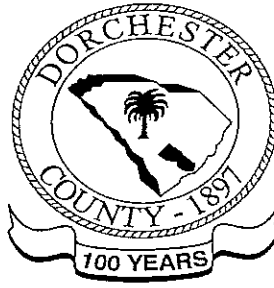


JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGET
BILL HEARN, JF
CHRISTOPHER J. MURPH
RICHARD ROSEBROCK
KENNETH WAGGONER

COUNTY COUNCIL OF DORCHESTER COUNTY

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MINUTES
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JANUARY 20, 2009
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. Jamie Feltner– Chairman
Mr. Chris Murphy
Mr. Richard Rosebrock
Mr. William (Bill) Hearn
Mr. Larry Hargett
Mr. Kenneth F. Waggoner
Mr. Jason Ward – County Administrator
Mrs. Ashley McDonald – Deputy County Administrator
Mr. John Frampton – County Attorney
Mrs. Sandy Lawley – Clerk to Council
ABSENT: Mr. Willie Davis – Vice Chairman

Chairman Feltner called the meeting to order and Councilman Rosebrock gave the Invocation.

REQUESTS TO ADDRESS COUNCIL

Chairman Feltner asked if anyone would like to address Council, and no citizens replied.

ADOPTION OF MINUTES JANUARY 5, 2009, COUNTY COUNCIL MEETING

1. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted six in favor, and one absent, to adopt the Minutes from the January 5th, 2009, County Council Meeting.

Councilman Davis was absent.

Chairman Feltner appointed Mr. John Frampton, County Attorney, as Parliamentarian for Dorchester County Council.

CORRESPONDENCE

The County Administrator informed Council of a memo from Mary Pearson, Dorchester County Treasurer, and Brenda Nix, Dorchester County Auditor, regarding "General Fund Budget Reduction for Salary Supplements". The Treasurer and Auditor wanted to bring to County Council's attention that the S. C. General Assembly's across the board cut of the state budget would result in a total pay reduction of \$2,806.20 for the remaining 12 pay periods. The Administrator identified funds totaling \$5,612.40 to make the Treasurer's and Auditor's salaries whole through the end of the current fiscal year.

2. On the motion of Mr. Waggoner, seconded by Mr. Murphy, Council voted six in favor, and one absent, to place the funding for the Treasurer's and Auditor's salaries through the end of the current fiscal year in the Budget, Finance, and Purchasing Committee.

Councilman Davis was absent.

In addition, the County Administrator informed Council of an annexation notice that the County received from the City of North Charleston. The City annexed TMS# 181-00-00-021 with a zoning classification of B-2 (General Business District) on December 23, 2008. This is a 1.34 acre on the south side of Dorchester Road just past Ashley Phosphate between Park Forest Parkway and Indigo Fields.

The Administrator informed Council that the Lower Orangeburg Upper Dorchester Community Development Corporation is offering training on "Rural Entrepreneurship through Action Learning (REAL)" in conjunction with Orangeburg-Calhoun Technical College. The second session will be March 9, through April 27, 2009 at Lake Marion High School on Monday evenings.

CORRESPONDENCE CONTINUED

In addition, the Administrator informed Council that the U.S. Census Bureau is seeking qualified applicants to fill 15,000 positions to assist them with the 2010 census and interested parties should go to their website www.2010censusjobs.gov or call 1-866-861-2010.

Mr. Ward also reported that the County received a letter from Mr. Chris Kerrigan, President of the Trident United Way, thanking County employees for pledging \$10,751 and for being so generous.

MOTION TO AMEND THE AGENDA TO DISCUSS 2ND READING TO THE PROPOSED ORDINANCE, "AN ORDINANCE TO AMEND DORCHESTER COUNTY FISCAL YEAR 2008-2009 BUDGET ORDINANCE #08-08 TO REDUCE THE ANNUAL SALARY OF MEMBERS OF DORCHESTER COUNTY COUNCIL FROM \$20,000 PER ANNUM TO \$15,000 PER ANNUM"

3. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted three in favor, three opposed, and one absent, to amend the agenda and to discuss the proposed Ordinance, "An Ordinance To Amend Dorchester County Fiscal Year 2008-2009 Budget Ordinance #08-08, To Reduce the Annual Salary of Members of Dorchester County Council from \$20,000 per Annum to \$15,000 per Annum." (Motion failed)

Council Members Waggoner, Feltner and Rosebrock opposed, and Councilman Davis was absent.

