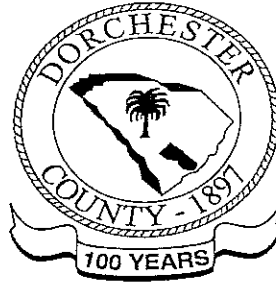


JAMIE FELTNER  
CHAIRMAN

WILLIE DAVIS  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SANDY W. LAWLEY  
CLERK TO COUNCIL



LARRY S. HARGETT  
BILL HEARN, JR.  
CHRISTOPHER J. MURPHY  
RICHARD ROSEBROCK  
KENNETH WAGGONER

## COUNTY COUNCIL OF DORCHESTER COUNTY

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

**MINUTES**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERVILLE**  
**JANUARY 5, 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. Willie Davis – Vice 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

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

Chairman Hargett read a prepared statement and thanked the many people that helped him accomplish his two successful years as Chairman of Dorchester County Council. A copy of his statement is attached to these minutes for the record. (Attachment A)

**ELECTION OF CHAIRMAN OF COUNTY COUNCIL**

Chairman Hargett opened the floor for nominations for Chairman of County Council.

1. Mr. Davis motioned to nominate Mr. Jamie Feltner for Chairman of Council, seconded by Mr. Rosebrock.
2. Mr. Hearn motioned to nominate Mr. Willie Davis for Chairman of Council, seconded by Mr. Murphy.

Mr. Davis declined and requested to have his name removed from the nominations.

Mr. Hearn withdrew his motion and Mr. Murphy withdrew his second.

Chairman Hargett closed the nominations for Chairman of Council.

Chairman Hargett called for the vote on motion #1, election of Mr. Jamie Feltner as Chairman of Dorchester County Council for a period of two years. Council voted four in favor, with three abstentions.

Council Members Hargett, Murphy, and Hearn abstained.

Chairman Feltner took his seat as Chairman of Council.

**ELECTION OF VICE CHAIRMAN OF COUNCIL**

Chairman Feltner opened the floor for nominations for Vice Chairman.

3. Mr. Murphy motioned to nominate Mr. Bill Hearn for Vice Chairman of Council, seconded by Mr. Hargett.
4. Mr. Waggoner motioned to nominate Mr. Willie Davis for Vice Chairman of Council, seconded by Mr. Rosebrock.

Chairman Feltner closed the nominations for Vice Chairman of Council.

Chairman Feltner called for the vote on motion #3, on the election of Mr. Bill Hearn for Vice Chairman of Council. Council voted three in favor, with four abstentions.

Chairman Feltner called for the vote on motion #4, on the election of Mr. Davis for Vice Chairman of Council. Council voted five in favor, with two abstentions. Councilman Davis was elected as Vice Chairman of County Council.

**STATEMENTS BY NEW CHAIRMAN AND NEW VICE CHAIRMAN**

Chairman Feltner thanked former Chairman Hargett for his service over the last two years, not only as Council's Chairman, but also as the County's representative on the BCD-COG Board. In addition, he thanked Council for the confidence that they had placed in him as electing him Chairman, and promised to continue to pursue issues that are important to Council District #7. Chairman Feltner stated that as Chairman, it was his responsibility for setting meeting agendas, conducting the council meetings and choosing council committee members, which make recommendations to the full Council about issues affecting the County.

Vice Chairman Davis stated that he was proud to serve as Chairman Feltner's Vice Chairman, and now that he was retired, he would have more time to help accomplish the goals set by the Chairman and Council. He also stated that he looked forward to the upcoming two years as Vice Chairman.

**MOTION TO AMEND THE AGENDA**

5. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted four in favor, and two opposed, to amend the agenda to discuss the Budget Ordinance #08-08, regarding the salary raises recently received by County Council.

Council Members Davis and Waggoner opposed, and the Chairman exercised his right not to vote.

**1<sup>ST</sup> READING FOR AN ORDINANCE AMENDING ORDINANCE  
#08-08, COUNTY BUDGET ORDINANCE FOR FISCAL YEAR 08-09**

6. Mr. Murphy motioned and it was seconded by Mr. Hargett, to give 1<sup>st</sup> Reading for an Ordinance Amending Ordinance #08-08, the County Budget Ordinance for Fiscal Year Budget 08-09, more specifically deleting the provisions therein that relate to raises provided to County Councilmen and to reinstate the yearly salary of County Councilmen to \$15,000 per year, and to place this item into the Budget, Finance and Purchasing Committee for further consideration.

