and Recommendation for 2nd Reading of Rezoning Request #710 for Chris M. Garcia to Rezone 3.08 Acres at 171 Mellichamp Road from Single-Family Residential – Manufactured Housing District (RIM) to Industrial District (I), TMS #129-07-00-001.
- Public Hearing and Recommendation for 2nd Reading of Rezoning Request #711 for Clary C. Gambrell to Rezone 7.8 Acres at 314 Orangeburg Road from Multi-Family Residential District (R4) to Single-Family Residential – Manufactured Housing District (RIM), TMS #152-00-00-142

Chairman Bailey – Public Safety, Health and Human Services Committee (6:30 p.m.)

- Request for Approval of Budget Amendment for Bridlewood EMS Station

Chairman Chinnis – Water and Sewer Committee (6:45 p.m.)

- Request for Approval to Replace Asset #100212, 2011 Ford Ranger
- Request for New Water Service by Judy Rodgers for Property on Ashley Phosphate Road in the University Park Subdivision near the City of North Charleston, TMS #172-15-09-003
- Request for New Water and Sewer Service by Jensen's Residential Communities for 40 Residential Lots off of Jamison Road in the Southern Palms Subdivision near the Town of Summerville on a portion of TMS #154-00-00-003
- Request for New Sewer Service by General M. Baker for Property on Hoffman Lane in the Hillside Farms Subdivision near the Town of Summerville, TMS #135-00-00-195
- Request for New Sewer Service by Dorchester Habitat for Humanity for Five Acres off of Rambo Road in the Clemson Terrace Subdivision, TMS #122-16-05-006

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Executive Session
 - Contractual Matters
 - St. George and Ridgeville Fire Services Agreements
 - Sabine and Waters, Wetlands Delineation Contract
 - Extension of Republic Contracting Storage Agreement at Ashley River Park for 90 Days
 - Plan for Services Agreement with North Charleston and Old Fort Fire

- Legal Advice
 - Parks and Recreation Referendum
 - Library Referendum

8. **ADJOURN**

C. DAVID CHINNIS
CHAIRMAN

GEORGE H. BAILEY
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SALLY K. HEBERT
CLERK TO COUNCIL



JAY BYARS

WILLIE DAVIS

CARROLL S. DUNCAN

LARRY S. HARGETT

WILLIAM R. HEARN, JR.

COUNTY COUNCIL OF DORCHESTER COUNTY

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

MINUTES
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
SEPTEMBER 8, 2015
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. David Chinnis, Chairman
Mr. George H. Bailey, Vice Chairman
Mr. Jay Byars
Mr. Willie Davis
Mrs. Carroll S. Duncan
Mr. Larry S. Hargett
Mr. William R. Hearn, Jr.
Mr. Jason Ward, County Administrator
Ms. Ashley Jacobs, Deputy Administrator
Mr. John Frampton, County Attorney
Ms. Sally K. Hebert, Clerk to Council

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

CHAIRMAN'S TIME

REQUESTS TO ADDRESS COUNCIL:

- Ms. Peggy Bangle, 114 Ravenwood Court, spoke about the Local Government Fund. She also called on Council to deny requests for referendums until the impact of the recent tax increase is realized.

ADOPTION OF MINUTES

1. On the motion of Councilwoman Duncan, seconded by Councilman Hearn, Council voted unanimously to adopt the minutes from the August 10, 2015, County Council meeting.

PROCLAMATION #15-07, CHILDHOOD CANCER AWARENESS MONTH

2. On the motion of Councilman Davis, seconded by Councilman Hearn, Council voted unanimously to adopt Proclamation #15-07, proclaiming September 2015 as Childhood Cancer Awareness Month.

Mr. Adam White, Executive Director of Chase After a Cure, accepted the proclamation.

