

Charleston, S. C.
May 7, 2013

A regular meeting of County Council of Charleston County was held on the 7th day of May, 2013, 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; Henry E. Darby; Anna Johnson; Joseph K. Qualey; A. Victor Rawl; Herbert R. Sass, III; Dickie Schweers and J. Elliott Summey. Council Member Condon was absent

Also present were County Administrator W. Kurt Taylor and County Attorney Joseph Dawson.

Rev. Robert Reid gave the invocation and Shawn Smetana, Media Relations Coordinator, led in the pledge to the flag.

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. Rawl moved approval of the minutes of the April 23, 2013 County Council meeting, seconded by Mr. Sass, and carried.

**Recognitions
and Resolution
A) Police Week
B) Opposition to
House Bill 3290**

The Chairman stated that Members of the Fraternal Order of Police were in the audience to accept Council's Resolution proclaiming May 12-18, 2013 as Police Week.

Ms. Johnson moved approval of the Resolution, seconded by Mr. Rawl, and carried.

A RESOLUTION OF CHARLESTON COUNTY COUNCIL Proclaiming May 12-18, 2013, Police Week

WHEREAS, there are approximately 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Charleston County Sheriff's Office; **and**,

WHEREAS, nearly 60,000 assaults against law enforcement officers are reported each year, resulting in approximately 16,000 injuries; **and**,

WHEREAS, since the first recorded death in 1791, almost 20,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty, including Steve Buist Hiott, Jr., Hubert Leander Lloyd, William Allen Nalley, Joel M. Robertson, William Patrick Messer, William

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Thomas Cribb, James Owens, Jr., Leon W. Gooding, John C. Meyers, Joseph Trescott, and Herman G. Stello of the Charleston County Sheriff's Office; **and,**

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, DC.

NOW, THEREFORE BE IT RESOLVED, Charleston County Council, does hereby proclaim **May 12 –May 18, 2013**, as

POLICE WEEK

in Charleston County and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

CHARLESTON COUNTY COUNCIL

Teddie E. Pryor, Sr., Chairman
May 7, 2013

The Chairman said that the next item on Council's Agenda was a Resolution opposing South Carolina House Bill, 3290.

Ms. Johnson moved approval of Committee recommendation to oppose House Bill 3290, seconded by Mr. Summey, and carried. Mr. Schweers voted nay.

A RESOLUTION IN OPPOSITION TO SOUTH CAROLINA HOUSE BILL 3290 CURRENTLY PENDING BEFORE THE SOUTH CAROLINA GENERAL ASSEMBLY

WHEREAS, Charleston County provides a comprehensive solid waste management program to its citizens for the disposal of household waste, processing of recyclables, storm debris, construction and demolition waste, and electronics waste pursuant to a mandate by the South Carolina General Assembly called the South Carolina Solid Waste Policy and Management Act; and,

WHEREAS, to fulfill its obligation under this mandate, Charleston County has constructed and operates a landfill, a mixed waste recycling facility, and convenience centers, and contracts with transfer stations and a landfill outside of its county borders; and,

WHEREAS, H. 3290 would prohibit a municipality or county from directing that solid waste or recyclables within its jurisdiction be disposed of at a particular landfill; and,

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WHEREAS, Charleston County Council believes that the effect of H. 3290 would be to create conditions that diminish Charleston’s long-term investment in public solid waste and recycling systems; and,

WHEREAS, Charleston County Council believes that the effect of H. 3290 would potentially prevent Charleston County from reaching and continuing its 40% recycling goal; and,

WHEREAS, Charleston County Council finds that passage of this legislation would weaken Home Rule and make it unfeasible for local government to provide mandated solid waste services, thereby, reducing accountability and could drive up the cost of services; and,

NOW, THEREFORE, BE IT RESOLVED, that Charleston County opposes the adoption of H. 3290 and requests that the Charleston County Legislative Delegation take all necessary and appropriate action to protect the citizens of Charleston County and prevent H. 3290 from taking effect.

Approved this 7th day of May, 2013.

Attest:

Beverly T. Craven
Clerk of Council

Teddie E. Pryor, Sr.
Chairman of Council

An Ordinance to amend the Agreement for a Joint County Park was given third reading by title only.

