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COUNTY ADMINISTRATOR

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CLERK TO COUNCIL



JAMIE FELTNER

CHRISTOPHER J. MURPHY

MIKE MURPHREE

RICHARD ROSEBROCK

KENNETH WAGGONER

COUNTY COUNCIL OF DORCHESTER COUNTY

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MINUTES

DORCHESTER COUNTY COUNCIL KENNETH F. WAGGONER SERVICES CENTER COUNCIL CHAMBERS, ST. GEORGE

FEBRUARY 4, 2008

7:00 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. Larry Hargett – Chairman
Mr. Willie Davis – Vice Chairman
Mr. Kenneth F. Waggoner
Mr. Chris Murphy
Mr. Mike Murphree
Mr. Jamie Feltner
Mr. Richard Rosebrock
Mr. Jason Ward – County Administrator
Ms. Ashley Jacobs – Deputy County Administrator
Mr. John Frampton – County Attorney
Mrs. Sandy Lawley – Clerk to Council

Chairman Hargett called the meeting to order, and Mr. Ward gave the Invocation.

REQUEST TO ADDRESS COUNCIL

Chairman Hargett asked if anyone would like to address Council. The following citizens replied.

- Ms. Margaret Goodwine addressed Council regarding the paving of Summers Drive.
- Ms. Agnes Morrison addressed Council regarding the appointments by Council Members to Boards and Commissions.

- Mr. Phillip Ford addressed Council regarding the request for permit fee waivers. Item placed in the Sewer and Water Committee by the Chairman.
- Mr. Robbie Robbins addressed Council regarding Children in Crisis and expressed his thanks to Council for their support of this non-profit organization.

ADOPTION OF MINUTES FROM THE JANUARY 22, 2008

1. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to adopt the Minutes from the January 22, 2008, County Council Meeting.

**PUBLIC HEARING AND 2ND READING FOR A PROPOSED
ORDINANCE AMENDING THE DORCHESTER COUNTY ORDINANCE
#07-29, TO INCLUDE THE APPLICABILITY THEREOF TO
RESIDENTIAL MULTI-FAMILY DEVELOPMENT AND TO PROVIDE
FOR ADDITIONAL EXCLUSIONS**

Chairman Hargett opened the Public Hearing to receive public comments on an Ordinance “Amending the Dorchester County Ordinance #07-29, to include the Applicability thereof to Residential Multi-Family Development and to Further Provide for Additional Exclusions from the Applicability of the Ordinance”. Two citizens addressed Council, one in favor of the Ordinance and another spoke with regard to the Ordinance concerning restrictions placed on heirs’ property.

Hearing no further comments, Chairman Hargett closed the Public Hearing.

2. Mr. Feltner motioned, seconded by Mr. Rosebrock, to give 2nd Reading to the proposed Ordinance, Amending the Dorchester County Ordinance #07-29, to include the Applicability thereof to Residential Multi-Family Development and to Further Provide for Additional Exclusions From the Applicability of the Ordinance.

3. Mr. Waggoner motioned to amend the main motion, Mr. Murphree seconded it, Council voted four in favor, and three opposed, to amend the proposed Ordinance to include the addition to exclude heirs’ property from this proposed Ordinance.

Council Members Rosebrock, Feltner and Hargett opposed.

4. Mr. Murphree motioned, seconded by Mr. Rosebrock, and Council voted six in favor and one opposed, to give 2nd Reading to the proposed Ordinance, “Amending the Dorchester County Ordinance #07-29, to include the Applicability thereof to Residential Multi-Family Development and to Further Provide for Additional Exclusions from the Applicability of the Ordinance” as amended.

Councilman Murphy opposed.

**COUNTY ACCEPTANCE OF THE FOLLOWING STATE ROADS:
PARLOR DRIVE (S-259), OLD FORT ROAD (S-662), HAROLD ROAD (S-749), HOLBROOK DRIVE (S-750), RONALD DRIVE (S-751), OLD FORT ROAD (S-748)**

Chairman Hargett introduced Mr. Lester Dempsey, member of the Dorchester County Transportation Committee, and Mr. Donnie Dukes with Davis and Floyd, Project Manager for the One Cent Sales Tax Transportation Authority, to address Council on this requested project. Mr. Dempsey and Mr. Dukes explained the reason for the request and the potential savings on the widening projects.

5. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted six in favor, and one absent, to refer this item to the Public Works, Property, and Utilities Committee for further consideration regarding the County's acceptance of the following State Roads: Parlor Drive (S-259), Old Fort Road (S-662), Harold Road (S-749), Holbrook Drive (S-750), Ronald Drive (S-751), Old Fort Road (S-748). It was stated that this item would be discussed at the next scheduled Public Works, Property, and Utilities Committee Meeting.

Councilman Waggoner was absent when this vote was taken.

CORRESPONDENCE

The County Administrator informed Council that the County received notification from Holcim (Cement) that the name of Energis, LLC has been changed to Geocycle, LLC. This Dorchester County company provides fuel to Holcim in Holly Hill.

The County Administrator informed Council that the County received notification from the South Carolina Department of Health and Environmental Control, Bureau of Land and Waste Management, Division of Mining and Solid Waste Management, reference the issuance of a General Mine Operating Permit. This requires any comments or inquiries by February 19, 2008. The proposed location is approximately .5 mile southeast of Harleyville, SC and more specifically located .9 mile southeast of junction S-18-248 (Salem Road), and S-18-25 (Zion Road).

The County Administrator informed Council that the County received notification from the South Carolina Department of Health and Environmental Control, Bureau of Land and Waste Management, Division of Mining and Solid Waste Management, in reference to the issuance of a General Mine Operating Permit (GP1-001821) for Paragon Development, LLC, Crown Castle Mine, Dorchester County (062-00-00-017). The proposed mine location is in Dorchester County approximately 2 miles southeast of Harleyville. The site is located .7 miles west-northwest of the junction of US Highway 178, and SC Secondary Highway S18-139 (Taylor Pond Road).

GUESTS

DR. KAY PHILIPS, DORCHESTER CHILDREN IN CRISIS

Dr. Kay Philips presented the accomplishments and gave an update on Dorchester Children in Crisis for 2007. Council was provided with a report, "Children in Crisis Update 2007". In addition, Dr. Phillips thanked Council for all of their support.

PUBLIC DEFENDER'S OFFICE

The Public Defender's Office chose not to address Council at tonight's meeting.

Chairman Hargett recognized Representative Patsy Knight and Senator John Matthews.

MR. LEE MOULDER, FINANCE DIRECTOR

Mr. Moulder presented the response to "FY07 Annual Audit Findings and Management Letter". He provided the plan of action that was in progress to address the concerns raised in the audit. He assured Council that all items would be addressed.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

**3RD READING FOR ORDINANCE #08-04, AMENDING THE
DORCHESTER COUNTY ROAD MAINTENANCE ORDINANCE #97-12
PERTAINING TO THE STANDARDS FOR MAINTAINING EXISTING
ROADS**

6. On the motion of Mr. Davis, seconded by Mr. Murphree, Council voted unanimously to give 3rd Reading for Ordinance #08-04, Amending the Dorchester County Road Maintenance Ordinance #97-12 Pertaining to the Standards for Maintaining Existing Roads. This amendment adds the requirement of having 8 inches of base course, inspection by Public Works, and a minimum dedication of 20 feet of right-of way before a road is accepted for County maintenance.

SHERIFF'S REQUEST TO PURCHASE OTHER CAR MODELS

7. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to deny the request of the Sheriff's Office to reconsider purchasing Dodge Charger patrol units instead of Ford Crown Victoria patrol units. Based upon staff's review of this request, it was recommended that the county continue to purchase Crown Victoria patrol units budgeted in the Vehicle Replacement Plan.

COUNTY ADMINISTRATOR'S TIME- CONTINUED

**APPROVAL OF LAW ENFORCEMENT MUTUAL AID AGREEMENTS
BETWEEN DORCHESTER AND CHARLESTON COUNTIES AND
DORCHESTER AND COLLETON COUNTIES**

8. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously for the approval of Law Enforcement Mutual Aid Agreements between Dorchester County and Charleston County, and Dorchester County and Colleton County.

**REQUEST FOR 1ST READING FOR THE FOLLOWING REZONING
REQUESTS:**

9. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to give 1st Reading to Rezoning Requests #554, 574, 575, 576, 577, 578, 579, 580, and 581, and to refer these requests to the Planning, Development, and Building Committee for further consideration.