7. Mr. Rosebrock made a motion to call for the question and end debate, seconded by Mr. Hargett, and Council voted six in favor, to give 1<sup>st</sup> Reading to a proposed Ordinance Amending Ordinance #08-08, the County Budget Ordinance for Fiscal Year Budget 08-09, more specifically deleting the provisions therein that relate to raises provided to County Councilmen and to reinstate the yearly salary of County Council to \$15,000 per year, and to place this item in the Budget, Finance and Purchasing Committee for further consideration. The Chairman exercised his right not to vote.

**REQUESTS TO ADDRESS COUNCIL**

Chairman Feltner asked if anyone would like to address Council, and the following citizens replied:

- Mr. Thom Schmenk, Risk Manager for Dorchester County, addressed Council regarding the installation of the first two Automatic External Defibrillators. He stated that the first two are located outside each of the two Dorchester County Council Chambers, Summerville and St. George. He explained that inside each wall mounted box is the AED, all the pads and connections and one CPR Rescue Breather protective mask. In addition, personnel from some departments in both buildings and from Facilities Maintenance has attended and passed the AED/CPR class. Mr. Schmenk explained that the remaining two AEDs purchased this year would be placed in the new Courthouse, one on each floor.
- Mr. Rutherford Smith addressed Council regarding Trident Technical College and gave Council an update on the Trident Technical College Board, which he serves on as a Dorchester County delegate. In addition, Mr. Smith is Treasurer of the Board and wanted to thank Council for all of their support.
- Ms. Angie Lee Crum addressed Council regarding the proposed Ordinance concerning the installment payments for property taxes and requested Council's support.
- Mr. Norvell Dickerson addressed Council regarding the proposed Ordinance concerning the installment payments for property taxes and requested Council's support.
- Mr. Henry Pearson thanked Mr. Hargett for the past two years as Chairman, congratulated Chairman Feltner on his new position, and addressed Council regarding the proposed Ordinance concerning the installment payments for property taxes and requested Council's support.
- Mrs. Lucy Anne Cathcart addressed Council regarding the proposed Ordinance prohibiting burning and suggested the idea of leaf disposal/composting as an alternative.
- Ms. Fay Crowe addressed Council regarding emails that she had sent to Council regarding grant-funding programs that are available for the County as well as other entities.
- Mr. Allen Harkens addressed Council regarding his opposition to the proposed Ordinance prohibiting open burning in certain areas of Dorchester County.
- Mr. Dennis Kinsey addressed Council regarding his opposition to the proposed Ordinance prohibiting open burning in certain areas of Dorchester County.

**ADOPTION OF MINUTES DECEMBER 8, 2008, COUNTY COUNCIL MEETING**

8. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted six in favor to adopt the Minutes from the December 8, 2008, County Council Meeting.

The Chairman exercised his right not to vote.

**DORCHESTER COUNTY EMPLOYEE RECOGNITION PROGRAM**

Dorchester County Council recognized county employees for their years of dedicated service to the County.

**DORCHESTER COUNTY RETIREMENT RECOGNITION PROGRAM**

Dorchester County Council recognized Mr. Gilbert Newton, Parts Manager for Fleet Services, with 28 years of service, who was retiring. Dept. Lt. Stephen M. Everett of the Detention Center had 9 years & 9 months of service was also retiring, but did not attend.

**3<sup>RD</sup> READING FOR ORDINANCE #09-01, "AN ORDINANCE TO PROVIDE FOR THE INSTALLMENT PAYMENTS OF TAXABLE REAL PROPERTY WITHIN DORCHESTER COUNTY PURSUANT TO SECTION 12-45-75, CODE OF LAWS OF SOUTH CAROLINA (1976), AS AMENDED"**

9. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted six in favor, to give 3<sup>rd</sup> Reading for Ordinance #09-01, "An Ordinance to Provide for the Installment Payments of Taxable Real Property within Dorchester County Pursuant to Section 12-45-75, Code of Laws of South Carolina (1976), as Amended, and in addition approving the new Senior Accountant position for the Treasurer's Office to administer this program.

The Chairman exercised his right not to vote.

**A PROPOSED ORDINANCE TO PROHIBIT THE OPEN BURNING OF LEAVES, TREE BRANCHES, BUSH OR BRANCH CUTTINGS, GRASS CLIPPINGS, YARD CLIPPING, OR OTHER YARD WASTE IN CERTAIN ZONING DISTRICTS OF DORCHESTER COUNTY PREDOMINANTLY ZONED FOR RESIDENTIAL PURPOSES**

At the last meeting, County Council sent this item back to the Public Safety, Health, and Human Services Committee for further consideration. However, Councilman Hargett asked that Council discuss the Lexington County Ordinance to see if Council would consider adding this Ordinance to the Committee. Chairman Feltner approved the request.