REFINANCING OF 2006 WATER AND SEWER REVENUE BONDS

3. On the motion of Councilman Hargett, seconded by Councilman Hearn, Council voted unanimously to give 2nd Reading of an Eighth Supplemental Ordinance Providing for the Issuance and Sale of Dorchester County, South Carolina, Waterworks and Sewer System Revenue Refunding Bonds, Series 2015, in the Principal Amount of Not Exceeding \$27 Million; Prescribing the Form and Details of Such Bonds; and Other Matters Relating Thereto.

CORRESPONDENCE: Mr. Ward said staff forwarded items of correspondence upon receipt.

GUEST: MRS. PHYLLIS HUGHES, DORCHESTER COUNTY ARCHIVES AND HISTORY CENTER

Mrs. Hughes requested additional space in the Dorchester County Offices Annex for the Dorchester County Archives and History Center to host a traveling exhibit from the Smithsonian Institution titled, "The Way They Worked." Additionally, she requested more space for displays of rare fossils, a Native American display of Natchez-Kusso items and a collection of photographs depicting African American culture. Chairman Chinnis placed this request in the Planning, Development and Building Committee.

GUEST: MRS. JESSICA SHULER, DORCHESTER COUNTY BUDGET OFFICER

Mrs. Shuler presented the FY2014-2015 Carryover Budget, a compilation of available funds for items that were not completed in FY15 to be completed in FY16.

4. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted unanimously to approve the FY2014-2015 Carryover Budget
5. On the motion of Councilman Byars, seconded by Councilwoman Duncan, Council voted unanimously to approve the FY2016-2017 Budget Calendar as proposed with one change, moving third reading of the budget to June 20.

GUEST: MRS. TAMMIE SULLIVAN, DORCHESTER COUNTY CONTROLLER

Mrs. Sullivan presented the July 2015 budget report.

GUEST: MR. TRACEY TODD, DORCHESTER COUNTY ACCOMMODATIONS TAX ADVISORY COMMITTEE

Mr. Todd presented the Committee's recommendations for allocation of the accommodations tax monies collected in Dorchester County, and he answered questions from Council members.

6. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted five in favor, with two opposed, to approve the recommendations for allocation of the accommodations tax monies. Councilman Byars and Chairman Chinnis opposed the motion.

During discussion, Councilman Byars stated concerns about allocating money to a private entity. Chairman Chinnis stated concerns about allocating funds above the amount requested to one applicant while another applicant was unfunded.

GUEST: MR. ERIC DAVIS, DORCHESTER COUNTY PARKS AND RECREATION DIRECTOR

Mr. Davis presented a PowerPoint presentation on public feedback received during six public meetings held throughout the County during the month of June, regarding the Parks and Recreation Master Plan Update. A total of

90 people attended the meetings. Additionally, an online survey – conducted from late May through early July – collected completed responses from 173 participants about the Master Plan. Mr. Davis said he is revising the plan based on feedback.

Mr. Davis then presented a request for additional funding for a wetlands survey of the Ashley River Park.

7. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to approve the use of \$12,000 in 2010 bond funds for a detailed survey required for a wetlands delineation of the Ashley River Park.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

ANIMAL CONTROL OFFICERS

8. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to appoint and commission Mr. Benjamin Justice and Ms. Samantha Allen as Code Enforcement Officers to issue summonses for violations of Dorchester County Animal Control Ordinance.

BUILDING CODE OFFICERS

9. On the motion of Councilwoman Duncan, seconded by Councilman Hearn, Council voted unanimously to appoint and commission Ms. Lisa Simmons, Ms. Regina Corradina and Mr. Brian Byrd as Code Enforcement Officers to issue summonses for violations of Dorchester County Building Code Ordinance and International Building Codes.

REGISTER OF DEEDS SOFTWARE

10. On the motion of Councilman Bailey, seconded by Councilman Hearn, Council voted unanimously to approve the purchase and maintenance of the Business Information Systems software and inclusion of \$72,000 in FY2016/2017 to complete the software purchase as requested by the Register of Deeds.