Multi-County
Industrial
Park
Ordinance 3rd
Reading

AN ORDINANCE

TO FURTHER AMEND THE AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK, BY AND BETWEEN CHARLESTON COUNTY, SOUTH CAROLINA AND COLLETON COUNTY, SOUTH CAROLINA, PROVIDING FOR THE DEVELOPMENT OF A JOINTLY OWNED AND OPERATED INDUSTRIAL BUSINESS PARK SO AS TO INCLUDE ADDITIONAL PROPERTY IN CHALESTON COUNTY AS PART OF THE JOINT COUNTY INDUSTRIAL PARK AND TO REMOVE CERTAIN PROPERTY IN CHARLESTON COUNTY (INCLUDING THE REDESIGNATION OF CERTAIN PARCEL NUMBERS) FROM THE JOINT COUNTY INDUSTRIAL PARK.

WHEREAS, Charleston County, South Carolina (the “County”) and Colleton County, South Carolina (jointly the “Counties”) are authorized under Article VIII, Section 13 of the South Carolina Constitution to jointly develop an industrial or business park within the geographical boundaries of one or more of the member Counties; and

WHEREAS, in order to promote the economic welfare of the citizens of the Counties by providing employment and other benefits to the citizens of the Counties, the Counties entered into an Agreement for Development for a Joint County Industrial Park effective as of September 1, 1995 (the “Original Agreement”), to develop jointly an

industrial and business park (the “Park”), as provided by Article VIII, Section 13 of the South Carolina Constitution and in accordance with Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended, (the “Act”); and

WHEREAS, the Original Agreement was initially approved by Charleston County Council Ordinance 972, adopted September 19, 1995; was further amended from time-to-time to add or remove property to the Park; and, in particular, was substantively amended by that First Modification to Agreement for Development for Joint County Industrial Park, effective December 31, 2006 (the “First Modification”), which First Modification was approved by Charleston County Council Ordinance 1475, adopted December 5, 2006; and by Colleton County Council Ordinance 06-R-20 adopted January 2, 2007; and

WHEREAS, the Original Agreement, as amended, is referred to herein as the “Agreement,” and

WHEREAS, the Agreement contemplates the inclusion and removal of additional parcels within the Park from time to time; and

WHEREAS, the Counties desire to amend the Agreement to include certain additional parcels in order to fulfill commitments made to companies which are considering expansion or location decisions; and

WHEREAS, the Counties desire to amend the Agreement to remove certain tax map parcels because these parcels no longer exist as the result of subdividing and combining tax map parcels since their original inclusion in the Park; and

WHEREAS, the Counties desire to amend the Agreement to include certain tax map parcels which have been created as the result of subdividing or combining the original tax map parcels; and

WHEREAS, the Counties desire to amend the Agreement to remove certain property because such property is no longer viable economic development property as the results of planning/zoning changes and development that has occurred around such property; and

WHEREAS, the Counties desire to amend the Agreement to include certain parcels that have resulted from the subdivision of property that was previously added to the Park; and

WHEREAS, the Counties desire to amend the Agreement to include certain parcels that the County intended to include in the Park but for administration reasons have not been previously included in an amendment to the Agreement; and

WHEREAS, in accordance with the Agreement, written notice of the public hearing to be held by County Council in connection with the enactment of this Ordinance was given to the owner of each property or parcel proposed to be removed from the Park

and the Agreement; such notice was given by registered mail, return receipt requested, in care of the address of the property owner as shown on the tax records of the County or such other address which has been provided to the County by the property owners for this purpose;

NOW, THEREFORE, BE IT ORDAINED BY THE CHARLESTON COUNTY COUNCIL:

SECTION 1. The Agreement is hereby amended as follows:

- (a) The Park and Agreement are expanded to include the parcels as described on the attached Exhibit A.
- (b) The Park and Agreement are amended by removing the tax map parcels listed on the attached Exhibit B.
- (c) The Park and Agreement are amended to include the tax map parcels listed on the attached Exhibit C.
- (d) The Park and Agreement are amended by removing the parcels described on the attached Exhibit D.
- (e) The Park and Agreement are amended to include tax map parcels listed on the attached Exhibit E.
- (f) The Park and Agreement are amended to include the parcels as described on the attached Exhibit F.