**Rezoning Request #554, Joe & Virginia Von Dohlen, TMS #172-15-15-009
Rezoning Request #574, BFH Builders LLC; TMS #'s 135-12-02-016, 135-12-02-017, 135-12-02-018, 135-12-02-019, 135-12-02-020, 135-12-02-021 135-12-02-022, 135-12-02-023, 135-12-02-024, 135-12-02-025, 135-12-02-026, 135-12-02-027, 135-12-02-028 -
Rezoning Request #575, Dr. Allen Blalock; TMS #008-00-00-085,
Rezoning Request #576, John Payne; TMS #153-14-01-088
Rezoning Request #577, John Payne; TMS #153-14-01-089
Rezoning Request #578, Arthur Bryngelson, TMS #153-00-00-056
Rezoning Request #579, Daniel A. Ricigliano, Jr.; TMS #161-04-01-009
Rezoning Request #580, Randam Properties, LLC; TMS #'s 200-00-00-015 & 200-00-00-016
Rezoning Request #581, Elliot Locklair, Locklair Consulting, TMS #'s 122-00-00-149, 122-00-00-150 & 122-00-00-151**

**REZONING REQUEST #583, DORCHESTER COUNTY COUNCIL, TMS
#129-15-01-009**

10. On the motion of Mr. Murphree, seconded by Mr. Murphy, Council voted five in favor, one opposed, and one abstention, to deny 1st Reading to Rezoning Request #583, Dorchester County Council, TMS #129-15-01-009.

Councilman Waggoner abstained.

COUNTY ADMINISTRATOR'S TIME- CONTINUED

**PLANNING COMMISSION RECOMMENDATION ON PROPOSED
MINING ORDINANCE**

11. On the motion of Mr. Murphy, seconded by Mr. Feltner, Council voted unanimously to follow the Planning Commission's recommendation for County Council to appoint an Ad-hoc Committee, with Council, the Planning Commission and mining and DNR representatives, but to refer this item to the Planning, Development and Building Committee first to look at the Rules of Council regarding the makeup of Ad-hoc Committees appointed by Council.

**ADOPTION OF RESOLUTION #08-04 "REIMBURSEMENT
RESOLUTION FOR E911 LEASE"**

12. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to adopt Resolution #08-04, "Reimbursement Resolution for E911 Lease". This Reimbursement Resolution allows the General Fund to be reimbursed with lease proceeds. County Council has approved this project and the PSAP (public safety answering point) is now operable.

COMMITTEE REPORTS

**CHAIRMAN MIKE MURPHREE, PUBLIC WORKS, PROPERTY AND
UTILITIES COMMITTEE**

COUNTY ROAD MAINTENANCE PETITION FOR WINGER LANE

Chairman Murphree reported that the Committee discussed the request concerning the County Road Maintenance Petition for Winger Lane. Chairman Murphree stated that the Committee tabled the item and it would stay in the Committee for further consideration.

STRIPING OF ROADS IN SUMMERSET ACRES

Chairman Murphree reported that the Committee received an update on the striping of roads in Summerset Acres.

**PUBLIC WORKS, PROPERTY AND UTILITIES COMMITTEE REPORT
CONTINUED**

**PETITION FOR REMOVAL OF STOP SIGNS IN INDIAN SPRINGS
SUBDIVISION**

Chairman Murphree reported that the Committee discussed a petition that the County received for removal of stop signs in Indian Springs Subdivision. He explained that the County installed stop signs at Navaho Boulevard and Mohican Circle. Now, residents in Indian Springs signed a petition to have the signs removed. Chairman Murphree reported that under Ordinance #07-10, the Public Works Department was now authorized and empowered to designate any intersection as a stop intersection. He stated that the Administrator would have the Public Works Director determine if the signs are warranted and act accordingly.

NEW AND OTHER BUSINESS

**RECOMMENDATION FOR 1ST READING OF A PROPOSED
ORDINANCE "MOVEMENT OF MOBILE HOMES IN THE
JURISDICTION OF DORCHESTER COUNTY"**

13. Chairman Murphree reported the Committee's unanimous recommendation was for a proposed Ordinance be drafted by the County Attorney, entitled "Movement of Mobile Homes in the Jurisdiction of Dorchester County", modeled after a Colleton County Ordinance regarding movement of mobile homes. In addition, for this proposed Ordinance to be given 1st Reading and referred back to the Committee for a Public Hearing and further recommendation. Council voted unanimously in favor of the recommendation. Chairman Murphree stated that the Colleton County Ordinance would be used as a model for this proposed Ordinance for Council's review.

MAINTENANCE OF KNIGHT'S AVENUE IN PINE HILL ACRES

Chairman Murphree reported that the Committee had requested staff to get additional information regarding the maintenance of Knight's Avenue in Pine Hill Acres, and for this item to be addressed at the next Public Works, Property, and Utilities Committee meeting.