APPRAISER TRAINEE

11. On the motion of Councilman Hargett, seconded by Councilman Davis, Council voted unanimously to approve the transfer of up to \$6,000 in personnel savings to operating for the purpose of training an Appraiser Trainee as recommended by the Assessor and Human Resource Director.

FIRE VEHICLE TRADE

12. On the motion of Councilman Bailey, seconded by Councilman Hearn, Council voted unanimously to approve the trade of a two-door pumper for a refurbished four-door pumper that has additional storage and will be used as a first-run pumper for Sandhill Fire Station, as recommended by the Fire Chief and Deputy Administrator. No funds will be exchanged.

ROAD MAINTENANCE APPLICATION: MYERS MILL PHASE SEVEN

13. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted unanimously to approve the acceptance of Myers Mill Phase Seven into the one-year warranty period via the Road Maintenance Acceptance application.

RFP FOR CONSULTING ARBORIST

14. On the motion of Councilman Bailey, seconded by Councilwoman Duncan, Council voted unanimously to authorize staff to advertise a request for proposals (RFP) for consulting arborist services as recommended by the Planning and Zoning staff.

TRANSITIONAL OVERLAY DISTRICT: 1ST READING

15. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to approve 1st Reading of "An Ordinance to Amend Dorchester County Zoning and Land Development

Standards Ordinance Number 04-13, As Previously Amended, with Respect to Article XI: 'Special Areas,' Section 11.2: 'Transitional Overlay District' (TOD)."

The purpose of this amendment is to include architectural standards to Transitional Overlay Districts, which apply to arterial and collector roads primarily in urbanizing areas of the county.

COMMERCIAL ACTIVITY BY SPECIAL EXCEPTION ONLY: 1ST READING

16. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to approve 1st Reading of "An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, as Previously Amended, with Respect to Article VII" 'Suburban District Regulations,' Section 7.12: 'Commercial/Light Industrial District 2' (CLI-2), to Add General Services Businesses (Use Group 17{b}) and Accessory Outdoor Storage (Use Group 22{b}) as Special Exception Uses, and to Consequently Renumber Subsections 7.12.5 Through 7.12.9.

The purpose of this amendment is to allow certain commercial activity outside by Special Exception only, whereby the Board of Zoning Appeals would conduct a public hearing and determine the appropriateness of the use for a location proposed by the applicant within CLI-2 zoning districts.

SUMMERS DRIVE RIGHT-OF-WAY

17. On the motion of Councilman Hearn, seconded by Councilman Hargett, Council voted unanimously to approve the acceptance of Dorchester Tract 1, .02 acre; Dorchester Tract 2, .06 acre; and Dorchester Tract 10, .01 acre, as donated right-of-way along Summers Drive to facilitate intersection improvements at US-17A and SC-61 and maintain such improvements upon completion.

COMMITTEE REPORTS

CHAIRWOMAN DUNCAN – PLANNING, DEVELOPMENT AND BUILDING COMMITTEE

Chairwoman Duncan announced that the Committee met at 6 p.m. The first item on the agenda was a staff update regarding a proposed ordinance to amend the Ashley River Historic Overlay District. At the Committee meeting, Mr. Alec Brebner, Dorchester County Planning and Zoning Manager, reported that when the Planning Commission met, the majority seemed opposed to outright elimination of Subdistrict 3. There will be another workshop to discuss how commercial uses, which are now severely restricted, could exist in the overlay district.

Chairwoman Duncan announced that the scheduled public hearing and 2nd Reading of Rezoning Request #689 did not occur because the applicant withdrew the request.

18. Council voted unanimously to approve 2nd Reading of Rezoning Request #710 for Chris M. Garcia to rezone 3.08 acres at 171 Mellichamp Road from Single-Family Residential – Manufactured Housing District (R1M) to Industrial District (I), TMS #129-07-00-001.
19. Council voted unanimously to approve 2nd Reading of Rezoning Request #711 for Clary C. Gambrell to rezone 7.8 acres at 314 Orangeburg Road from Multi-Family Residential District (R4) to Single-Family Residential – Manufactured Housing District (R1M), TMS #152-00-00-142.

