

May 4, 2010
Charleston, SC

A regular meeting of County Council of Charleston County was held on the 4th day of May, 2010 at 7:00 p.m. in Council Chambers, Second Floor, Lonnie Hamilton, III Public Services Building, 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; Henry E. Darby; Curtis B. Inabinett; Joe McKeown; A. Victor Rawl; Dickie Schweers; J. Elliott Summey and Paul R. Thurmond

Also present were: Allen O'Neal, County Administrator; County Attorney Joe Dawson; and Joel Evans, Planner IV of the Zoning/Planning Department.

Rev. Robert Reid gave the invocation. Council Member Thurmond 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. McKeown moved approval of the Minutes of April 20, 2010, seconded by Mr. Inabinett, and carried.

**W. O Bill
Thomas
Request
Resolution**

A report was read from the Finance Committee under date of April 29, 2010 that it considered the information furnished by Council Member Elliott Summey and other Council Members, regarding the passing of the former Charleston County Treasurer, W. O. Thomas, Jr.

Committee recommended that Council approve a Resolution honoring the memory of W. O. Thomas, Jr.

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

The Chairman requested Mr. Thomas' family to come forward and asked Council Member Summey to present the framed Resolution which was read into the record by the Clerk.

The Resolution is as follows:

A RESOLUTION
OF CHARLESTON COUNTY COUNCIL
HONORING THE MEMORY OF W. O. THOMAS, JR.

WHEREAS, William Oliver Thomas, Jr., a community leader, a banker, a businessman, and former Treasurer of Charleston County entered into eternal rest at age 85, **and**

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WHEREAS, W.O. Thomas, Jr. was born December 20, 1924, to the late William Oliver and Farrie B. Horn Thomas in High Point, North Carolina; **and,**

WHEREAS, W.O. Thomas, Jr. was a graduate of the University of South Carolina; **and,**

WHEREAS, W.O. Thomas, Jr. served the United States of America as a Navy sailor during World War II; **and,**

WHEREAS, W.O. Thomas, Jr. was beloved husband to the late Sylvia Irma Thomas, devoted father to John R. Thomas, Belinda T. Swinder, and Susan T. Martin, and doting grandfather of five and great grandfather of one; **and,**

WHEREAS, W.O. Thomas, Jr. was elected Charleston County Treasurer in 1968 and was re-elected to that office by the citizens of Charleston County every four years until 1992, when he retired, after serving the citizens of Charleston County for 23 years; **and,**

WHEREAS, W.O. Thomas, Jr. was active in various community organizations, including Hammerton Lodge #332, Scottish Rite and Omar Shrine Temples, VFW Post #5091, American Legion Post #147, Charleston Elks Lodge #242, and North Charleston Exchange Club; **and,**

WHEREAS, W.O. Thomas, Jr. will be remembered by all who knew him as a funny, wonderful man, who always had the best interests of Charleston County in his heart.

NOW, THEREFORE, BE IT RESOLVED IN MEETING DULY ASSEMBLED, that **Charleston County Council** memorializes the life of **WILLIAM OLIVER THOMAS, JR.** for his lifetime of service to the County of Charleston and its citizens; **and,**

BE IT FURTHER RESOLVED that a copy of this Resolution shall be presented to The Family of **William Oliver Thomas, Jr.** and recorded in the Minutes of **Charleston County Council** on this date.

CHARLESTON COUNTY COUNCIL

Teddie E. Pryor, Sr., Chairman

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Mr. Summey announced to the Thomas Family and those in attendance at Council's meeting, that contact had made with the Charleston County Parks and Recreation Commission and that permission had been given to name the "County Farm Boat Landing at the end of Bridgeview Drive as the W. O. Thomas, Jr., Boat Landing.

A report was read from the Finance Committee under date of April 29, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Don Lundy, Charleston County Emergency Medical Services Director, regarding a request that County Council adopt a Resolution honoring the Charleston County's Emergency Medical Services professionals with a Resolution declaring May 18-22, 2010 as Emergency Medical Services Week in Charleston County.

**EMS Week
Request
Resolution**

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Committee recommended that Council adopt a Resolution proclaiming May 16-22, 2010, as Emergency Medical Services Week in Charleston County to recognize the highly trained professionals, who provide extraordinary life saving care to the residents and visitors in our County, 24 hours a day, seven days a week.

