

Charleston, S. C.
December 13, 2012

A regular meeting of County Council of Charleston County was held on the 13th day of December, 2012, 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; Henry E. Darby; Anna Johnson; Joseph K. Qualey; A. Victor Rawl; Herbert R. Sass, III; Dickie Schweers and J. Elliott Summey.

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

Council Member Sass gave the invocation. Deputy Attorney for Finance, Keith Bustraan 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.

Ms. Condon moved approval of Council's minutes of December 4, 2012, seconded by Mr. Summey, and carried.

**Board of
Zoning
Appeals/John
son
Appointment
1**

A report was read from the Administration Policy/Rules Committee under date of December 13, 2012, that it considered the information furnished by W. Kurt Taylor, County Administrator, and Deputy Clerk of Council, Kristen Salisbury, regarding Council Member Johnson's recommended appointee to the Board of Zoning Appeals. It was stated that BZA Member, Clyde Smalls, recently resigned from the Board of Zoning Appeals and Council Member Johnson has indicated that she would like to recommend that Council appoint Cheryl D. Cromwell as a replacement. It was shown that the Charleston County Board of Zoning Appeals consists of nine members appointed by Council, who hear and decides appeal where it is alleged there is error in order, requirement, decision, or determination made by an administrative official in the enforcement of the County's zoning ordinance. It was further stated that the Board hears and decides appeals for variance from the requirements of the zoning ordinance when strict application of the ordinance would result in unnecessary hardship, and also make decisions regarding the permitting of uses by special exception subject to the terms and conditions set forth in the County's Zoning Ordinance.

Committee recommends the appointment of Cheryl D. Cromwell.

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

**Accommodations
tax Advisory
Board**

A report was read from the Administration Policy/Rules Committee under date of December 13, 2012, that it considered the information furnished by W. Kurt Taylor, County Administrator, and Deputy Clerk of Council, Kristen Salisbury, regarding an application for appointment received from Richard Thomas for the Accommodations Tax

Advisory Committee. It was stated that the Accommodations Tax Advisory Committee advises County Council on the expenditure of monies received by County Government from the accommodations tax. It was shown that the Accommodations Tax Advisory Committee is composed of seven members who must be residents of unincorporated Charleston County, four or more of whom must own or derive income from hospitality industry businesses in the unincorporated portion of the county. Members are appointed by County Council for three year terms.

Committee recommended that Council appoint Mr. Richard Thomas to the Accommodations Tax Advisory Committee.

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

**Construction
Board
Adjustment
and Appeals**

A report was read from the Administration Policy/Rules Committee under date of December 13, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator, and Deputy Clerk of Council, Kristen Salisbury, regarding an application for appointment received from Andrew Wilson, an architect. It was stated that following this appointment there will be 2 vacancies on the Construction Board of Adjustment and Appeals; one for a civil engineer and one for a licensed electrical engineer. It was shown that the Construction Board of Assessment and Appeals is charged with determining grounds for revocation and re-issuance of general contracting licenses, hearing charges and making decisions on those charges, determining probationary offenses, and reviewing responsibilities of Code updates. It was further stated that the eleven member board shall be composed of two architects, two civil engineers, one structural engineer, general contractor, one mechanical or plumbing contractor, one electrical contractor, one residential homebuilder, one mechanical engineer, and one resident state fire marshal. It was further stated that Initial member terms are staggered and subsequent terms are for four years.

Committee recommended that Council approved Andrew Wilson to the Architect Seat on the Construction Board of Assessment and Appeals.

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

**Weed and
Trash
Abatement
Hearing
Board**

A report was read from the Administration Policy/Rules Committee under date of December 13, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator, and Deputy Clerk of Council, Kristen Salisbury, regarding an application for appointment received from Bev Jenkins. It was shown that the Weed & Trash Abatement Hearing Board is a three member board that is charged by County Council to receive testimony and make written determinations concerning appeals of citizens desiring to contest an abatement order issued by a Charleston County Code Enforcement Officer in compliance with the County's Weed & Trash Abatement Ordinance (#1227). It was stated that meetings are scheduled on an as-needed basis... with terms of the Weed & Trash Abatement Hearing Board being for three years.

Ms. Condon moved approval of Committee recommended, seconded by Ms. Johnson and carried. Council Member Schweers voted nay.

**Library
Board**

A report was read from the Administration Policy/Rules Committee under date of December 13, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator, and Deputy Clerk of Council, Kristen Salisbury, regarding applications for appointment received for the Charleston County Library Board. It was stated that an application for reappointment was received from Janet Segal and applications seeking appointment were received from Tina Arnold, Bob Cubin, Joseph Kelley Bowers, Zachary Closer, Matthew Keller, Salvatore Livery, Rosemary Manigault, Maria Neal, Pauline Nelson, and Tom Tolly. It was shown that the Library Board of Trustees is an 11 member Board that is charged by State Statute to control and manage the County Public Library System, and that Members are appointed by County Council from all geographical areas for terms of four years, and that County Library Board meetings are held on the fourth Tuesday of each month at 5:15 p.m.