**REQUEST FOR FUNDING –DISABLED AMERICAN VETERANS**

Chairman Feltner explained that the Disabled American Veterans are requesting up to \$26,000 to purchase two new vans. He stated that County Council Contingency has \$215,444 available, or Council could consider this request as a part of the FY 2009-2010 Budget process. In December 2007, County Council approved \$13,000 to the DAV so they could purchase a van to transport Veterans to and from the VA Medical Center and Navy Clinic.

10. Mr. Rosebrock motioned and Mr. Murphy seconded it, to fund the \$26,000 request for the Disabled American Veterans to purchase two new vans and to take the funds from County Council Contingency.

11. Mr. Hearn motioned to amend the main motion, and Mr. Davis seconded it, to fund one-third of the \$26,000 request contingent upon the Disabled American Veterans getting approval from Berkeley and Charleston counties for the other two-thirds of the funding, since the vans would be used for the tri-county area.

Mr. Richard Gilbert, Commander, South Carolina Disabled American Veterans Chapter 17, along with other members, addressed Council and stated that the organization had planned to approach Berkeley County and Charleston County to request funding. One of the members stated that in order to purchase one vehicle that has already been committed to and to be delivered in late spring; a commitment for the one-third of the \$26,000 was necessary, instead of it being contingent upon the approval of the other two counties due to timing constraints.

Mr. Hearn withdrew his motion and Mr. Davis withdrew his second.

12. On the motion of Mr. Hearn, seconded by Mr. Murphy, Council voted unanimously to fund the request for the Disabled American Veterans Chapter 17 for one-third of \$26,000 from County Council Contingency.

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

**FISCAL YEAR 2010 BUDGET CALENDAR**

Mr. Ward stated that staff has prepared the Budget Calendar for Fiscal Year 2010 and would like County Council to reserve March 12, 2009 and May 7, 2009 for budget retreats and May 18, 2009 for a Budget, Finance, and Purchasing Committee meeting. Staff will update County Council on the mid-year budget at the January 20, 2009, County Council meeting.

**COUNTY ADMINISTRATOR'S TIME-CONTINUED**

**1<sup>ST</sup> READING FOR REZONING REQUEST #607, VENEER BUSINESS  
PARK, LLC; TMS #162-05-11-023**

13. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to give 1<sup>st</sup> Reading for Rezoning Request #607, Veneer Business Park, LLC; TMS #162-05-11-023, and to refer this item to the Planning, Development, and Building Committee for further consideration. This is a request to rezone .48 acre on Dorchester Road near Summerville from CG/R-4 (General Commercial/Residential Multi-family) to CG (General Commercial).

**1<sup>ST</sup> READING FOR REZONING REQUEST #608, VENEER BUSINESS  
PARK, LLC; TMS #162-05-11-011**

14. On the motion of Mr. Hearn, seconded by Mr. Murphy, Council voted unanimously to give 1<sup>st</sup> Reading for Rezoning Request #608, Veneer Business Park, LLC; TMS #162-05-11-011, and to refer this item to the Planning, Development, and Building Committee for further consideration. This is a request to rezone 1.0 acre on Dorchester Road near Summerville from CG/R-4 (General Commercial/Residential Multi-family) to CG (General Commercial).

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

**DORCHESTER COUNTY ECONOMIC DEVELOPMENT BOARD**

15. On the motion of Mr. Waggoner, seconded by Mr. Murphy, Council voted unanimously to appoint Mr. Richard Behling to the Dorchester Economic Development Board.

**DORCHESTER COUNTY PLANNING COMMISSION**

16. On the motion of Mr. Waggoner, seconded by Mr. Rosebrock, Council voted six in favor, and one opposed, to appoint Mrs. Sue Wehmen to the Dorchester County Planning Commission.

Councilman Murphy opposed.

**APPOINTMENTS TO BOARDS AND COMMISSIONS  
CONTINUED**

**ADOPTION OF A RESOLUTION HONORING MR. HOWARD  
MUCKENFUSS, JR. FOR HIS DEDICATED SERVICE ON THE  
DORCHESTER COUNTY ECONOMIC DEVELOPMENT BOARD**

17. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted unanimously to adopt a Resolution in honor of Mr. Howard Muckenfuss, Jr. for his many years of dedicated service on the Dorchester County Economic Development Board.