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

The Chairman requested James Ciali, Shift Supervisor of the Charleston County Emergency Medical Department to come forward with some member of his Department to pick up the Resolution from Council Member Darby who read the Resolution into the record.

The Chairman also asked that Amanda Reeves and Becky Smyth EMS Paramedics, both 10 year employees, who had placed first in the Lowcountry Regional EMS Competition.

The Chairman quoted Charleston County EMS Director, Don Lundy who said about this team "You can watch them at work, and it looks like a Symphony of Events every move is coordinated. Everything is done for the patient in a timely manner and with speed."

The Resolution is as follows:

A RESOLUTION

To Designate the Week of May 16-22, 2010 as Emergency Medical Services Week

WHEREAS, emergency medical services is a vital public service; **and**,

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week, **and**

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; **and**,

WHEREAS, the emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators, and others; **and**,

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; **and**,

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week.

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NOW THEREFORE BE IT RESOLVED that in recognition of this event
CHARLESTON COUNTY COUNCIL does hereby proclaim the week of **May 16-22, 2010** as

EMERGENCY MEDICAL SERVICES WEEK

and encourages the community to observe this week with appropriate programs, ceremonies, and activities.

CHARLESTON COUNTY COUNCIL
Teddie E. Pryor, Chairman
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ZLDR
Ordinance
Amendments
Ordinance
3rd Reading

An Ordinance amending the Charleston County Zoning and Land Development Regulations Ordinance was given third reading by title only.

AN ORDINANCE

No.: 1632

AMENDING THE FOLLOWING CHAPTERS OF THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, ORDINANCE # 1202, AS AMENDED, CHAPTER 2 (REVIEW AND DECISION MAKING BODIES), CHAPTER 3 (DEVELOPMENT REVIEW PROCEDURES), CHAPTER 4 (BASE ZONING DISTRICTS) CHAPTER 5 (OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS) CHAPTER 6 (USE REGULATIONS), CHAPTER 8 (SUBDIVISION REGULATIONS), CHAPTER 9 (DEVELOPMENT STANDARDS), CHAPTER 10 (NONCONFORMITIES) CHAPTER 11 (VIOLATIONS, PENALTIES AND ENFORCEMENT), AND CHAPTER 12 (DEFINITIONS).

WHEREAS, the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Section 6-29-310 et seq., of the South Carolina Code of Laws, 1976, as amended, authorizes the County of Charleston to enact or amend its zoning and land development regulations to guide development in accordance with existing and future needs and in order to protect, promote and improve the public health, safety, and general welfare; and

WHEREAS, the Charleston County Planning Commission has reviewed the proposed amendments of the text of various chapters of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) in accordance with the procedures established in State law and the ZLDR, and has recommended that the Charleston County Council adopt the proposed amendments of the text of the ZLDR as set forth herein; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least 1 public hearing, and after close of the public hearing, County Council approves the proposed text amendments based on the Approval Criteria of Section 3.3.6 of Article 3.3 of the ZLDR; and

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WHEREAS, the County Council has determined the proposed text amendments meet the following criteria:

- A. The proposed amendment corrects an error or inconsistency or meets the challenge of a changing condition; and
- B. The proposed amendment is consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5; and
- C. The proposed amendment is to further the public welfare in any other regard specified by County Council.

NOW, THEREFORE, BE IT ORDAINED, by the County Council of Charleston County, South Carolina, in meeting duly assembled, 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. AMENDMENTS OF THE TEXT OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE

The Charleston County Zoning and Land Development Regulations Ordinance is hereby amended to include the text amendments as attached hereto as Exhibit "A" and made part of this Ordinance by reference.

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 following third reading by the County Council.

EXHIBIT A IS AVAILABLE ALONG WITH ORDINANCE #1632 IN THE OFFICE OF THE CLERK TO COUNCIL.

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

Ms. Condon	- aye
Mr. Darby	- aye
Mr. Inabinett	- aye
Mr. McKeown	- aye
Mr. Rawl	- aye

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Mr. Schweers	- aye
Mr. Summey	- aye
Mr. Thurmond	- aye
Mr. Pryor	- aye

The vote being nine (9) ayes, the Chairman declared the Ordinance to have received third reading approval.