Committee recommended that Council appoint Mr. Tolly, Ms. Neal, Ms. Manigault and Ms. Segal to the Charleston County Library Board of Trustees.

Mr. Pryor moved approval of Committee recommendation, seconded by Ms. Johnson

Ms. Condon nominated Bob Aubin and Mr. Schweers nominated Mr. Bowers.

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

Ms. Condon	- Segal, Aubin, Tolly
Mr. Darby	- Aubin, Manigault, Tolly, Bowers
Ms. Johnson	- Segal, Manigault, Neal, Tolly
Mr. Qualey	- Segal, Aubin, Bowers, Tolly
Mr. Rawl	- Segal, Tolly, Manigault, Neal
Mr. Sass	- Segal, Tolly, Bowers, Manigault
Mr. Schweers	- Aubin, Bowers, Neal, Tolly
Mr. Summey	- Segal, Manigault, Neal, Tolly
Mr. Pryor	- Segal, Manigault, Neal, Tolly

The Chairman announced that the following had been selected as Members of the Charleston County Board of Trustees:

1. Ms. Janet Segal
2. Ms. Rosemary Manigault
3. Ms. Marie Neal
- 4; Mr. Tom Tolly

**Charleston
Public
Facilities
Corporation**

A report was read from the Administration Policy/Rules Committee under date of December 13, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Deputy Clerk of Council, Kristen Salisbury, regarding Applications for appointment received from Patrick Henley Bell and Delores Gilmer. It was stated that the purpose of the Public Facilities Corporation is to oversee expenditure of monies from Certificates of Participation; this Corporation is mandated under the terms of the said Certificates. It was shown that the Corporation is composed of three persons: the Controller and the Director of General Services, who serve permanently; and one citizen, who represents the financial or building communities serve a three year term. It was stated that since all of the building projects financed by the

Certificates of Participation have been completed, the Public Facilities Corporation only meets once a year. It was shown that two applications have been received for this position, one from Patrick Henry Bell and one from Delores Gilmer.

Mr. Pryor moved approval of Ms. Gilmer, seconded by Ms. Johnson, and carried.

**Disabilities
and Special
Needs Board**

A report was read from the Administration Policy/Rules Committee under date of December 13, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Deputy Clerk of Council, Kristen Salisbury, regarding

Applications for appointment to the Disabilities and Special Needs Board received from Mary Ann Adu and Marcus Rosenlehner. It was stated that Members of the Disabilities and Special Needs Board are appointed by the Governor for four year terms. upon County Council recommendation. It was shown that the mission of the Board is to assist people with disabilities in meeting their needs, pursuing their dreams and achieving their possibilities as well as to minimize the occurrence and reduce severity of disabilities through prevention.

Mr. Summey nominated Ms. Mary Ann Adu, Mr. Schweers nominated Mr. Marcus Rosenlehner.

The vote was four for Mr. Roselehner and five for Ms. Adu. The Chairman declared Ms. Adu to be Council's recommendation for the Disabilities and Special Needs Board.

**St. Johns Fire
District
Commission
a) Kiawah
Island-2 year
term
b) Kiawah
Island-4 year
term**

A report was read from the Administration Policy/Rules Committee under date of December 13, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Deputy Clerk of Council, Kristen Salisbury, regarding an announcement of vacancies for two new seats for Kiawah Island residents on the Saint John's Fire District Commission. It was stated that the terms for these two seats will be staggered and initially the term for one seat will be two years and the term for the other seat will be four years, and thereafter appointment terms for both seats will be four years. It was shown that applications for appointment were received from John Olson, Thomas Walkley, Buzz Waltman, and Craig Weaver. It was further stated that Kiawah Island Town Council voted to ask that Council recommend that the Governor appoint Johns Olson for the four year term and Craig Weaver for the two year term.

The St. John's Fire District Commission Board consists of nine members, appointed by the Governor upon recommendation of Charleston County Council who is responsible for the oversight of all administrative and operational aspects of the St. John's Fire District special purpose district, with the board having the authority to purchase, establish, enlarge, maintain, conduct, and operate the special purpose district as deemed necessary. The board meets to review operational, financial, and administrative activity reports.

Committee recommended that Council appoint Mr. John Olson to the St. John's Fire District Commission for a term of four years and Mr. Craig Weaver for a term of two years.

