

Charleston, SC
January 24, 2012

A regular meeting of County Council of Charleston County was held on the 24th day of January, 2012 at 7:00 p.m. in the Beverly T. Craven Council Chambers, Second Floor of the Lonnie Hamilton, III Public Services Building, located at 4045 Bridge View Drive, Charleston, South Carolina.

Present at the meeting were the following members of Council: Teddie E. Pryor, Sr., Chairman, who presided; Colleen Condon; Anna B. Johnson; Joseph K. Qualey; A. Victor Rawl; Herbert R. Sass, III; Dickie Schweers and J. Elliott Summey. Council Member Henry E. Darby was absent.

Also present were: Allen O'Neal, County Administrator and County Attorney Joseph Dawson.

The Clerk reported that in compliance with the Freedom of Information Act, notice of meetings and agendas were furnished to all news media and persons requesting notification.

Mr. Summey moved approval of Council's minutes of January 5th, and January 10th, 2012, seconded by Mr. Sass and carried.

Bishop
England
High School
Request
Resolution

A report was read from the Finance Committee meeting of January 19, 2012 that it considered the information furnished by Allen O'Neal, County Administrator, and Council Member Joe Qualey, regarding Council approving a Resolution honoring the Bishop England High School Football on winning the State Championship.

Committee recommended that Council approve the requested Resolution.

Mr. Qualey moved approval of Committee recommendation, seconded by Ms. Condon, and carried.

The Chairman requested the football players and their coaches to come forward and asked Council Member Qualey to present the Resolution which was read by the Deputy Clerk of Council, Kristen Salisbury.

Congratulatory words were given and pictures taken.

The Resolution is as follows:



**A RESOLUTION
OF CHARLESTON COUNTY COUNCIL**

**HONORING THE ACCOMPLISHMENTS OF THE
BISHOP ENGLAND HIGH SCHOOL BOYS VARSITY FOOTBALL TEAM**

WHEREAS, from time to time **Charleston County Council** has the privilege of recognizing individuals in this community who exemplify commitment, determination, dedication, and excellence; **and**,

WHEREAS, the **2011 Bishop England High School Varsity Football Team** has exhibited all of these characteristics in an exceptional football season, finishing with a record of 13-1 and 5-0 in their division; **and**,

WHEREAS, the season culminated with the **Battling Bishops** being crowned the 2011 South Carolina Division II-AA State Champions; **and**,

WHEREAS, the team of champions is comprised of **Nick Theos, Austin Wall, DeAngelo Stephenson, Kevin Herbst, Reed Fosberry, Cameron Swails, Danny Croghan, Drew Costa, Jack Wilson, K.B. Blanchard, Harrison Boals, Matthew Mellin, Lawton Fosberry, Tyler Ford, Ian Willis, Nick Shiver, Weston Marvin, Griffie Loy, Nick Tezza, Andrew Bunch, Matt Shiver, Glenn Lewis, Teck Tecklenburg, Nick Vecchiolla, Joseph McManus, Jacob Vecchiolla, Chris Kraft, Richard Mahon, C.J. Michel, Collin Clair, Forrest Bowers, Mason Lewis, Chandler Sambets, Malcolm Nazon, Zach Richter, Hudson Little, Ryan Phillips, Ben Onufer, Graham Battle, Adam Dobbins, Brendan Quigley, Ryan James, Jay Hart, Parkwood Griffith, Charles Clark, Patrick Clarey, Alexander Moore, and Jaime Lopez-White**; **and**,

WHEREAS, the stellar team's coaching staff are **Head Coach John Cantey** and **Assistant Coaches Jason McDermott, Steve Meyer, Mike Darnell, Paul Spence, Danny Bushong, Bart Blanchard, Bo Bowers** and **Howard Dobbins**.

NOW, THEREFORE BE IT RESOLVED THAT CHARLESTON COUNTY COUNCIL, in meeting duly assembled, is proud to congratulate the **Varsity Football Team of Bishop England High School** for their spectacular football season and for bringing the honor of the **Division II-AA State Championship** to the Lowcountry.