ZPD-10-09
5779 1218
Lieben
Rd/37445
17N
Ordinance
3rd
Reading

An Ordinance rezoning property at 1218 Lieben Road & a portion of 3745 Highway 17 N was given third reading by title only.

AN ORDINANCE

No.: 1633

REZONING PROPERTIES LOCATED AT 1218 LIEBEN ROAD & A PORTION OF 3745 HIGHWAY 17N FROM A SINGLE FAMILY RESIDENTIAL 4 (R-4) & COMMUNITY COMMERCIAL (CC) DISTRICTS TO A PLANNED DEVELOPMENT (PD0-144) DISTRICT.

WHEREAS, the properties located at 1218 Lieben Road and 3745 Highway 17N, identified as Tax Map Parcel Numbers 614-00-00-155 and of 614-00-00-033, are currently zoned Single Family Residential 4 District (R-4) and Community Commercial District (CC), respectively; and

WHEREAS, the applicant requests that Tax Map Parcel Number 614-00-00-155 and 0.84 acres of tax parcel number 614-00-00-033 be rezoned to Planned Development (PD-144) and has submitted a complete application for PD Development Plan approval pursuant to Article 4.27 of the Charleston County Zoning and Land Development Regulations (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 approve with conditions the proposed development plan, which recommendation is based on the approval criteria set forth in the ZLDR and in accordance with the procedures established in State law; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least 1 public hearing and after close of the public hearing, County Council approves with conditions the proposed PD Development Plan based on the Approval Criteria of Section 4.27.9.C.6 of Article 4.27 of the ZLDR; and

WHEREAS, the 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;

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- 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 the County Council of Charleston County, South Carolina, in meetings duly assembled, 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. The County Council rezones the property located at 1218 Lieben Road and 0.81 acres of the property located at 3745 Highway 17N, identified as Tax Map Parcel Numbers 614-00-00-155 and 614-00-00-033, respectively the acreage identified on the approvable plat attached hereto as Exhibit "B", from the Single Family Residential 4 (R-4) District and the Community Commercial (CC) District to the Planned Development (PD-144) District; and

B. The PD Development Plan submitted by the applicant and identified as the "Commonwealth Planned Development District Guidelines, Charleston County, South Carolina, including the changes and conditions approved by County Council that are attached hereto as Exhibit "A" and made part of this ordinance by reference, shall constitute the PD Development Plan for the parcels identified which shall be identified as Planned Development 144 or PD-144; and

C. Any and all development of PD-144 must comply with the PD Development Plan, the Comprehensive Plan, ZLDR, and all other applicable ordinances, rules, regulations, and laws; and

D. The zoning map for Tax Map Parcel Numbers 614-00-00-155 and 614-00-00-033 (as identified in Exhibit "B") is amended to PD-144 in accordance with Section 3.4.7 of Article 3.4 of the ZLDR.

E.

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 its following third reading by the County Council.

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

Ms. Condon	- aye
Mr. Darby	- aye

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Mr. Inabinett	- aye
Mr. McKeown	- aye
Mr. Rawl	- aye
Mr. Schweers	- aye
Mr. Summey	- aye
Mr. Thurmond	- aye
Mr. Pryor	- aye

The vote being nine (9) ayes, the Chairman declared the Ordinance to have received third reading approval.

**ZPD-12-09-6474
Hwy 17N
Coakley
Rd.
Deferred**

The Chairman announced that the next item on Council's agenda was third reading of an Ordinance dealing with Case # ZPD-12-09-6474, 2741 Highway 17N & Coakley Road.

Mr. Pryor stated that Council had received correspondence from all parties concerning the requested zoning change asking that this matter be deferred.

The Chairman asked for Council's feelings on this request.

After a discussion on applicants' request, Mr. Summey moved to postpone up to 30 days, seconded by Mr. McKeown, and carried.

**ZPD 1-10-6704,3350
& 3362
Maybank
Highway
Ordinance
3rd
Reading**

An Ordinance rezoning properties located at 3350 Maybank Highway & 3382 Maybank Highway from PD-77, St. John's Water Company was given third reading by title only.

