

MINUTES
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
JUNE 19, 2006
7:01 P.M.

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

PRESENT: Mr. Skip Elliott - Chairman
Mr. Larry Hargett–Vice Chairman
Mr. Chris Murphy
Mr. Kenneth F. Waggoner
Mr. Willie Davis
Mr. Richard Rosebrock
Mr. Mike Murphree
Mr. Jason Ward–County Administrator
Mr. Charles Potts–Deputy Administrator
Mr. John Frampton–County Attorney
Mrs. Sandy Lawley–Clerk to Council

Chairman Elliott called the meeting to order and Councilman Hargett gave the Invocation.

PUBLIC ADDRESS TO COUNCIL

Chairman Elliott asked if anyone would like to address Council. One person addressed Council.

- Mr. Joe Pye, Superintendent of School District Two, addressed Council and requested that Council support Public Education in Dorchester County and stated the importance of the education system for Economic Development.

Chairman Elliott announced that 3rd Reading of the County Budget would be delayed and a Special Called Council Meeting would be held on Wednesday, June 28, 2006, in Summerville at 5:30 p.m. for that purpose. Chairman Elliott explained the delay was necessary to understand figures and information presented to Council only hours before this meeting.

Councilman Davis addressed Council and the public regarding the importance of public education in the upper part of the County. He stated that education is one of the most important issues for citizens and educators in his district. In addition, he recognized individuals in attendance from School District Four, along with parents and students. Councilman Davis stated that it is always cheaper to educate than to incarcerate.

ADOPTION OF MINUTES JUNE 5, 2006 COUNTY COUNCIL MEETING

1. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to adopt the Minutes from the County Council Meeting held on June 5, 2006.

**PUBLIC HEARING SALE OF PROPERTY 24.81 ACRES HIGHLAND
(SHADY LANE)**

Chairman Elliott opened the Public Hearing regarding the sale of approximately 24.81 acres of highland on Shady Lane.

Hearing no public comment, the Public Hearing was closed.

**MOTION FOR SALE OF REAL PROPERTY 24.81 ACRES HIGHLAND
(SHADY LANE)**

2. On the motion of Mr. Murphree, seconded by Murphy, Council voted unanimously to approve the sale of approximately 24.81 acres of highland, which is a portion of TMS No. 153-00-00-110, for the sum of \$518,000.00, to L.I. Investment Group, LLC. This is a portion of the property which was donated to Dorchester County and of which a portion was set aside for the use of Children in Crisis, by Westvaco Development Corporation.

CORRESPONDENCE

Mr. Ward gave Council the "Givhans Fire District Referendum" results. The results are as follows: Option 1—107 votes for Dorchester County Council to operate and be able to contract for services, Option 2—47 votes for Dorchester County Council to appoint a 5-member commission to operate the fire district, Option 3—17 votes for I have no preference and leave the decision to Dorchester County.

CORRESPONDENCE

In addition, Mr. Ward informed Council of a successful rescue that occurred on Wednesday, May 30, involving two of our Emergency Medical Services employees, Lindsay Krakeel and Paul Krakeel. They were sitting by the pool in Wescott Plantation when a four-year-old male, Jahmal Haynes was pulled from the bottom of the pool by bystanders. Jahmal was unconscious and without pulse or respirations. Paul and Lindsay radioed for assistance and began CPR. After approximately 2 minutes of CPR, the victim regained a pulse and began to breathe. Shortly thereafter, the patient regained consciousness. Medic 2 transported him to MUSC and he was discharged on May 31. Mr. Ward stated ‘I want to thank Paul and Lindsay Krakeel for their good work and all of our dedicated folks in EMS and public safety.’

COUNTY ADMINISTRATOR’S TIME – MR. JASON WARD

3RD READING OF THE DORCHESTER COUNTY FY 2006-2007 BUDGET

As stated earlier, this item was deferred until June 28, 2006.

1ST READING ORDINANCE AUTHORIZING TAX ANTICIPATION NOTES NOT EXCEEDING \$7,500,000

3. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to give first reading to an Ordinance Authorizing Tax Anticipation Notes not exceeding \$7,500,000. The purpose of this ordinance is to ensure sufficient cash flow until we receive our real property taxes in January.

REIMBURSEMENT RESOLUTION FOR WATER & WASTEWATER PROJECTS

4. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to adopt Reimbursement Resolution #06-16 for Water & Wastewater Projects not to exceed \$90 million. This resolution allows the County to be reimbursed by bond proceeds for cost incurred prior to the project issuance.

1ST READING ORDINANCE AMENDING STORMWATER ORDINANCE #02-10 (UTILITY FEE)

5. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to give 1st Reading to an Ordinance Amending Stormwater Ordinance #02-10 (Utility Fee) and to place it in the Public Works, Property, and Utilities Committee for further consideration.

**3RD READING - DEVELOPMENT AGREEMENT BETWEEN
DORCHESTER COUNTY AND BEAZER HOMES CORPORATION
(DRAKESBOROUGH) AND CALCOTE PROPERTIES, LLC**

6. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted six in favor and one opposed to give 3rd Reading to the development agreement between Dorchester County and Beazer Homes Corporation (Drakesborough) and Calcote Properties, LLC.

Councilman Rosebrock opposed.

**3RD READING - DEVELOPMENT AGREEMENT BETWEEN
DORCHESTER COUNTY AND (WENTWORTH HALL, LLC) LENNAR
CAROLINAS, LLC**

7. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted six in favor and one opposed to give 3rd Reading to the development agreement (final draft approved by the County Attorney) between Dorchester County and Lennar Carolinas, LLC.