SECTION 2. All resolutions, ordinances, or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 3. This amendment to the Agreement shall become effective on the date of the later of:

- (a) enactment of this Ordinance by the Charleston County Council, after third and final reading and public hearing;
- (b) adoption of a resolution by Colleton County Council approving amending the Park premises to add or remove (as applicable) the property or tax map parcels described in **Exhibits A, B, C, D, E, and F**; and
- (c) adoption of resolutions by North Charleston City Council and the Mt. Pleasant Town Council consenting to the inclusion in the Park premises of the property or tax map parcels located within their respective corporate limits.

The North Charleston City Council, Mt. Pleasant Town Council, and Colleton County Council have been requested to give their respective approvals to this amendment by resolution in accordance with the Agreement.

SECTION 4. Should any part of this ordinance be determined by a court of competent jurisdiction to be invalid, illegal, or against public policy, said offending

section shall be void and of no effect and shall not render any other section herein, nor this ordinance as a whole, invalid. Any terms which, by their nature, should survive the suspension, termination, or expiration hereof shall be deemed to survive.

CHARLESTON COUNTY, SOUTH

CAROLINA

Teddie E. Pryor, Chairman, Charleston

County Council ATTEST:

Beverly T. Craven
Clerk to County Council
Charleston County, South Carolina

EXHIBIT A

PROPERTY DESCRIPTION
CHARLESTON COUNTY ADDITIONAL PARCELS

PROPERTY DESCRIPTION FOR EACH PARCEL ADDED TO THE PARK BY THIS AMENDMENT AND INITIAL TAX YEAR (FOR TAXES WHICH WILL BE LEVIED ON PROPERTY OWNED ON DECEMBER 31 OF THE PRIOR CALENDAR YEAR).

<u>Parcels to be Added</u>	<u>Initial Tax Year</u>
393-00-00-304	2013
393-00-00-305	2013

EXHIBIT B

PROPERTY DESCRIPTION
CHARLESTON COUNTY REMOVAL OF PARCELS

TAX MAP PARCEL NUMBERS FOR EACH PARCEL TO BE REMOVED FROM THE PARK BY THIS AMENDMENT BECAUSE SUCH PARCELS NO LONGER EXIST AS THE RESULT OF SUBDIVIDING AND COMBINING TAX MAP PARCELS.

- Parcels to be Removed
- 390-00-00-048
- 393-00-00-006
- 393-00-00-010
- 393-00-00-023
- 393-00-00-024
- 393-00-00-035
- 393-00-00-075
- 393-00-00-081
- 486-00-00-018

486-00-00-022
 487-00-00-001
 502-00-00-012
 514-00-00-005
 514-16-00-006
 514-16-00-010
 514-16-00-011
 514-16-00-040
 514-16-00-041
 514-16-00-042
 514-16-00-043
 514-16-00-050
 514-16-00-071
 514-16-00-089
 514-16-00-090

EXHIBIT C

PROPERTY DESCRIPTION CHARLESTON COUNTY ADDITIONAL TAX MAP PARCELS

TAX MAP PARCEL NUMBERS FOR EACH PARCEL ADDED TO THE PARK BY THIS AMENDMENT AS THE RESULT OF SUBDIVIDING AND COMBINING ORIGINAL TAX MAP PARCELS IN THE PARK.

<u>Parcels to be Added</u>	<u>Property Description</u>
393-00-00-065	See Attached
393-00-00-181	See Attached
393-00-00-069	See Attached
393-00-00-067	See Attached
393-00-00-067-1	See Attached
393-00-00-066	See Attached
393-00-00-070	See Attached
393-00-00-074	See Attached
393-00-00-056	See Attached
393-00-00-022	See Attached

EXHIBIT D

PROPERTY DESCRIPTION CHARLESTON COUNTY REMOVAL OF PARCELS

PROPERTY DESCRIPTION FOR EACH PARCEL TO BE REMOVED FROM THE PARK BY THIS AMENDMENT BECAUSE SUCH PROPERTY IS NO LONGER VIABLE ECONOMIC DEVELOPMENT PROPERTY.