**CHARLESTON COUNTY COUNCIL
Teddie E. Pryor, Sr., Chairman
January 24, 2012**

ZPDA-10-11-12205
Highway 17
North
Ordinance
3rd Reading

An Ordinance rezoning Billboard Planned Development (PD-52) was given third reading.

AN ORDINANCE

REZONING THE BILLBOARD PLANNED DEVELOPMENT (PD-52)

WHEREAS, the property located at 2233 Highway 17 North, identified as Tax Map Parcel Identification Number 558-00-00-146 is currently zoned PD, Planned Development Zoning District; and

WHEREAS, the applicant requests to rezone the Planned Development Zoning District (PD-52) and has submitted a complete application for PD Development Plan amendment approval pursuant to Article 4.27 of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR); and

WHEREAS, the Charleston County Planning Commission has reviewed the proposed PD Development Plan and adopted a resolution, by majority vote of the entire membership, recommending that County Council disapprove the proposed development plan with conditions, which recommendation is based on the Approval Criteria of Section 4.27.9.E.9 of the ZLDR; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, Charleston County Council held at least 1 public hearing and after close of the public hearing, County Council approves the proposed PD Development Plan with conditions based on the Approval Criteria of Section 4.27.9.E.9 of Article 4.27 of the ZLDR;

WHEREAS, County Council has determined the PD Development Plan meets the following criteria:

- A. The PD Development Plan complies with the standards contained in Article 4.27 of the ZLDR;
- B. The development is consistent with the intent of the Charleston County Comprehensive Plan;
- C. The County and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed.

NOW, THEREFORE, BE IT ORDAINED by County Council of Charleston County, South Carolina, in meeting duly assembled, finds as follows:

SECTION I. FINDINGS INCORPORATED

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

SECTION II. REZONING OF PROPERTIES

- A. Charleston County Council rezones the property located at 2233 Highway 17 North, identified as Tax Map Parcel Identification Number 558-00-00-146 from Planned Development (PD-52) to Planned Development (PD-52A); and

B. The PD Development Plan submitted by the applicant and identified as the "Development Guidelines Billboard Planned Development" shall constitute the PD Development Plan for the parcel identified in this Ordinance; and

C. Any and all development of PD-52A must comply with the PD Development Plan, ZLDR, and all other applicable ordinances, rules, regulations, and laws; and

D. The zoning map for Tax Map Parcel Identification Number 558-00-00-146 is amended to PD-52A in accordance with Section 4.27.10 of Article 4.27 of the ZLDR.

SECTION III. SEVERABILITY

If, for any reason, any part of this Ordinance is invalidated by a court of competent jurisdiction, the remaining portions of this Ordinance shall remain in full force and effect.

SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective immediately upon approval of County Council following third reading.

ADOPTED and APPROVED in meeting duly assembled this 24th day of January 2012.

CHARLESTON COUNTY, SOUTH CAROLINA

Teddie E. Pryor, Sr. Chairman
Charleston County Council

ATTEST:

Beverly T. Craven
Clerk to Charleston County Council

First Reading: December 20, 2011
Second Reading: January 10, 2012
Third Reading: January 24, 2012

The Chairman called for third reading of the Ordinance. The roll was called and votes recorded as follows:

Ms. Condon	- aye
Mr. Darby	- absent
Ms. Johnson	- aye
Mr. Qualey	- nay

Mr. Rawl - aye
Mr. Sass - aye
Mr. Schweers - aye
Mr. Summey - aye
Mr. Pryor - aye

The vote being seven (7) ayes, one (1) nay and 1 absent, the Chairman declared the Ordinance to have received third reading approval.

Bees Ferry
Landfill/CPW
Easement
Ordinance
3rd Reading

An Ordinance granting an easement to County property at the Bees Ferry Landfill was given third reading.