AN ORDINANCE

No. 1634

REZONING PROPERTIES LOCATED AT 3350 MAYBANK HIHWAY & 3362 MAYBANK HIGHWAY FROM PD-77 ST. JOHN'S WATER COMPANY PLANNED DEVELOPMENT AND GENERAL OFFICE (OG) DISTRICT TO A PLANNED DEVELOPMENT (PD-148) DISTRICT.

WHEREAS, the properties located at 3350 Maybank Highway and 3362 Maybank Highway, identified as Tax Map Parcel Numbers 279-00-00-037 and 038, and are currently zoned PD-77, St. John's Water Company Planned Development, and General Office District (OG); and

WHEREAS, the applicant requests the parcels be rezoned to Planned Development (PD) and has submitted a complete application for PD Development Plan approval pursuant to Article 4.27 of the Charleston County Zoning and Land Development Regulations (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 approve with conditions the proposed development plan, which recommendation is based on the approval criteria

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set forth in the ZLDR and in accordance with the procedures established in State law; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least 1 public hearing and after close of the public hearing, County Council approves with conditions the proposed PD Development Plan based on the Approval Criteria of Section 4.27.9.C.6 of Article 4.27 of the ZLDR; and

WHEREAS, the 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 the County Council of Charleston County, South Carolina, in meetings duly assembled, 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. The County Council rezones the properties located at 3350 Maybank Highway and 3362 Maybank Highway, identified as Tax Map Parcel Numbers 279-00-00-037 and 038, from PD-77, St. John's Water Company Planned Development, and the General Office District (OG) to the Planned Development (PD-146); and

B. The PD Development Plan submitted by the applicant and identified as the "Planned Development Guidelines and Land Use Plan for the St. John's Water Company, Charleston County, South Carolina, Dated January 2009", including the changes and conditions approved by County Council that are attached hereto as "Exhibit A" and made a part of this Ordinance by reference, shall constitute the PD Development Plan for the parcels which shall be identified as Planned Development 146 or PD-146; and

C. Any and all development of PD-146 must comply with the PD Development Plan, ZLDR, and all other applicable ordinances, rules, regulations, and laws; and

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- D. The zoning map for Tax Map Parcel Numbers 279-00-00-037 and 038 is amended to PD-146 in accordance with Section 3.4.7 of Article 3.4 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 its approval following third reading by the County Council.

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

Ms. Condon	- aye
Mr. Darby	- aye
Mr. Inabinett	- aye
Mr. McKeown	- aye
Mr. Rawl	- aye
Mr. Schweers	- aye
Mr. Summey	- aye
Mr. Thurmond	- aye
Mr. Pryor	- aye

The vote being nine (9) ayes, the Chairman declared the Ordinance to have received third reading approval.

**Rental Car
Fee
Ordinance
A) Request
to Approve
B) Ordinance**

A report was read from the Economic Development Committee under date of April 29, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, Helen Hill, Director of the Charleston Visitors Bureau, regarding the Visitors Bureau's request for Council's consideration of an Ordinance imposing a user fee on rental car fees. It was pointed out that in partnership with the Charleston County Aviation Authority, the Charleston Metro Chamber of Commerce and the Charleston Regional Development Alliance, the Charleston Area Convention and Visitors' Bureau (CACVB)) has been working to attract new carriers to the Charleston Airport. It was stated that Airlines now expect communities to share in the cost of obtaining new air service by helping to offset potential operating losses as they enter new markets, and one potential carrier has told the CACVB that as soon as an incentive package is available, it will move forward on offering service to Charleston. It was further sated that the car rental fee avenue to raise funds for air service development would be a win-win for the Charleston Community.

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Committee recommended that Council approve and give first reading to an Ordinance authorizing the imposition of a rental car user fee within Charleston County on all passenger vehicles rented, with the understanding that a local tourism development entity will not charge an administrative fee and contains no reference to road infrastructure improvements.

Mr. Summey moved approval of Committee recommendation, seconded by Mr. McKeown, and carried. Mr. Schweers voted nay.

An Ordinance regarding Rental Car Fees was given first reading by title only.