YERBY ROAD

Chairman Murphree stated that the Committee discussed the request for maintenance of Yerby Road, and it would be addressed at the next Public Works, Property, and Utilities Committee meeting.

Chairman Hargett passed the gavel to Vice Chairman Davis, and then gave his Committee report.

**CHAIRMAN LARRY HARGETT, WATER AND SEWER COMMITTEE
NEW HIGH SCHOOL WATER LINE AND PUMP STATION**

Chairman Hargett reported that the Water and Sewer Committee discussed the new high school water line and pump station, and both projects are on track. The County was able to save \$57,000 by going with a water line instead of wells. He stated this was for Council's information only and no action was required.

**RECOMMENDATION FOR APPROVAL OF THE CATHEDRAL OF
PRAISE WATER LINE PROJECT**

14. Chairman Hargett reported that the Water and Sewer Committee discussed this issue and the Committee's recommendation to Council was for approval of the Cathedral of Praise water line project. He stated that staff also recommends this project. Council voted unanimously in favor of the recommendation.

**RECOMMENDATION FOR APPROVAL OF WASTEWATER SERVICE
FOR MCKEWN PLANTATION PHASE 13 CENTEX HOMES**

15. Chairman Hargett reported that the Water and Sewer Committee's recommendation to Council was for approval to provide wastewater service for McKewn Plantation, Phase 13 Centex Homes. He stated that the capacity was available and staff recommended serving this 47 home project in the City of North Charleston, off Patriots Parkway in Wescott Plantation. Council voted five in favor, and two opposed, on the Committee's recommendation for approval.

Council Members Feltner and Rosebrock opposed.

**RECOMMENDATION FOR APPROVAL OF WASTEWATER SERVICE
FOR PALMETTO PARK APARTMENTS**

16. Chairman Hargett stated that the Water and Sewer Committee's recommendation to Council was for approval to provide wastewater service for Palmetto Park Apartments. He stated that the capacity was available and staff recommended serving this 209 unit apartment complex in the City of North Charleston near Dorchester Road and Park Forest Parkway. Council voted five in favor, and two opposed, on the Committee's recommendation.

Council Members Feltner and Rosebrock opposed.

Vice Chairman Davis passed the gavel back to Chairman Hargett.

APPOINTMENTS TO BOARDS AND COMMISSIONS

DORCHESTER COUNTY LIBRARY BOARD

17. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to reappoint Mr. James G. Moore to the Dorchester County Library Board.

DORCHESTER COUNTY BOARD OF ZONING APPEALS

18. On the motion of Mr. Rosebrock, seconded by Mr. Feltner, Council voted five in favor, and two opposed, to appoint Mr. James D. McGraw to the Dorchester County Zoning Board of Appeals.

Council Members Murphy and Murphree opposed.

DORCHESTER COUNTY LIBRARY BOARD

19. On the motion of Mr. Feltner, seconded by Mr. Murphy, Council voted unanimously to reappoint Mr. Jim Neal to the Dorchester County Library Board.

DORCHESTER COUNTY LIBRARY BOARD

20. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to appoint Ms. Linda Enzor to the Dorchester County Library Board.

Mr. Ward also noted several additional appointments that are needed when Council is ready to make the appointments.

COUNTY ATTORNEY'S TIME
REQUEST FOR EXECUTIVE SESSION

The County Attorney made a request for Council's consideration to enter into executive session to discuss several confidential economic development prospects, to receive legal advice concerning an insurance claim, and to discuss a contractual matter concerning Quail Arbor Drainage/Everett Knight.

EXECUTIVE SESSION 8:15 P.M.

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

RECONVENE FROM EXECUTIVE SESSION 10:15 P.M.

The County Attorney reported that in Executive Session, Council discussed three confidential economic development prospects, received legal advice concerning a pending insurance claim, and discussed a contractual matter dealing with Mr. Knight and the Quail Arbor drainage, and no actions were taken on any of these items.

OPTION III (REVISED) REFERENCE A PUMP STATION

22. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted six in favor, and one absent, to authorize the County Administrator to move forward with Option III, the revised option, regarding the upgrade of pump station #4, as outlined in the "Technical Memorandum" from BP Barber, dated January 31, 2008.

Councilman Waggoner was absent.

ADJOURNMENT 10:20 P.M.

23. On the motion of Mr. Murphy, seconded by Mr. Feltner, Council voted six in favor and one absent, to adjourn.

Councilman Waggoner was absent.

Sandy Lawley, Clerk to Council