AN ORDINANCE

APPROVING THE GRANT OF AN EASEMENT ON A PORTION OF THE COUNTY PROPERTY KNOWN AS THE BEES FERRY LANDFILL TO THE COMMISSIONERS OF PUBLIC WORKS OF THE CITY OF CHARLESTON

WHEREAS, the Commissioners of Public Works of the City of Charleston has requested the grant of a six hundred forty (640) foot right-of-way and utility easement and two temporary construction easements across Charleston County's property known as the Bees Ferry Landfill identified by parcel identification number 301-00-00-026, for the sum of Thirty-Seven Thousand Five Hundred and 00/100 (\$37,500.00) Dollars, to construct utility lines; and

WHEREAS, Charleston County Council finds that granting the easement is an appropriate public use for this property; and

NOW, THEREFORE, be ordained it by Charleston County Council, in meeting duly assembled, as followed:

SECTION I. FINDINGS INCORPORATED

The findings above are hereby incorporated by reference and made a part of this Ordinance.

SECTION II. EASEMENT GRANTED; AUTHORITY TO EXECUTE DOCUMENTS

A. Charleston County Council grants an easement of six hundred forty (640) feet on a portion of the County's property known as the Bees Ferry Landfill and identified by parcel identification number 301-00-00-026 to the Commissioners of Public Works of the City of Charleston for the purpose of construction of utility lines. The location of the easement shall be as shown on the attached drawing, which is incorporated by reference as Exhibit A.

B. The Chairman of Council is authorized to execute and deliver all documents and instruments necessary for the grant of this easement.

SECTION III. SEVERABILITY

If, for any reason, any part of this Ordinance is invalidated by a court of competent jurisdiction, the remaining portions of this Ordinance shall remain in full force and effect.

SECTION IV.EFFECTIVE DATE

This Ordinance shall become effective immediately upon approval following third reading.

ADOPTED and APPROVED in meeting duly assembled this 24th day of January, 2012.

CHARLESTON COUNTY, SOUTH CAROLINA

Teddie E. Pryor, Chairman

The Chairman called for third reading of the Ordinance. The roll was called and votes recorded as follows:

Ms. Condon	- aye
Mr. Darby	- absent
Ms. Johnson	- aye
Mr. Qualey	- aye
Mr. Rawl	- aye
Mr. Sass	- aye
Mr. Schweers	- aye
Mr. Summey	- aye
Mr. Pryor	- aye

The vote being eight (8) ayes and one (1) absent, the Chairman declared the Ordinance to have received third reading approval.

ZPDA 11-11-12411, 1150-1275 Dingle Road Ordinance 1st Reading

A report was read from the Planning /Public Works Committee under date of January 24, 2012 that it considered the information furnished by Allen O'Neal, County Administrator and Dan Pennick, Director of Zoning and Planning, regarding a requested amendment to the Royal Palms Planned Development to allow individual townhomes to be placed on individual lots and adding the option of developing single family detached residential uses on the remaining undeveloped area of the main subject property.

Committee recommended approval of the requested amendment and first reading of the proposed Ordinance.

Mr. Summey moved approval of Committee recommendation, seconded by Ms. Condon, and carried.

An Ordinance to rezone the Royal Palms Planned Development was given first reading by title only.

AN ORDINANCE

REZONING THE ROYAL PALMS PLANNED DEVELOPMENT (PD-112)

The Ordinance in its entirety will appear in the minutes of Charleston County Council at the time of third reading.

ZPDA-11-11-12442,
Charleston
Tea
Plantation
PD
Ordinance
1st Reading

A report was read from the Planning Public Works Committee under date of January 24, 2012 that it considered the information furnished by Allen O'Neal, County Administrator and Dan Pennick, Director of Zoning and Planning, regarding a requested amendment to the Charleston Tea Plantation Planned Development in order to allow up to 6,000 square feet for rental sales, to clarify activities performed in the factory and to allow for the following accessory uses: Office Uses, resource extraction and special events. It was further stated that the applicant also proposes to place limitations for communication towers, which are currently allowed with conditions, including a height limit of 150 feet and a requirement for location at least 1,000 feet from Maybank Highway.

Committee recommended approval of the requested amendments and first reading of the proposed Ordinance.

Ms. Condon moved approval of Committee recommendation, seconded by Mr. Summey, and carried.

An Ordinance amending the Charleston Tea Plantation PD was given first reading by title only.

AN ORDINANCE

REZONING THE CHARLESTON TEA PLANTATION PLANNED DEVELOPMENT (PD-109)

The Ordinance in its entirety will appear in the minutes of Charleston County Council at the time of third reading.