AN ORDINANCE

AUTHORIZING THE IMPOSITION OF A RENTAL CAR USER FEE
WITHIN CHARLESTON COUNTY ON ALL PASSENGER VEHICLE
RENTED AND OTHER MATTERS RELATING THERETO.

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

Mr. Darby requested the Chairman to allow him to read into the minutes a letter he had written to the Editor of the Post and Courier a couple of years ago.

Mr. Darby's letter is as follows:.

The poverty that is so maintained in the inner and outer cities was planted by seeds of economic neglect many, many years ago. One can see that poverty still exists to a great degree for all ethnic groups; but those affected the most relative to their size and population to the rest of the county are blacks and disadvantage whites. These two groups did not cause the intolerable, dilapidated conditions too often seen in our communities. These things were done to them.

Blacks and disadvantage whites did not cause the drab and depressing conditions too often seen in inner cities and rural areas. They did not cause the dismal and stressful conditions that break up families; they did not cause the problems of drugs so prevalent and manifested on street corners and within homes; they did not cause the conditions of crime that prevent the community from maturing to a normal life. Victor Hugo, one of the premier writers of the 19th Century, postulated "If the soul is left in darkness, sins will be committed. The guilty one is not he who committed the sin, but he who caused the darkness." Therefore, the metaphysical financial strains which breed crime and intolerable conditions placed upon families and communities were not caused nor created by the poor, but by the economic power structure along with the blessings of government. It is an indubitable fact poor people within the boundary of Charleston County can stop being poor if rich people of the county will become richer slower. It is sad and tragic that many of us on county, city, and township councils with might and strength have no vision and those of us on county, city, and township councils with power and authority lack compassion to eviscerate and/or curtail pejorative conditions heaped upon the heads of the poor and disadvantaged.

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What is needed are jobs, jobs, jobs, and the lack thereof results in the lack of proper finances, broken homes, low self-esteem, little education, an abundance of crime, and abject poverty which suffocates initiatives, stunts growth, and stifles progress. The lack of jobs cause personal conflict between husband, wife, and children, resulting with the family going through inestimable stress. If the private sector with all of its superfluous wealth is not concerned about the poor, then government needs to step in to deal with the problem of economic destitution. *This is a major call of government because ultimately a great government is a concerned government.*

One can determine the greatness of a government if it has a realistic, practical concern for the unfortunate and deprived. During the Thirties when the United States was on the verge of bankruptcy, government evinced a concern by putting into effect a (WPA) Works Progress Administration which included the (CCC) Civilian Conservation Corps, the (NYA) National Youth Administration, and the (PWA) Public Works Administration to deal with the problems of the unemployed. As a result, three million people were employed to build highways, bridges, public buildings, and parks. What this councilperson contends is Charleston County needs to put into practice a type of WPA for the poor as well as a WPA of Certification for Qualification (CFQ) for contractors and businesspersons who seek monetary gain from government. We need to challenge ourselves, municipalities, and townships that when roads, bridges, and other infrastructure means are being built, men and women within the community should have first priority in being hired. Poor people must be given opportunity; people must be made consumers one way or the other. When Mr. Kurt Taylor and his staff went out to the community and I would think this was the first within the State, for the 25 to 50 jobs possible for the construction of roads, over 900 men and women, black and white, turned out for work. This tells us that poor people want to work.

With 1.3 billion dollars distributed over the next twenty-five years and with the employment of African-Americans and disadvantaged whites, families would be better off, communities would be safer, schools will gain, the quality of life will become satisfying, and dignity and worth will be restored. In dealing with the problems of the poor and

According to the United States' Declaration of Independence, every person has a right to life, liberty, and the pursuit of happiness. The Founding Fathers may have been provincial in their thinking if economic conditions were not deemed a prerequisite in attaining the ultimate goals of happiness. Therefore, minorities and disadvantaged whites must have an economic floor on which to stand if the American Dream is to be structured into a house of happiness, dignity, and worth. It is the considered opinion of this present councilman if the State of South Carolina along with Charleston County can spend up to 600 million dollars to erect a bridge to span the Cooper River, if we can spend millions of dollars in tax incentives, if we can spend further millions of dollars in land preservation, if we can raise taxes on rental agencies, surely the latter can spend a few million dollars to place God's children on their own two feet. Now is the time to deal with Charleston County's unemployment; now is the time to deal with the problem of its poor; now is the time to provide a sufficient and/or livable wage by way of the remaining 1.3 billion dollars. To do otherwise is the "...wasting and degrading of human life..." in Charleston County.