GUESTS

Mrs. Carolyn Tomlinson, Director of Recycling and Education/Director of Keep Dorchester County Beautiful made a presentation of five National Awards from Keep America Beautiful to Council. The awards are as follows: Government Agency- 1st Place Waste Reduction; Cigarette Litter Prevention Program, 2nd Place; Great American Cleanup Sponsorships; President's Circle Award; and Mrs. Carolyn Tomlinson won the Keep America Beautiful Professional Leadership Award. This is KAB's highest professional honor, given annually to KAB affiliates Directors, who have built and sustained outstanding success in their field. Those honored have furthered the goals of KAB by developing training initiatives, establishing model programs, fostering long-term partnerships between the public and private sectors. Deputy County Administrator, Mrs. Ashley McDonald, read a statement from Ms. Sarah Robinson, Director of Keep South Carolina Beautiful/Palmetto Pride, who could not attend due to inclement weather.

GUESTS - CONTINUED

Mr. Lee Moulder, Director of Budget and Finance, presented Council with the December 2008 Budget Report. He stated that the Solid Waste and Stormwater fees are billed on the real property tax bills, which were due January 15, and once the revenues are receipted from the real property taxes coming in, staff will have a better idea of where the county stands on General Fund, Solid Waste Fund, and Stormwater Fund revenues. Mr. Moulder took questions from Council and stated he would have more information at the next County Council meeting.

Mr. Bert Lynn, and Ms. Renee Robinson, of HadenStanziale, who are a part of the consulting team working on the Dorchester County Parks and Recreation Master Plan, appeared before Council and gave a power-point presentation on the "Preliminary Parks and Recreation Master Plan". The prepared preliminary findings were based upon input from the Public Safety, Health, and Human Services Committee, staff, and citizen survey results. The Preliminary Parks and Recreation Master Plan, included the recreation facilities, inventory, background information, and recreation goals and objectives; a copy of the "Community Interest and Opinion Survey", which was distributed randomly throughout the county in the Fall of 2008, with the full results of the study; and "Conceptual Plans for each of the 5 potential park sites. In addition, Mr. Lynn explained how other surrounding counties operate parks and recreations in their respective counties. This opportunity was provided for County Council and citizens to provide input on the plan before it was finalized. Chairman Feltner asked the audience if they had any questions for the consultants and there was no response.

Mr. Rudy Curtis, Senior Solid Waste Coordinator, B P Barber, addressed Council, and made a power-point presentation regarding the Dorchester County Solid Waste Management Plan and explained the reason for the plan. Mr. Curtis is currently assisting the County with the required update of the County's Solid Waste Management Plan. He discussed the requirements of the plan and the reasons why plans are required to be updated. Mr. Curtis stated what DHEC would be looking for and what they expect to be included in the Dorchester County Solid Waste Management Plan. A final draft is being prepared for County Council's review and consideration for the February 2, 2009, County Council meeting. Prior to adopting the Solid Waste Management Plan update, County Council needs to dissolve the Solid Waste Advisory Council that has been inactive for over a decade. In addition, Mr. Curtis received and answered questions from Council.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

REQUEST FOR FUNDING - FIRST ROBOTICS

4. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted five in favor, one opposed, and one absent, to place the request for \$10,000 from the First Robotics Program in Budget, Finance and Purchasing Committee.

Chairman Feltner opposed, and Councilman Davis was absent.

NON-PROFIT FUNDING REQUEST APPLICATION

5. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted six in favor, and one absent, to approve a Non-profit Funding Request Application, as amended. In an effort to streamline, the non-profit funding requests process and avoid the necessity of approving funding on an ad hoc basis at Council meetings throughout the year. Councilman Murphy's motion included having the application amended by adding a "Disclaimer", stating on the application that application does not guarantee funding, and is contingent upon availability of funds and County Council's approval.

Councilman Davis was absent.