COMP PLAN
AMENDMENTS
Energy Element
Ordinance1st
Reading.

A report was read from the Planning/ Public Works Committee under date of January Administrator and Dan Pennick, Director of Zoning and Planning, regarding a proposed amendment to the Comprehensive Plan. It was stated that the purpose of the proposed amendments is to incorporate an Energy Element into the Comprehensive Plan that recognizes the significance of energy, its sources and consumption and presents strategies that promote the use of existing and alternative energy sources and energy conservation measures that benefit our community.

Committee recommends that Council approve and give first reading to an Ordinance as requested.

Mr. Summey moved approval of Committee recommendation, seconded by Ms. Condon, and carried.

An ordinance to amend the Charleston County Comprehensive Plan was given first reading by title only.

AN ORDINANCE

AMENDING THE CHARLESTON COUNTY COMPREHENSIVE PLAN ORDINANCE, NUMBER 1095, AS AMENDED, TO INCLUDE CHAPTER 3.10, ENERGY ELEMENT

The Ordinance in its entirety will appear in the minutes of Charleston County Council at the time of third reading.

50' Right-of-
way Stub
Street off
Howle Ave
Request to
Post

A report was read from the Planning/Public Works Committee under date of January 19, 2012 that it considered the information furnished by Allen O'Neal, County Administrator, and Public Works Director, Jim Neal, regarding a request that County Council authorize the abandonment of a 50 foot wide right of way stub street off Howle Avenue. It was stated that the property owner making the request owns property on both sides of this stub street. It was further stated that this undeveloped right of way has never been maintained by the County.

Committee recommended that Council authorize the posting of notice of the proposed abandonment of the 50" wide right-of-way stub street off Howle Avenue.

Mr. Summey moved approval of Committee recommendation, seconded by Ms. Johnson, and carried.

St. Andrews
Parks &
Playground
Bonds
Request to
Approve

A report was read from the finance Committee under date of January 19, 2012 that it considered the information furnished by Allen O'Neal, County Administrator, and Charlton DeSaussure, Esquire, Attorney for the St. Andrews Parish, Parks and Playgrounds District regarding County Council, regarding a requested Resolution from County Council consenting, pursuant to section 6-11-1050 of the South Carolina Code of Laws to the issuance of a \$300,000 Revenue Bond of St. Andrew's Parish Parks and Playgrounds District. It was stated that the proceeds of the \$300,000 bond issue will be used to resurface and repair tennis courts, to construct a pro-shop to serve the tennis courts and to repair and upgrade amenities including fencing and tennis net poles.

Committee recommended that Council adopt a Resolution providing the consent required by Section 6-11-1050, Code of Laws of South Carolina 1976, as amended.

Ms. Condon moved approval of Committee recommendation, seconded by Mr. Summey, and carried

The Resolution is as follows:

A RESOLUTION PURSUANT TO SECTION 6-11-1050 OF THE SOUTH CAROLINA CODE OF LAWS EVIDENCING, THE CONSENT OF COUNTY COUNCIL TO THE ISSUANCE OF A \$300,000 REVENUE BOND OF ST. ANDREW'S PARISH, PARKS AND PLAYGROUNDS DISTRICT.

WHEREAS, the Commission (the "Commission") of the St. Andrew's Parish Parks and Playgrounds District (the "District") adopted on December 19, 2011 a resolution (the "Resolution") authorizing the issuance of a \$300,000 Revenue Bond of the District (the "Bond"); and

WHEREAS, the Resolution provides in part at Section 2.16 as follows:

Section 6-11-1050 of the Act provides as follows:

The governing body of any recreation district in this State that has authority to issue revenue bonds is authorized to issue additional revenue bonds upon the written consent of a majority of the public officials who are authorized to make recommendations to the Governor for appointment of members of the governing body of the district; and

WHEREAS, Charleston County Council ("County Council") makes recommendations to the Governor for appointment of members of the Commission and therefore is the appropriate entity to provide written consent to be provided in order to meet the provisions of Section 6-11-1050.