Parcels to be Removed

286-00-00-002
 393-00-00-063
 390-00-00-157
 393-00-00-007
 393-00-00-011
 393-00-00-073
 397-00-00-067
 410-00-00-033
 457-12-04-019
 457-12-04-020
 457-12-04-023
 471-16-00-130
 472-15-00-019
 486-00-00-008
 514-16-00-052
 600-00-00-047

EXHIBIT E

PROPERTY DESCRIPTION
 CHARLESTON COUNTY ADDITIONAL PARCELS

PROPERTY DESCRIPTION FOR EACH PARCEL ADDED TO THE PARK BY THIS AMENDMENT AS THE RESULT OF THE SUBDIVISION OF PROPERTY THAT WAS PREVIOUSLY ADDED TO THE PARK.

<u>Parcels to be Added</u>	<u>Property Description</u>
393-00-00-058-1	See Attached
393-00-00-058-2	See Attached

EXHIBIT F

PROPERTY DESCRIPTION
 CHARLESTON COUNTY ADDITIONAL PARCELS

PROPERTY DESCRIPTION FOR EACH PARCEL ADDED TO THE PARK BY THIS AMENDMENT.

<u>Parcels to be Added</u>	<u>Property Description</u>
421-08-00-002	See Attached
421-11-00-080	See Attached
421-11-00-084	See Attached
421-11-00-085	See Attached
421-11-00-087	See Attached

421-11-00-274	See Attached
421-11-00-275	See Attached
473-16-00-026	See Attached
473-16-00-027	See Attached
473-16-00-117	See Attached
473-16-00-120	See Attached
502-00-00-004	See Attached
484-00-00-129	See Attached
484-00-00-130	See Attached
486-00-00-190	See Attached
537-00-00-063	See Attached

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

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

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

An Ordinance approving a franchise Agreement for the collection of Solid Waste in unincorporated areas of the County was given third reading by title only.

**Curbside
Collection
Service/
Franchise
Ordinance
3rd Reading**

AN ORDINANCE

**APPROVING A FRANCHISE AGREEMENT FOR THE
COLLECTION OF SOLID WASTE FROM HOUSEHOLDS IN
UNINCORPORATED AREAS OF THE COUNTY, AND OTHER
MATTERS RELATED THERETO**

WHEREAS, in 1974, County Council adopted Ordinance No. 180, codified as Section 10-16 et seq. of the Code of Ordinances of Charleston County, which established rules and regulations regarding the use and collection of solid waste in unincorporated areas of the county not serviced by a special public service district; and,

WHEREAS, the Ordinance created three (3) door-to-door collection areas in the unincorporated portion of the County in Mt. Pleasant, Johns Island and North Charleston; and,

WHEREAS, the Ordinance also provided for licensing of contractors to make door-to-door curbside pickups, and to bill subscribers on a quarterly basis; and,

WHEREAS, the County has subsequently conducted competitive bids and awarded contracts for the collection of household garbage, construction and demolition debris and yard waste in the collection districts pursuant to the Ordinance, county solid waste department policies and other applicable laws, rules and regulations; and,

WHEREAS, Council believes it to be in the best interests of the county government and the health and welfare of its citizens to reaffirm that the business of collecting and subsequently transporting, transferring, disposing and/or recycling of household solid waste generated, kept or accumulated in the collection districts previously established affects the health, safety, public welfare and quality of life of the inhabitants of the County; that the business of collecting and disposing of household solid waste is a public service and should continue to be regulated by the County; and that the use of any public street, road highway or other public property in connection with such business is of interest to the County and a proper subject of regulation; and,

WHEREAS, IFB No. 4702-13J is the most recent solicitation for these services, which resulted in various bids and Waste Pro of South Carolina, Inc., being the lowest responsive and responsible bidder with proposed fees which are reasonable; and,

WHEREAS, County Council, in continuance of past precedent and practice, finds that the exclusive contract to be awarded hereunder is necessary to insure organized, cost effective, and efficient service throughout the collection districts; and,