CHAIRMAN BAILEY – PUBLIC SAFETY, HEALTH AND HUMAN SERVICES COMMITTEE

Chairman Bailey announced that the Committee met at 6:30 p.m. and voted unanimously to recommend County Council approves a budget amendment for Bridlewood EMS Station. He said this clears the docket for his Committee.

20. As recommended by the Committee, Council voted unanimously to approve the use of \$364,000 in capital funds in the FY2015-2016 Dorchester County Budget for EMS Medic 2 instead of the Bridlewood EMS

Station and to approve the transfer of all funds in the FY2014-2015 Budget for the Bridlewood EMS project to the EMS Medic 2 station as part of the Carryover Budget.

CHAIRMAN CHINNIS – WATER AND SEWER COMMITTEE

Chairman Chinnis said the Committee met at 6:45 p.m. and approved five items.

21. Council voted unanimously to approve a request to replace asset #100212, 211 Ford Ranger, using currently budgeted funds, as recommended by the County Administrator and the Water and Sewer Committee.
22. Council voted unanimously to approve the following requests for service:
 - Request for new water service by Judy Rodgers for property on Ashley Phosphate Road in the University Park Subdivision near the City of North Charleston, TMS #172-15-09-003
 - Request for new water and sewer service by Jensen’s Residential Communities for 40 residential lots off of Jamison Road in the Southern Palms Subdivision near the Town of Summerville on a portion of TMS #154-00-00-003
 - Request for new sewer service by General M. Baker for property on Hoffman Lane in the Hillside Farms Subdivision near the Town of Summerville, TMS #135-00-00-195
 - Request for new sewer service by Dorchester Habitat for Humanity for five acres off of Rambo Road in the Clemson Terrace Subdivision, TMS #122-16-05-006.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

23. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to recommend appointment by the Governor of Ms. Philicio Tawana Baugh to the Social Services Board.
24. On the motion of Chairman Chinnis, seconded by Councilman Davis, Council voted unanimously to appoint Mr. Will Limehouse to the Dorchester County Sales Tax Transportation Authority.

COUNTY ATTORNEY’S TIME – MR. JOHN FRAMPTON

EXECUTIVE SESSION

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

- Contractual Matters
 - St. George and Ridgeville Fire Services Agreements
 - Sabine and Waters, Wetlands Delineation Contract
 - Extension of Republic Contracting Storage Agreement at Ashley River Park for 90 Days
 - Plan for Services Agreement with North Charleston and Old Fort Fire
 - Legal Advice
 - Parks and Recreation Referendum
 - Library Referendum
25. On the motion of Councilman Hearn, seconded by Councilman Davis, Council voted unanimously to enter into Executive Session at approximately 8:53 p.m. to discuss the previously stated matters.

RECONVENE FROM EXECUTIVE SESSION

At approximately 9:54 p.m., the County Attorney reported that Council discussed the previously announced items, but no action was taken.

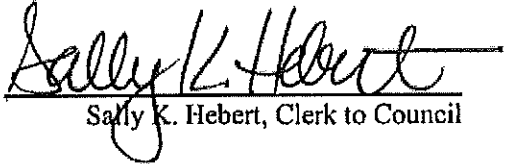
26. On the motion of Councilman Hargett, seconded by Councilwoman Duncan, Council voted unanimously to extend its current Agreement with Republic Contracting for the storage of construction materials at the Ashley River Park for a period of 90 days from the current expiration of the Agreement.

27. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to authorize the County Administrator to execute the Plan for Services Agreement between Dorchester County, the City of North Charleston and Old Fort Fire District.

ADJOURNMENT

Before voting to adjourn, Council and Mr. Ward thanked Ms. Jacobs for her nine years of service as Dorchester County Deputy Administrator and wished her well in her new position in Lake City, SC.

28. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to adjourn at approximately 9:55 p.m.


Sally K. Hebert, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
SEPTEMBER 21, 2015
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. DAVID CHINNIS

- Requests to Address Council
- Adoption of Minutes from the September 8, 2015, County Council Meeting
- Employee Longevity Program, Recognizing Dorchester County Government Active Full-Time Direct Employees with 20+ Years of Continuous Service
- Adoption of Proclamation #15-08, Proclaiming October 2015 as Breast Cancer Awareness Month
- 3rd Reading of an Eighth Supplemental Ordinance Providing for the Issuance and Sale of Dorchester County, South Carolina, Waterworks and Sewer System Revenue Refunding Bonds, Series 2015, in the Principal Amount of Not Exceeding \$27 Million; Prescribing the Form and Details of Such Bonds; and Other Matters Relating Thereto
- Public Hearing and Request for Adoption of Resolution #15-13 in Support of the Issuance by the South Carolina Jobs-Economic Development Authority of Its Qualified Energy Conservation Bonds, Pursuant to the Provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina, As Amended, in the Aggregate Principal Amount Not to Exceed \$1 Million
- Correspondence

3. GUEST

- Mrs. Tammie Sullivan, Dorchester County Controller
 - August 2015 Budget Report

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

- 3rd Reading of Rezoning Request #710 for Chris M. Garcia to Rezone 3.08 Acres at 171 Mellichamp Road from Single-Family Residential – Manufactured Housing District (R1M) to Industrial District (I), TMS #129-07-00-001
- 3rd Reading of Rezoning Request #711 for Clary C. Gambrell to Rezone 7.8 Acres at 314 Orangeburg Road from Multi-Family Residential District (R4) to Single-Family Residential – Manufactured Housing District (R1M), TMS #152-00-00-142
- Request for Approval of the Creation of an Internship Position to Assist the Parks and Recreation Department

5. COMMITTEE REPORTS

Chairwoman Duncan – Planning, Development and Building Committee (6:00 p.m.)

- Public Hearing and Recommendation for 2nd Reading of "An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, As Previously Amended, with Respect to Article XI: 'Special Areas,' Section 11.5: 'Ashley River Historic Overlay District' to Amend Section 11.5.2, 11.5.4, and 11.5.7, First Paragraph, (d), and (g), Delete District 3 (Sections 11.5.5 and 11.5.10) and District 4 (Section 11.5.6 and 11.5.11), to Delete Exhibit C, and to Delete Exhibit B: 'Ashley River Historic Overlay District Map' and to Replace It with a New Exhibit B Depicting District 1 and District 2"
- Request for Additional Space in the Dorchester County Offices Annex by the Dorchester County Archives and History Center
- Planning Commission Recommendation on Voluntary Agricultural Districts
- Planning Commission Recommendation on the Rural Zoning Strategy

Chairman Chinnis – Water and Sewer Committee (6:45 p.m.)

- Request for New Sewer Service by Travis and Linda Lee for 235 Whippoorwill Drive in the Whippoorwill Subdivision, TMS #143-15-00-030
- Request for Approval to Purchase Equipment for Elder Valve (EV) Crew with Cash on Hand

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Executive Session
 - Contractual Matter
 - Supply Agreement between Sonoco Recycling, LLC, and Dorchester County, South Carolina

8. ADJOURN

C. DAVID CHINNIS
CHAIRMAN

GEORGE H. BAILEY
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SALLY K. HEBERT
CLERK TO COUNCIL



JAY BYARS

WILLIE DAVIS

CARROLL S. DUNCAN

LARRY S. HARGETT

WILLIAM R. HEARN, JR.