NOW, THEREFORE, BE IT RESOLVED by County Council, as follows:

SECTION 1. County Council consents to the issuance of the Bond on the terms and conditions set forth in the Resolution, a copy of which is available in the office of the Clerk of Council.

SECTION 2. This Resolution shall take effect and be in full force from and after its adoption.

ADOPTED THIS 24th DAY OF JANUARY, 2012.

Teddie E. Pryor, Sr., Chairman,
Charleston County Council

ATTEST:

Beverly T. Craven
Clerk of Council

Request
Unanimous
Consent
County's
redistricting
maps

Mr. Rawl stated that since he had voted on the prevailing side of the third reading of Council's vote of November 20th, 2011 on the County's redistricting maps and had publicly expressed his interest in receiving map suggestions from interested parties, he moved reconsideration of the November 20th vote.

After much discussion among Council Members and reviewing the Rules of Council, which states in Section 3.8 a member of Council, who voted on the prevailing side of an issue, may make a motion to reconsider action at that or the next meeting of Council it was determined that, in this case, reconsideration was not available.

Mr. Rawl requested unanimous consent for Council to add an item to tonight's agenda.

Unanimous consent was approved.

Mr. Rawl moved that Council approve the move of 5 Census Blocks from District 5 to District 7, comprising 156 total persons, in order to maintain the entirety of Lolandra Avenue and Wedgepark Road in District 7.

This motion was seconded by Mr. Summey.

The Chairman called for a roll call vote on the motion. The roll was called and votes recorded as follows:

Ms. Condon	- aye
Mr. Darby	- absent
Ms. Johnson	- nay
Mr. Qualey	- aye
Mr. Rawl	- aye
Mr. Sass	- aye
Mr. Schweers	- aye
Mr. Summey	- aye
Mr. Pryor	- nay

The vote being six (6) ayes, two (2) nays and one (1) absent, the Chairman declared the motion to have carried.

PUBLIC
FORUM

The Chairman asked if any Member of the Audience wished to address Council.

Kiawah Council Member Greg VanDerwerker was very complimentary of Council's decision to have public comments at the beginning of their meetings instead of after. He added that at Kiawah's meetings they take public comments at the beginning and also at the conclusion.

Mrs. Elizabeth Hanahan of Johns Island spoke of problems she is experiencing concerning her commercial property on Johns Island.

The Chairman requested Staff to meet with Mrs. Hanahan after the meeting to determine what can be done in order to correct her situation.

Mr. Wilbur Jones of Pinecrest Road in Ravenel asked when they would see progress on the Industrial Park to be built in their area. He said jobs are solely needed in their area.

The Chairman asked if any Member of Council wished to bring a matter before the Body.

Mr. Schweers said it was nice having the Bishop England Football players and their coaches at our meeting, and he was glad that Council honored their achievement.

Ms. Johnson stated that she wanted information on when the Industrial Park in Ravenel would be started.

Mr. Sass said he was very proud of the Bishop England Football winning the State Championship and was glad that Council recognized. He also said that he was very grateful to Mr. O'Neal for his service to Charleston County.

Mr. Rawl thanked Mr. O'Neal and expressed his appreciation for all his hard work.

Mr. Summey dittoed the feelings expressed by Council Members Rawl and Sass.

Mr. Pryor requested Mr. O'Neal and his wife, Marlene, to come forward and he presented Mrs. O'Neal, on behalf of County Council with a beautiful book of Charleston Homes. The book contained a small message and was signed by all Council Members.

The message was as follows:

TO: MRS. MARLENE O'NEAL:

With our deepest appreciation to you for all you did to assist our Administrator, Allen O'Neal, to make his difficult job a little easier. Thinking of you reminds me of John Ruskin's words:

When love and skill work together, expect a masterpiece.

CHARLESTON COUNTY COUNCIL

January 24th, 2012

Mr. Pryor told Mr. O'Neal how much Council has appreciated all he has done for Charleston County during the last three years, and as a small token of Council's appreciation presented him with a pair of cuff links with the Charleston County seal, embossed on them. He wished him and his wife good things and told him to be careful on his trip to Africa in February.

There being no further business to come before the Body, the Chairman declared the meeting to be adjourned.

Beverly T. Craven
Clerk, Charleston County Council