WHEREAS, Waste Pro of South Carolina, Inc., will begin collection on July 1, 2013, as the previous provider's agreement continues through June 30, 2013; and,

WHEREAS, in the case of Quality Towing v. the City of Myrtle Beach, 345 S.C 156, 547 S.E. 2d 862 (2001) the South Carolina Supreme Court held that a franchise is a special privilege, not held by citizens generally, and is a right granted by the government to particular individuals or companies which will create private profits; and,

WHEREAS, the regulatory system described above and the contract to be awarded hereunder meets the above test expressed by the South Carolina Supreme Court; and,

WHEREAS, County Council's practice has been generally to award franchises by means of the adoption of an ordinance.

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

SECTION I. FINDINGS INCORPORATED

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

SECTION II. AWARD OF FRANCHISE AGREEMENT FOR SOLID WASTE COLLECTION SERVICES

Council hereby awards a franchise agreement for solid waste collection services to Waste Pro of South Carolina, Inc., pursuant to the terms and conditions of Invitation

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for Bids (IFB) No. 4702-13J, which are incorporated herein by reference. Waste Pro will begin servicing the areas outlined in the IFB on July 1, 2013.

SECTION III. AUTHORITY TO EXECUTE DOCUMENTS; ADMINISTRATION

The County Administrator and/or Procurement Director, as the case may be, are authorized to execute and deliver all documents and instruments necessary to memorialize the contract awarded hereunder. Termination, renewals, amendments modifications and other actions related to the contract may be accomplished pursuant to the terms of said IFB, the Charleston County Procurement Ordinance and Regulations, Charleston County Code Section 10-16 et seq., and other applicable laws rules and regulations.

SECTION IV. 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 V. EFFECTIVE DATE

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

ADOPTED and APPROVED in meeting duly assembled this 7th day of May, 2013

CHARLESTON COUNTY COUNCIL

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

ATTEST:

By: Beverly T. Craven, Clerk
Charleston County Council

First Reading: April 9, 2013
Second Reading April 23, 2013
Third Reading: May 7, 2013

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

Condon	- absent
Darby	- aye
Johnson	- aye
Qualey	- aye
Rawl	- aye
Sass	- aye
Schweers	- aye

Summey	- aye
Pryor	- aye

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

An Ordinance authorizing a first amendment to a fee agreement between the County and Boeing Company was given second reading by title only.

**Boeing
Financial
Incentives
Ordinance
2nd Reading**

AN ORDINANCE

AUTHORIZING (1) THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO THAT CERTAIN FEE AGREEMENT BY AND BETWEEN CHARLESTON COUNTY, SOUTH CAROLINA (THE "COUNTY") AND THE BOEING COMPANY DATED AS OF DECEMBER 1, 2010 (THE "FEE AGREEMENT"), TO (A) PROVIDE FOR ADDITIONAL INVESTMENT AND JOB CREATION IN THE COUNTY BY, OR ON BEHALF OF, THE BOEING COMPANY, ITS AFFILIATES AND SUBSIDIARIES, AND OTHER PERMITTED PERSONS UNDER THE FEE AGREEMENT ("BOEING"); AND (B) PROVIDE FOR SPECIAL SOURCE CREDITS IN CONNECTION WITH SUCH ADDITIONAL INVESTMENT; (2) THE AMENDMENT OF THAT CERTAIN MULTI-COUNTY PARK AGREEMENT BETWEEN THE COUNTY AND COLLETON COUNTY, SOUTH CAROLINA DATED AS OF SEPTEMBER 1, 1995, AS AMENDED THROUGH DECEMBER 31, 2010, TO INCLUDE ADDITIONAL PROPERTY ACQUIRED OR TO BE ACQUIRED BY BOEING; AND (3) OTHER MATTERS RELATING THERETO.

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

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

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

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

An Ordinance providing for the issuance of Charleston County Resource Bonds was given second reading by title only.