COUNTY COUNCIL OF DORCHESTER COUNTY

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

MINUTES
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
SEPTEMBER 21, 2015
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. David Chinnis, Chairman
Mr. George H. Bailey, Vice Chairman
Mr. Jay Byars
Mr. Willie Davis
Mrs. Carroll S. Duncan
Mr. Larry S. Hargett
Mr. William R. Hearn, Jr.
Mr. Jason Ward, County Administrator
Mr. John Frampton, County Attorney
Ms. Sally K. Hebert, Clerk to Council

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

CHAIRMAN'S TIME

Chairman Chinnis said he would move through the agenda quickly because of the absence of air conditioning.

REQUESTS TO ADDRESS COUNCIL:

- Ms. Kipp Kinard, 108 Coronet Street, Meadow Run Subdivision in Summerville, addressed Council regarding an abandoned home next door. She requested Council assistance.
- Ms. Peggy Bangle, 114 Ravenwood Court, Summerville, spoke about the Local Government Fund. She also requested changes to the application and review process for the funding of tourism projects through the Accommodations Tax.

ADOPTION OF MINUTES

1. On the motion of Councilman Davis, seconded by Councilman Hearn, Council voted unanimously to adopt the minutes from the September 8, 2015, County Council meeting.

PROCLAMATION #15-08, BREAST CANCER AWARENESS MONTH

2. On the motion of Councilman Davis, seconded by Councilman Hearn, Council voted unanimously to adopt Proclamation #15-08, proclaiming October 2015 as Breast Cancer Awareness Month in Dorchester County.

REFINANCING OF 2006 WATER AND SEWER REVENUE BONDS

3. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to give 3rd Reading and final approval of an Eighth Supplemental Ordinance Providing for the Issuance and Sale of Dorchester County, South Carolina, Waterworks and Sewer System Revenue Refunding Bonds, Series 2015, in the Principal Amount of Not Exceeding \$27 Million; Prescribing the Form and Details of Such Bonds; and Other Matters Relating Thereto.

RESOLUTION #15-13: RANDOLPH TRUCKING

Chairman Chinnis struck the gavel, opening the Public Hearing. He called on Mr. Ward to describe the item. Mr. Ward said the County received a request from Randolph Trucking, LLC, which has a facility in Ridgeville. Randolph Trucking would like to receive low-interest, Qualified Energy Conservation Bonds through the SC Saves program to purchase four more compressed natural gas (CNG) trucks for use at the Dorchester County facility. This endorsement is required by the state, but this is not debt issued by the County, said Mr. Ward. The debt is issued by the South Carolina Jobs Economic Development Authority to promote further job growth by allowing Randolph Trucking to replace diesel trucks with natural gas trucks. The Chairman invited the public to come forward to speak on this issue. Ms. Bangle asked for confirmation that this would not cost the local taxpayer any money. In the absence of any additional requests to speak, Chairman Chinnis struck the gavel, closing the Public Hearing.

4. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to adopt Resolution #15-13, in Support of the Issuance by the South Carolina Jobs-Economic Development Authority of Its Qualified Energy Conservation Bonds, Pursuant to the Provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina, As Amended, in the Aggregate Principal Amount Not to Exceed \$1 Million.

CORRESPONDENCE: Mr. Ward announced that the County received two checks totaling \$469,000 refunded from the Rural Infrastructure Authority for the monies Council had advanced for the Harleyville Reach. Those monies will be deposited back into the Water Impact Fee account, he said.

GUEST: MRS. TAMMY SULLIVAN, DORCHESTER COUNTY CONTROLLER

Mrs. Sullivan presented the August 2015 budget report.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

REZONING REQUEST #710 AND REZONING REQUEST #711

5. On the motion of Councilman Bailey, seconded by Councilman Hearn, Council voted unanimously to give 3rd Reading and final approval of the following two rezoning requests:
 - Rezoning Request #710 for Chris M. Garcia to rezone 3.08 acres at 171 Mellichamp Road from Single-Family Residential – Manufactured Housing District (R1M) to Industrial District (I), TMS #129-07-00-001
 - Rezoning Request #711 for Clary C. Gambrell to rezone 7.8 acres at 314 Orangeburg Road from Multi-Family Residential District (R4) to Single-Family Residential – Manufactured Housing District (R1M), TMS #152-00-00-142.