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**BCDCOG
Sustainable
Community
Initiative
Request for
MOU**

A report was read from the Planning/Public Works Committee under date of April 29, 2010 that it considered the information furnished by Allen O'Neal County Administrator and Dan Pennick, Director of the Planning Department, regarding the Berkeley, Charleston, Dorchester Council of Governments' preparation of an application package for a 2010 HUD Sustainable Community Planning Grant to serve Communities located throughout Berkeley, Charleston and Dorchester Counties. It was stated that the goal of the new federal planning program is to support multi-jurisdictional planning efforts that integrate housing, economic development and transportation decision making.

Committee recommended that Council authorized the Administrator to sign a Sustainable Communities Initiative Memorandum of Understanding for the Berkeley/Charleston/Dorchester Region pursuant to Legal Review.

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

The Chairman announced that the next agenda item was the Consent Agenda

Ms. Condon moved approval of Committee recommendations of the Consent Agenda, seconded by Mr. Summey, and carried.

**CONSENT
AGENDA
A) Trade
Adjustment**

A report was read from the Finance Committee under date of April 29, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Christine DuRant, Director of Grants Administration, regarding the Trade Act of 1974, which was established to assist workers who lose their jobs or whose hours of work and wages are reduced as a result of increased imports. It was shown that by Executive Order, the Governor has named the South Carolina Department of Commerce as the grant recipient and administrative entity for Trade Assistance Funds. It was further shown that the provision of the services has been delegated by the Department of Commerce to the Workforce Investment Boards who provide workforce services in the local areas, and that the initial award amount is \$80,982 and will adjust based on number of customers served.

**CONSENT
AGENDA
Continued
B) SC Dept of
Environmental
Control Grant
C) US 17 at Old
Jacksonboro
Improvements
D) 2010
Resurfacing
Plan**

Committee recommended that Council approve the receipt of \$80,982 from the South Carolina Department of Commerce to operate the Trade Adjustment Act program to be managed under the Grants Department within the one Stop System, with the understanding that this funding is for program services and will not include any FTE's, and that no match is required and funds need to be expended by March 31, 2011.

A report was read from the Finance Committee under date of April 29, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Robert Lawing of Environmental Management, regarding a one time in-kind gift being offered by the South Carolina Department of Environmental Control and Alcoa for cardboard recycling containers at no cost to governmental bodies. It was stated that this grant is designed to improve community recycling and grant recipients are to receive as many as 75 containers. It was further stated that containers sought by Charleston County Environmental Management are to be used for special events, community events and

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distribution to participating government entities. It was shown that the Towns of Mount Pleasant and Folly Beach have both expressed interest in program participating.

Committee recommended that Council approve the submission of a grant application to the South Carolina department of Environmental Control as an in-kind donation of recycling containers to be used throughout the County, with the understanding that no FTE's, match, or costs are associated with this grant, and that there is no standard grant period.

A report was read from the Finance Committee under date of April 29, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Barrett J. Tolbert, Director of Procurement regarding bids received for roadwork and drainage improvements at the intersection of U. S. Route 17 and Old Jacksonboro Road. It was stated that The Charleston County School District is requesting that additional work be done at this site and an agreement has been signed that the Charleston County School District will reimburse Charleston County for this work.

Committee recommended that Council:

1. Authorize award of a contract for US 17 at Old Jacksonboro Road to Truluck Construction Company in the amount of \$8006,880.57, with the understanding that funding is available through the Transportation Sales Tax annual allocations.
2. Authorize Staff to perform some additional roadway improvements at the entrance to the new E. B. Ellington Elementary School located at the Intersection of US 17 and Old Jacksonboro Road under an Intersection Improvement and Development Agreement between the County and the Charleston County School District, which calls for an agreed reimbursement to Charleston County of up to \$277,289.00 for the requested work.