**Boeing
Special
Source
Revenue
Bonds
Ordinance
2nd Reading**

AN ORDINANCE

AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF CHARLESTON COUNTY, SOUTH CAROLINA SPECIAL SOURCE REVENUE BONDS; PRESCRIBING THE

FORM OF BONDS; LIMITING THE PAYMENT OF THE BONDS SOLELY FROM CERTAIN REVENUES DERIVED FROM THE PAYMENT OF FEES IN LIEU OF TAXES FROM THE DESIGNATED MULTI-COUNTY PARKS LOCATED IN CHARLESTON COUNTY AND FROM DESIGNATED PROPERTIES LOCATED IN CHARLESTON COUNTY INDUSTRIAL/BUSINESS PARKS LOCATED IN CHARLESTON COUNTY AND PLEDGING CERTAIN REVENUES OF SUCH PAYMENT; CREATING CERTAIN FUNDS AND PROVIDING FOR PAYMENTS INTO SUCH FUNDS; AND MAKING OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH THE FOREGOING.

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

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

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

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

The Chairman announced that the next item on Council Agenda was the consent agenda. Mr. Summey moved approval of the consent agenda, seconded by Ms. Johnson, and carried.

**Consent
Agenda**
**A) Forensic
Science
Improvement
Grant.**
 B) DNA
Technology to
Identify the
Missing
 C) Low
Ground
Pressure
Track-Type
Dozer
 D) National
Endowment
for Humanities
Grant
 E) FY 2014
SCDHED Grant
Applications

A report was read from the Finance Committee under date of May 2, 2013 that it considered the information furnished by County Administrator Kurt Taylor and Charleston County Coroner Rae Wooten regarding the County's application for funds available through the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP) and the National Institute of Justice (NIJ). It was stated that this program furthers the Department's mission by providing States and units of local governments with tools needed to meet the challenges of crime and justice and specifically seeks to improve the quality and timeliness of forensic science and medical examiner services. It was shown that the Charleston County Coroner's Office is requesting permission to apply for the continuation of the 2012 Paul Coverdell Forensic Science Improvement Grants Program they were awarded to improve forensic services to meet the requirements of the Preservation of Evidence Act (Section 17-28-10 thru Section 17-28-360). This law requires that physical evidence and biological material related to the conviction or adjudication of a person with predetermined offenses be preserved. The Act requires that appropriate chain of custody be maintained, that sufficient documentation is available to locate the physical evidence and biological material and that the evidence is

preserved under conditions reasonably designed to preserve the forensic value of the physical evidence and biological material. This evidence must also be preserved until the person is released from incarceration, dies while incarcerated or is executed for the offense. If the person is convicted or adjudicated on a guilty or nolo contendere plea for the offense then the physical evidence and biological material must be preserved for seven years from the date of sentencing. It was further shown that the Coroner's Office is requesting \$110,000.00 from NIJ to fund the development and operation of an evidence management system to include:

- A one year grant funded Evidence Custodian/Technician
- Laboratory/Computer equipment which will be used in an evidence room and used to improve forensic services.
- Supplies needed to maintain an evidence room.
- Funds are also available to provide external training of staff in order to improve the quality of forensic services.
- Contractual professional services i.e. forensic anthropologist/odontologist
- Fees associated with accreditation by the International Association of Coroners & Medical Examiners.

Committee recommended that Council approve the Coroner's request to apply for 2013 Paul Coverdell Forensic Science Improvement Grant in the amount of \$110,000.00 with the understanding that no match is associated with this grant, and there is one grant funded FTE associated with this request (Evidence Custodian/Technician) and the grant period is October 1, 2013 through September 31, 2014 with the potential to reapply for one more year, and there is no ongoing commitment for the County associated with this request.