PARKS AND RECREATION INTERNSHIP

6. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to approve the creation of an internship position to assist the Parks and Recreation Department.

COMMITTEE REPORTS

CHAIRWOMAN DUNCAN – PLANNING, DEVELOPMENT AND BUILDING COMMITTEE

Chairwoman Duncan announced that the Committee met at 6 p.m. with four items on the agenda. The first item was a public hearing and recommendation for second reading of an ordinance proposing changes to the Ashley River Historic Overlay District. Chairwoman Duncan said the Committee took no action because although Planning Commission has held two workshops on the matter, the Planning Commission has not yet had a chance to vote on the matter. She requested a public hearing and recommendation for second reading at the November 2 meeting in Summerville.

The second agenda item was a request for additional space in the Dorchester County Offices Annex by the Dorchester County Archives and History Center. She reported that new information came to Committee members over the weekend. In order to do what is best for the taxpayers, the County and the History Center, she said the Committee voted unanimously to adjourn debate until October 5.

The third item was a Planning Commission Recommendation on Voluntary Agricultural Districts. Chairwoman Duncan said this item has been sitting in Committee since February 2013. The Committee voted unanimously to recommend Council remove this item from Committee.

7. On the recommendation of the Committee, Council voted unanimously to remove from Committee the Planning Commission Recommendation on Voluntary Agricultural Districts.

The fourth item was a Planning Commission Recommendation on the Rural Zoning Strategy, which also was put in Committee in February 2013. Chairwoman Duncan said, with Volvo coming into Berkeley County, Dorchester County is in a position to be affected as well, and this zoning strategy needs to be revisited. The Committee voted unanimously to recommend Council refer the item back to the Planning Commission for updates and a recommendation back to Council, said Chairwoman Duncan.

8. On the recommendation of the Committee, Council voted unanimously to refer the item known as Planning Commission Recommendation on the Rural Zoning Strategy back to the Planning Commission for updates and a recommendation back to Council.

CHAIRMAN CHINNIS – WATER AND SEWER COMMITTEE

Chairman Chinnis said the Committee met at 6:45 p.m. and approved two items.

9. Council voted unanimously to approve a request for new sewer service by Travis and Linda Lee for 235 Whippoorwill Drive in the Whippoorwill Subdivision, TMS #143-15-00-030.
10. Council voted unanimously to approve the purchase of equipment for Elder Valve (EV) Crew with cash on hand.

APPOINTMENTS TO BOARDS AND COMMISSIONS: There were no appointments.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

EXECUTIVE SESSION

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

- Contractual Matter

– Supply Agreement between Sonoco Recycling, LLC, and Dorchester County, South Carolina

11. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to enter into Executive Session at approximately 7:33 p.m. to discuss the previously stated matters.

RECONVENE FROM EXECUTIVE SESSION

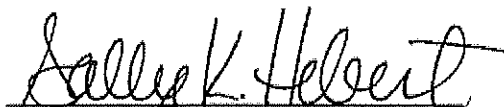
At approximately 7:42 p.m., the County Attorney reported that Council discussed the previously announced items, but no action was taken.

12. On the motion of Councilman Byars, seconded by Councilman Davis, Council voted unanimously to authorize the County Administrator to execute the Supply Agreement for recyclable materials with Sonoco Recycling, LLC.

During discussion, Chairman Chinnis announced that the recycling center in Charleston has closed. What Dorchester County is doing now is changing the way recyclables will sorted at the County convenience centers. Dorchester County will continue to recycle via Sonoco. It will cost the County more, but it is the right thing to do, he said.

ADJOURNMENT

13. On the motion of Councilman Davis, seconded by Councilman Bailey, Council voted unanimously to adjourn at approximately 7:43 p.m.


Sally K. Hebert, Clerk to Council