A report was read from the Finance Committee under date of April 29, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Barrett J. Tolbert, Director of Procurement, regarding bids received for the 2010 County Resurfacing Plan. It was stated that resurfacing work shall include traffic control, milling, surface preparation, asphalt resurfacing, striping and associated appurtenance of various local and SCDOT paved roadways, within the boundaries of Charleston County. It was further stated that the approximate total project length is 25.5 miles.

Committee recommended that Council authorize award of a contract for 2010 Resurfacing Plan to Sanders Brothers Construction Co., Inc. in the amount of \$4,342,490.60, with the understanding that funding is available through the Transportation Sales Tax.

**FY 2011
Allocation
Projects
Request
Funding**

A report was read from the Finance Committee under date of April 29, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Jim Armstrong, Director of Transportation Development, regarding the Fiscal Year 2011 Annual Allocation Projects. It was stated that Staff has utilized the approved Objective Evaluation and Prioritization process to create a prioritized list of projects to be funded by FY 2011 Annual Allocation funds from the Transportation Sales Tax. It was further

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stated that the list includes carryover projects and new requests within each Allocation Category.

Committee recommended that Council approve the list of prioritized projects which were developed through the use of the Objective Evaluation and Prioritization Process, to be funded by the Annual Allocation funds of the Transportation Sales Tax for Fiscal Year 2011.

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

The allocation list is as follows:

**Johnnie
Dodds Blvd.
Projects
Award of
Contract**

A report was read from the Finance Committee under date of April 29, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, Jim Armstrong, Director of Transportation Development and Barrett J. Tolbert, Director of Procurement, regarding bids received for the design building methodology for the construction of the Johnnie Dodds Boulevard Improvements approved by Council on September 2, 2008.

Committee also considered the information furnished by the Evaluation Committee and the Advisory Committee.

Committee recommended that Council:

1. Approve award of a design-build contract for the construction of the Johnnie Dodds Boulevard Improvements to the Banks/United JV Team, subject to approval of the Federal Highway Administration, with the understanding that Staff will finalize contract documents with an initial price not to exceed 55,515,000
2. Establish the project budget at \$84,000,000, and authorize acceptance of Federal funds for the project should they become available and acceptance of funds from the Town of Mount Pleasant for the work that extends the project limits on Bowman Road.

Mr. McKeown moved approval of Committee recommendation, seconded by Mr. Schweers, and carried.

**Waste
Allocation
Request to
Authorize**

A report was read from the Finance Committee under date of April 29, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, the letter from R. Keith Summey, Mayor of North Charleston and the memorandum from Jim Hutto, Director of Public Works for the City of North Charleston, regarding North Charleston's collected garbage. It was stated that North Charleston, in an effort to reduce the City's costs and travel time, was requesting that North Charleston's collected trash be authorized to be taken to the nearby site at Stark Industrial Park within the City of North Charleston in lieu of the Bees Ferry Landfill site, west of the Ashley for the

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majority of its Collections.

Committee recommended that Council authorize the City of North Charleston's collected garbage be allocated to the Stark Industrial Park Site, located within the City of North Charleston's corporate limits, in lieu of the Bees Ferry Landfill.

Ms. Condon moved approval of Committee recommendation with the understanding that the overall allocation will remain 50 per cent to landfill and 50 per cent to the transfer stations.

Mr. Schweers seconded Ms. Condon's motion for discussion purposes.

After discussing the pros and cons of waste disposal and the prospect of consolidation, Mr. Schweers withdrew his second and the motion failed for a lack of a second.

Mr. Summey moved approval of Committee recommendation, seconded by Mr. Pryor, and carried. Council Members Condon, McKeown and Schweers voted nay.

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

Representatives of the following rental car agencies spoke in opposition to Council's action of approving and giving first reading to an Ordinance authorizing the imposition of a rental car user fee within Charleston County on all passenger vehicles rented and other matters relating thereto.

Trident Rent a Car
Enterprise Holdings
Dollar Rent a Car
U Save Rental Car

**Public
Forum**

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

Ms. Condon reminded everyone of the meeting on Wednesday to discuss the formation of a Senior Citizen for the West Ashley Area.

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

Beverly T. Craven
Clerk of Council