A report was read from the Finance Committee under date of May 2, 2013 that it considered the information furnished by County Administrator Kurt Taylor and Charleston County Coroner Rae Wooten regarding the Coroner's Office application for the continuation of the National Institute of Justice (NIJ) grant "Using DNA Technology to Identify the Missing Program" which they were awarded in 2010. It was stated that the goal of this program is threefold: 1) to assist in performing DNA analysis on unidentified human remains and/or reference samples to support the efforts of states and units of local government to identify missing persons; 2) to enter the resulting DNA profiles into the FBI's National DNA Index System using the Combined DNA Index System (CODIS); and 3) to enter any relevant case information related to unidentified remains into NamUs. It was shown that in 2010 the Coroner's Office had 50-60 sets of unidentified skeletal remains and/or reference samples in its custody. During phase one of the grant all reference samples were submitted for analysis and relationships were built with local law enforcement agencies to ensure that missing person data was also entered to improve the success rate. During this grant period the Coroner's Office were successfully able to match cases and identify a previously unidentified individual. It was further shown that the Coroner's Office would like to continue and expand on this project regionally and will be working with other County Coroner's in order to provide the families of missing persons with comfort and closure by identifying these remains. In addition this project assists local law enforcement agencies who are then able to close cases. It was further shown that the Coroner's Office is requesting \$150,000.00 in order to; employ a fulltime Forensic Anthropologist; to hire a forensic odontologist consultant; to purchase equipment/supplies necessary for the analysis; contract with a DNA

laboratory; to cover the cost to ship DNA samples from the unidentified remains to the DNA laboratory; and to cover the cost of regional travel by vehicle. It was also shown that there is one FTE associated with this application and no match required, and that the grant period is October 1, 2013 through April 30, 2015.

Committee recommended that Council approve submission of the Coroner's Office grant application to the National Institute of Justice's Using DNA Technology to Identify the Missing program in the amount of \$150,000, with the understanding that there is one FTE associated with this application; that there is no match required; that the grant period is October 1, 2013 through April 30, 2015 and that there is no ongoing commitment for the County associated with this request.

A report was read from the Finance Committee under date of May 2, 2013 that it considered the information furnished by County Administrator Kurt Taylor and Barrett J. Tolbert, Director of Procurement, regarding sealed bids received for the purchase of one (1) low ground pressure (LGP) track-type dozer to be utilized by the Environmental Management Department at the Bees Ferry Landfill. It was stated that the low ground pressure track-type dozer will be used for pushing waste, grading and pushing cover material throughout the Bees Ferry Landfill, and that the new dozer will replace dozer #4413. It was shown that sealed bids were received in accordance with the terms and conditions of IFB No. 4747-13J as follows:

Bidder	Make/Model Delivery Time	Price (includes tax and options with trade-in)
Flint Equipment Company Ladson, SC Principal: Chris Cannon	2013 John Deere 850K Waste Handler Delivery: 90 days	\$267,232.00
Blanchard-Cat Summerville, SC Principal: Joseph Blanchard	2013 Caterpillar D6T-LGP WH Delivery: 180 Days	\$360,990.33

Committee recommended that Council authorize award of bid for the purchase of one (1) low ground pressure (LGP) track-type dozer to the lowest responsive and responsible bidder, Flint Equipment Company, in the amount of \$267,232.00 to be utilized by the Environmental Management Department at the Bees Ferry Landfill.

A report was read from the Finance Committee under date of May 2, 2013 that it considered the information furnished by County Administrator Kurt Taylor and Deputy Administrator for General Services Walt Smalls regarding the Records Department's request for permission to apply for a Preservation Assistance Grant from The National Endowment for the Humanities (NEH). It was stated that the Preservation Assistance Grants help small and mid-sized institutions—such as libraries, museums, historical societies, archival repositories, cultural organizations, town and county records offices, and colleges and universities—improve their ability to preserve and care for their collections. It was shown that the Preservation Assistance Grant will support Records by ensuring records are properly housed and stored, preserving historical records of the development of Charleston County for the government, citizens, and the public. It was further shown that this grant will require Records to hire a consultant whose preservation skills and experience are related to the types of collections and the nature of the

activities that are the focus of the project. It was further stated that the goal of the Preservation Assistance Grant project is to support three activities at the Records Center. First, to hire a consultant to conduct a preservation needs assessment, with a focus on the oldest and most historically significant documents in the collection. These records include Probate Estate Files from the 1760s – 1850s, Plats from the 1750s – 1960s, Clerk of Court Metallic Case Files from the early 1800s – 1960s, and Mortgages & Deeds from the late 1800s – 1960s. The grant will also fund preservation education for two Records staff through the Northeast Document Conservation Center's Preservation 101 online course, and the third activity will be to purchase acid free storage boxes to replace and rehouse archival collections. It was also noted that awards are up to \$6,000 for a one-year project and if funding is awarded, Records is eligible to re-apply for the same grant the following year to support any recommendations made by the consultant in the preservation needs assessment, with the goal of the grant being to build on each previous year's awards to support an ongoing preservation program.