Councilman Waggoner requested the County Administrator to look into the number of years remaining on the schedule of payments to the City of North Charleston for the road, as explained in the Intergovernmental Agreement with the City and Dorchester County.

DISSOLUTION OF SOLID WASTE ADVISORY COUNCIL

Mr. Ward requested County Council to dissolve the Solid Waste Advisory Council with a motion prepared by the County Attorney.

6. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted six in favor, and one absent, by explanation given to Council by the County Administrator, that the Solid Waste Advisory Council, which was required pursuant to Section 44-96-80(N) be abolished and dissolved. The Solid Waste Advisory Council was originally constituted by appointments made to the Council by a motion on May 5, 1992.

Councilman Davis was absent.

FIRST ROBOTICS MOTION AND REQUEST FOR FUNDING

Councilman Murphy stated that after looking at the request and the information provided by the FIRST Robotics Team, he noticed that they had competitions coming up soon, and he did not want the delay on the funding request to interfere with the competition deadlines. Chairman Feltner stated that there were representatives from the FIRST Robotics Team present and asked Mr. Thorpe, who attended in place of Mr. Hank Bennett, Team Leader, if he would like to address Council. Mr. Thorpe explained the program and the deadlines for the funding for the competitions, and stated that if necessary the team could wait for a response to their request.

Chairman Feltner commented that the FIRST Robotics Program was a wonderful program done mostly by volunteers and he wanted to take this opportunity to thank those individuals for their time and skills donated to this program. In addition, he stated that this program was special because it dealt with science and technology, which was something you do not see that often. Chairman Feltner stated that he would entertain a motion to reconsider the funding request if a Councilman wanted to do so at this time, or he would make sure it was on the agenda for the next Council meeting. Councilman Murphy stated that since the FIRST Robotics Program was one of the most worthwhile programs that the County had always supported and contributed to, then he would make a motion to reconsider the action.

7. Mr. Murphy motioned, seconded by Mr. Hearn, to reconsider the motion of placing the request for funding in the amount of \$10,000 from the FIRST Robotics Team in Budget, Finance and Purchasing Committee, and approving the funding from County Council Contingency .

Mr. Hargett and Mr. Rosebrock asked Council to postpone this vote until the Finance Director reports the tax revenues at the next Council meeting.

Mr. Murphy withdrew his motion and Mr. Hearn withdrew his second, and Council agreed to discuss this at the next meeting of Council.

COMMITTEE REPORT

Chairman Feltner passed the gavel to Councilman Murphy in order to give his Committee report.

COMMITTEE REPORT

WATER AND SEWER COMMITTEE REPORT, CHAIRMAN JAMIE FELTNER

REQUEST FOR SEWER AND WATER SERVICE TO SOUTHERN PALMS PHASE 5, TMS #154-00-00-003

8. Chairman Feltner reported that the Committee voted to make a recommendation for Council's approval to provide water and sewer service to Southern Palms Phase 5, identified by TMS #154-00-00-003. Council voted six in favor, and one absent, on the recommendation of the Committee.

Councilman Davis was absent.

REQUEST FOR SEWER AND WATER SERVICE TO WINDSOR HILL APARTMENTS, TMS #172-00-00-028

9. Chairman Feltner reported that the Committee voted to make a recommendation for Council's approval to provide water and sewer service to Windsor Hill Apartments, identified by TMS #172-00-00-028. Council voted four in favor, two opposed, and one absent, on the recommendation of the Committee.

Council Members Feltner, and Rosebrock opposed and Councilman Davis was absent.

Councilman Murphy passed the gavel back to Chairman Feltner.

APPOINTMENTS TO BOARDS AND COMMISSIONS

REAPPOINTMENT OF CHATS POLICY COMMITTEE MEMBER
REAPPOINTMENT OF BCD-COG BOARD MEMBER

For the record, Mr. Waggoner motioned, but he received no second to his motion to appoint Chairman Feltner to the Charleston Area Transportation Study (CHATS) Policy Committee, (along with the reappointment made at the last meeting of Councilman Hargett). This appointment would have replaced Mr. Bill Coxe, who was currently serving on this Committee. In addition, his motion included the appointment of Chairman Feltner to the BCD COG Board, (along with the reappointment made at the last meeting of Councilman Hargett), and the reappointment of Mr. Ralph James and Mr. Matthew Profit. This appointment would replace Mr. Sean Bennett, who was currently serving on this Committee.