Councilman Rosebrock opposed.

COMMITTEE REPORTS

PUBLIC WORKS, PROPERTY & UTILITIES

ROAD PETITION FOR COCKADOO FARM ROAD

Chairman Murphree reported that the Committee tabled this request and placed it in the Committee until the issue regarding subdividing the property by the owners with a TMS number for each parcel is resolved.

PUBLIC WORKS IMPROVEMENT ACT PROJECT

8. Chairman Murphree reported that the Committee is looking at the creation of the boundaries of a Special Assessment District, identifying the improvement, such as expanding Orangeburg Road into a four-lane highway. The Committee recommended this item remain in Committee for further study. The County Attorney stated that an Ordinance must be developed, identifying the improvements. Council voted unanimously in favor of the recommendation.

PUBLIC SAFETY, HEALTH AND HUMAN SERVICES
FUNDING REQUEST TOWN OF HARLEYVILLE

9. Chairman Hargett reported that the Committee voted unanimously to recommend funding in the amount of \$15,000 for the Town of Harleyville to build a picnic shelter and restroom facilities at the Harleyville Community Park. The recommended funding to come from the County Council Contingency Fund. Council voted unanimously in favor of the recommendation.

APPOINTMENTS TO BOARDS AND COMMISSIONS
DORCHESTER COUNTY FORESTRY BOARD

10. On the motion of Mr. Waggoner, seconded by Mr. Hargett, Council voted unanimously to recommend to the State Forestry Commission the reappointment of Mr. Walter Myers, to the Dorchester County Forestry Board.

DORCHESTER COUNTY LOW COUNTRY RESOURCES,
CONSERVATION & DEVELOPMENT AUTHORITY

11. On the motion of Mr. Waggoner, seconded by Mr. Hargett, Council voted six in favor and one abstention to recommend to the Governor the reappointment of Mr. Walter Myers, Jr., to the Dorchester County Low Country Resources, Conservation & Development Authority.

TRIDENT TECHNICAL COLLEGE AREA COMMISSION

12. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to recommend to the Governor the reappointment of Mr. Rutherford P.C. Smith to the Trident Technical College Area Commission.

THE TRIDENT WORKFORCE INVESTMENT BOARD

13. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to reappoint the following individuals to The Trident Workforce Investment Board: Mr. Jim Friar, Mr. Terry Kinder, Mr. Earl Caps and Mr. Greg Walls.

DORCHESTER COUNTY LIBRARY BOARD

14. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted unanimously to appoint of Mrs. Carolyn Baker to the Dorchester County Library Board.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON
RESOLUTION CALLING FOR A PUBLIC HEARING TO BE HELD UPON
THE QUESTION OF THE ALTERATION OF BOUNDARIES OF
DORCHESTER COUNTY WATER AUTHORITY AND PUBLICATION OF
A HEARING

15. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to adopt Resolution # 06-17 calling for a Public Hearing to be held upon the question of the alteration of boundaries of the Dorchester County Water Authority and the publication of a Public Hearing notice. Upon adoption of this Resolution, the Public Hearing will be scheduled for July 10, 2006, at the Council Meeting in Summerville at 7:00 p.m.

REQUEST FOR EXECUTIVE SESSION

The County Attorney made a request to Council to enter into Executive Session to receive legal advice on a proposed lease between Charleston Commissioners of Public Works and Dorchester County and a potential condemnation. In addition, to discuss a contractual matter between Dorchester County and Carolina Water Service and to receive information concerning several confidential economic development projects.

EXECUTIVE SESSION

16. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to enter into Executive Session.

RECONVENE FROM EXECUTIVE SESSION 8:20 P.M.

The County Attorney reported that in Executive Session Council received legal advice on a proposed lease agreement with Charleston Commissioners of Public Works and a potential condemnation. In addition, Council discussed a contractual matter between dealing with Carolina Water Service and discussed three confidential economic development projects. No action was taken on any of the items.

POTENTIAL CONDEMNATION

17. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted four in favor, two opposed and one abstention, for Council to authorize the County Attorney to start condemnation proceedings on the Eckles property.

Councilmen Waggoner and Davis opposed and Councilman Murphree abstained.

CAROLINA WATER SERVICE

Chairman Elliott passed the gavel to Vice-Chairman Hargett, to make a motion.

Chairman Elliott stated that on March 20, 2006, County Council voted to acquire the Kings Grant and Teal on the Ashley wastewater systems from Carolina Water Service for the sum of \$1,725,000.00. Since that time, through negotiations with Carolina Water Service, it was discovered that there are additional wastewater customers in Plantation Ridge subdivision and there are 34 water customers in Teal on the Ashley subdivision, which the Public Works Director believes, would be in both parties interest to purchase as well. Carolina Water Service is willing to include these sewer and water customers in its conveyance to Dorchester County.

18. On the motion of Mr. Elliott, seconded by Mr. Murphy, Council voted unanimously in favor of Dorchester County's prior offer to purchase the wastewater systems in Kings Grants and Teal on the Ashley subdivisions, revised to include the wastewater customers in Plantation Ridge subdivision, as well as the water customers in Teal on the Ashley subdivision. The purchase price, including these new customers is \$1,791,700.00. Further, Council authorized the County Administrator to execute the Asset Purchase Agreement and any other documents necessary to consummate this transaction with Carolina Water Service, Inc.

ADJOURNMENT

19. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to adjourn. Time of Adjournment 8:35 P.M.

Sandy Lawley, Clerk to Council