Committee recommended that Council approve the Records Department request to apply for a Preservation Assistance Grant from the National Endowment for the Humanities (NEH), and if awarded, funds would be used for a Preservation Needs Assessment of the County's archival collections, preservation training for staff, and the purchase of acid-free storage boxes, with the understanding that there are no matching requirements or FTE's associated with this request, and the grant period is January 1, 2014 – December 31, 2014.

A report was read from the Finance Committee under date of May 2, 2013 that it considered the information furnished by County Administrator Kurt Taylor and Environmental Management Department Business Manager Cynthia Campbell regarding the Environmental Management Department request for Council's approval to submit the annual Waste Oil and Waste Tire Grant applications to SC Department of Health and Environmental Control for FY 2014 or July 1, 2013- June 30, 2014.

Waste Oil Grant

It was stated that the Waste Oil Grant application request totals \$17,544, and this grant provides funding to establish, expand or continue operation of used motor oil collection programs for do-it-yourself oil changers. It was shown that this application is to include programs related to the collection of used motor oil, oil filters, oil bottles and oil gas mixtures, as well as a request of \$2,000 for anticipated contractor collection costs. It was further shown that funds also support professional development for attendance to waste reduction/recycling seminars or conferences related to used oil recycling as well as funding for public information/education projects based on population. The remaining \$15,544 requested will fund allowable public education, professional development, and supplies and equipment expenses for program staff.

Waste Tire Grant

It was stated that the Waste Tire Grant application request totals \$14,200, and this grant provides funds for the removal of waste tires for processing and or /recycling, public education that promotes the recycling of waste tires, professional development related to waste tire recycling and other direct costs. It was further shown that Grant funds will be used to offset the difference between actual tire disposal expenses and anticipated revenue received from Tire Taxes (State Shared) and Landfill tipping fees. The

projected FY 2013 difference between anticipated expenses and anticipated revenue is \$10,450. The remaining \$3,750 of the request will fund allowable public education and professional development expenses for program staff.

Committee recommended that Council authorize Environmental Management staff to proceed with submitting FY 2014 SCDHEC applications for Used Oil and Waste Tire grants, with the understanding that the total SCDHEC FY 2014 submission is \$31,744, and that no FTEs or matching funds are required and the grant period is July 1, 2013 through June 30, 2014.

**Kiawah River
Plantation TIF
Recommendation**

A report was read from the Finance Committee under date of May 2, 2013 that it considered the information furnished by County Administrator Kurt Taylor and the presentations given to Council by the Beach Company, MuniCap, County staff and Johns Island Conservancy, regarding the proposed Kiawah River Plantation TIF. Committee also considered the information furnished by County Attorney Joe Dawson.

Committee recommended that Council disapprove the requested TIF.

The Chairman called for a roll call vote. The roll was called and voted recorded as follows:

Condon	- absent
Darby	- aye
Johnson	- aye
Qualey	- aye
Rawl	- abstention
Sass	- aye
Schweers	- aye
Summey	- aye
Pryor	- aye

The vote being seven (7) ayes, one abstention and one (1) absent, the Chairman declared the motion for disapproval to have carried.

The County Administrator, Kurt Taylor, stated that the County had sold refinancing bonds this morning and he requested Keith Bustraan, Deputy Administrator for Finance to update Council on the results.

Mr. Bustraan said that Charleston County has a "Triple-Triple Credit rating, which means that Charleston County has the top ratings from all three rating agencies, and that less than 40 counties in the United States are distinguished with a "Triple- Triple rating. Mr. Bustraan added that because of the gold-standard credit rating, Charleston County is able to secure much lower interest rates on loans and Staff was able to secure an interest rate of just 1.25%.

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

Council Members jointly and individually offered their thanks and appreciation to the County's Finance Team for their work on the bonds refinancing.sale.

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

Beverly T. Craven
Clerk of Council