**DORCHESTER COUNTY GRIEVANCE COMMITTEE**

18. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to reappointment Mrs. Suzie Davis, as Councilman Rosebrock's appointee to the Dorchester County Grievance Committee.

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

19. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted five in favor, and one abstention, on the reappointment of Councilman Larry Hargett to continue to serve as one of Dorchester County's representatives on the CHATS Policy Committee and the BCD-COG Board.

Councilman Davis abstained and the Chairman exercised his right not to vote.

**COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON**

**REQUEST TO AMEND THE AGENDA TO ADD A CONFIDENTIAL  
ECONOMIC DEVELOPMENT PROJECT TO THE EXECUTIVE SESSION  
LIST FOR DISCUSSION**

The County Attorney made a request to Council to amend the agenda and add an additional item for discussion under executive session, which would be an economic development project.

20. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted unanimously to amend the agenda to add an additional item under executive session as requested by the County Attorney.

**REQUEST FOR EXECUTIVE SESSION**

The County Attorney made a request for Council's consideration to enter into executive session to give legal advice concerning the pending lawsuit by Ms. Brenda Detamore and to discuss an economic development project.

**EXECUTIVE SESSION 8:15 P.M.**

21. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to enter into Executive Session as requested by the County Attorney.

**RECONVENE FROM EXECUTIVE SESSION 8:45 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.

**SETTLEMENT ON DETAMORE LAWSUIT**

22. On the motion of Mr. Hearn, seconded by Mr. Murphy, Council voted five in favor, one opposed, and one absent, to approve the settlement with Ms. Detamore as discussed in executive session and reached in mediation, and authorize the County Administrator to sign any necessary documents on behalf of the County. The funding will come from County Council Contingency.

Chairman Feltner opposed and Mr. Hargett was absent.

**ADJOURNMENT 8:48 P.M.**

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

Mr. Hargett was absent.

  
Sandy Lawley, Clerk to Council

January 5, 2009

I would like to take a few minutes as out-going Chairman of the Dorchester County Council, while I still hold the gavel, to reflect on the past two years as Chairman and to give some well-deserved thanks to the many friends who have helped me.

I first would like to thank those who have made my job as Chairman go very smoothly while accomplishing many, many important County Ordinances, Resolutions, Policies and Budgets. My sincere thanks to this Council with which I have been privileged to work for these two years as Chairman, especially to Councilmen Waggoner and Rosebrock for their good advice. I also have been the beneficiary of some valuable guidance given to me by two preceding County Council Chairmen, Chris Murphy and Skip Elliott. To our Administrator, Jason Ward, for his untiring and effective professional administrative management, to our County Council Clerk, Sandy Lawley, to Gina Sams, Secretary to Council and to John Frampton, Attorney to Council. To State House Representative Annette Young for her close friendship and advice given to me during my six years on County Council. To former Councilman Mike Murphree for constantly reminding Council that the #800 is used not only in dialing a toll-free telephone number but is rather the very important # of new sewer taps and hookups needed to keep Dorchester County growing each year in order to prevent a property tax increase. Finally, to my good friend, former Dorchester County Councilman, Ack Ackerman for his always insightful and helpful advice.

The Chairmanship of this County Council is, as I have personally experienced, a full time job with an average of 10-15 scheduled and unscheduled meetings each week including County Council meetings as well as the six sub-committee meetings for Council members, meetings with the County Administrative Staff, Chamber of Commerce functions, Economic Development meetings, meetings with our five municipality Mayors in Dorchester County, County Fire Chiefs, the South Carolina Association of Counties meetings and the many invitations to speak, representing Dorchester County, to groups across our Tri-County Region.

As I leave this two year Chairmanship, I have one recommendation to Council and to the Citizens of Dorchester County. Consider entering into debate, dialogue and the decision process about the merits of future Chairpersons of Dorchester County Council being elected by the voters, at large, for a term of two years. Today, six South Carolina Counties, Spartanburg, Horry, Saluda, Aiken, Kershaw and Clarendon elect their County Council Chair, at large, with County Council seats elected from single member districts. This idea has merit, in my opinion, and I will make a motion before Council in early 2010 to pass an Ordinance placing this question before Dorchester County voters for a decision in the primary and/or general election cycle in 2010.

Thank you, Dorchester County, very much for the privilege and opportunity to serve.

Larry Hargett  
Dorchester County Council