APPOINTMENTS TO BOARDS AND COMMISSIONS CONTINUED
REAPPOINTMENT OF CHATS POLICY COMMITTEE MEMBER
REAPPOINTMENT OF BCD-COG BOARD MEMBER

10. Mr. Murphy motioned, and it was seconded by Mr. Hargett, and Council voted five in favor, one opposed, and one absent, to reappoint Mr. Bill Coxe, to the Charleston Area Transportation Study (CHATS) Policy Committee, and to reappoint Mr. Sean Bennett, Mr. Ralph James, and Mr. Matthew Profit to the BCD COG Board.

Councilman Rosebrock opposed and Councilman Davis was absent.

DORCHESTER COUNTY GRIEVANCE COMMITTEE

11. On the motion of Chairman Feltner, seconded by Mr. Murphy, Council voted six in favor, and one absent, to appoint Mrs. Ann Weathers as Chairman Feltner's appointee to the Dorchester County Grievance Committee.

Councilman Davis was absent.

COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON
REQUEST TO AMEND THE AGENDA

The County Attorney requested to amend the agenda to add an item under the County Attorney's Time to discuss under legal advice, a zoning issue.

12. Mr. Murphy motioned, seconded by Mr. Waggoner, to approve the request from the County Attorney to amend the agenda to add an item to executive session to discuss under legal advice, a zoning issue. The Administrator stated that this was to clarify the recommendation from the Sewer and Water Committee.

WATER AND SEWER COMMITTEE -CLARIFICATION FOR THE
RECORD - SOUTHERN PALMS PHASE 5 AND 6 TMS #154-00-00-003

13. Chairman Feltner reported for the record that the Water and Sewer Committee's recommendation for Council's approval was to provide water and sewer service to Southern Palms for Phase 5 and 6, identified by TMS #154-00-00-003. Council voted six in favor and one absent.

Councilman Davis was absent.

Council voted six in favor and one absent on motion #12. Councilman Davis was absent.

**COUNTY ATTORNEY'S TIME-CONTINUED
REQUEST FOR EXECUTIVE SESSION**

The County Attorney made a request for Council's consideration to enter into executive session to discuss two contractual matters, with those being the Courthouse and the proposed park on Bacon's Bridge Road, (property owned by the Lowcountry Open Land Trust), several confidential economic development prospects, and to give legal advice concerning some recommendations for condemnation and a zoning issue.

EXECUTIVE SESSION 8:45 P.M.

14. On the motion of Mr. Hearn, seconded by Mr. Hargett, Council voted six in favor, and one absent, to enter into Executive Session as requested by the County Attorney.
Councilman Davis was absent.

RECONVENE FROM EXECUTIVE SESSION 9:52 P.M.

The County Attorney reported that in Executive Session, Council discussed the items announced prior to going into executive session, and no action was taken.

**DORCHESTER COUNTY SALES TAX TRANSPORTATION
AUTHORITY – CONDEMNATION – BERLIN MYERS PARKWAY**

15. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted six in favor, and one absent, based upon the recommendation of the Dorchester County Sales Tax Transportation Authority, Dorchester County Council moves to proceed with the condemnation of Tract 45, TMS #145-00-00-009, and Tract 74 A, TMS # 144-00-00-070, for the Berlin G. Myers Parkway.

Councilman Davis was absent.

NEW DORCHESTER COUNTY COURTHOUSE CHANGE ORDERS


16. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted six in favor, and one absent, to approve change orders for the Dorchester County Courthouse, identified as Items 1, 2, and 3, from Southeastern Design and Development, Inc., as discussed in executive session and that the "Butterfly Pond" be constructed by the county's own forces and sub-contract labor at a date following completion of the project contract by LCM Contractors.

Councilman Davis was absent.

ADJOURNMENT 9:56 P.M.

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

Councilman Davis was absent.


Sandy Lawley, Clerk to Council