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

ZREZ-9-12-1-14591, 1720 Central Park Road

A report was read from the Planning Department under date of December 13, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Dan Pennick, Director of Zoning and Planning, regarding a requested zoning change at 1720 Central Park Road, James Island. It was stated that the subject property was not included in the 2008 Comprehensive Plan Update since it was located in the town of James Island at that time and if approved the project must meet all requirements of the ZLDR. It was further stated that the project was approved unanimously approved by the Planning Commission and this area will be looked at as part of the upcoming Comprehensive Plan Five Year Review.

Committee recommended approval.

Mr. Pryor moved approval of Committee Recommendation, seconded by Mr. Summey, and carried.

An Ordinance rezoning property located at 1720 Central Park Road was given first reading by title only.

AN ORDINANCE

REZONING THE REAL PROPERTY LOCATED AT 1720 CENTRAL PARK ROAD, PARCEL IDENTIFICATION NUMBER 424-09-00-159 FROM THE SINGLE FAMILY RESIDENTIAL 4 (R-4) DISTRICT TO THE RESIDENTIAL OFFICE (OR) DISTRICT.

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

ZPD-10-12-14664, 3326, 3328, 3332, 3334 Maybank Hwy.

A report was read from the Planning Department under date of December 13, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Dan Pennick, Director of Zoning and Planning, regarding a request to rezone 3328, 3332, 3334 and 3325 Maybank Highway from a Commercial Transition (CT) Zoning District to a Planned Development Zoning District. It was stated that the Planning Commission had recommended approval with Staff's conditions by a vote of 8 to 0.

Committee recommended approval of Planning Committee recommendations with Staff's conditions.

Mr. Summey moved approval of Committee recommendations, seconded by Mr. Pryor, and carried.

An Ordinance rezoning 3328, 3332, 3334, 3336 Maybank Highway from a Commercial Transition (CT) Zoning District to a Planned Development Zoning District (PD) District was given first reading by title only.

AN ORDINANCE

REZONING PROPERTIES LOCATED AT 3328, 3332, 3334, AND 3336 MAYBANK HIGHWAY FROM THE COMMERCIAL TRANSITION (CT) DISTRICT TO THE PLANNED DEVELOPMENT (PD) DISTRICT.

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

The Chairman announced that the next item on Council's Agenda was the Consent Agenda.

**Consent
Agenda
FY 2010 State
Homeland
Security
Reverted
Funds**

A report was read from the Finance Committee under date of December 13, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Al Cannon, Sheriff of Charleston County, regarding an award from the South Carolina Law Enforcement Division (SLED) to the Charleston County Sheriff's Office. It was shown that these funds are reverted funds from the 2010 State Homeland Security Program (Grant #10SHSP42), and are designated to address equipment gaps within the Sheriff's Office Bomb Team. It was shown that the total amount of the award is \$80,000.00, and the Sheriff's Office is requesting to use this award funding for equipment enhancements to the Bomb Team. It was shown that the grant period will run from November 29, 2012 until May 31, 2013 and that there are no FTE's requested in this grant and no match is required.

Committee recommended that Council allow the Sheriff's Office to accept the reverted funds in the amount of \$80,000 from the 2010 State Homeland Security Program, with the understanding that the grant period will run from November 29, 2012 until May 31, 2013; that no FTE's are requested and that no match is required.

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

**Project
Epsilon
Financial
Incentives**

A report was read from the Finance Committee under date of December 13, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Steve Dykes, Director of the County Economic Development Department, regarding discussions with executives from 'Project Epsilon,' concerning their interest in entering the Charleston market. It was stated that the company outlined plans to spend over \$42 million to construct a 140,000 square foot, state-of-the-art distribution facility offering employment to 87 persons, with an annual payroll of over \$2.6 million and that over twenty years the annual property tax revenues to the various taxing entities should approximate \$12 million with approximately \$2 million of that figure coming to Charleston County. It was shown that in order to support this recruitment effort, the Economic Development Director committed to the use of fee-in-lieu-of-taxes (FILOT) along with a special source revenue credit (SSRC) equivalent to approximately 4% of the FILOT revenues. It was further shown that specifically, the new investment would be taxed at a 6% assessment rate, with the millage 'fixed' at the rate of 269.5 (coinciding with Tax District 4-3 City of North Charleston for 2011) throughout the 20-year term, and the SSRC, which is being offered to offset some of the initial costs of site preparation and infrastructure extension, would not exceed \$500,000. It was stated that this FILOT inducement action is one of the final due diligence steps by the corporate leadership of 'Project Epsilon' leading to a final decision to proceed, and will serve as a formal commitment by the County to approve the financial incentives committed by the Economic Development Director. It was also stated that upon making their final decision, the company envisions returning to County Council for the subsequent steps of approving a FILOT ordinance and agreement through the statutorily-required three readings and public hearing during the first quarter of 2013.

Committee recommended that Council approve an inducement resolution authorizing the use of fee-in-lieu-of-taxes (FILOT), and a special source revenue credit to support the \$42 million 87-person refrigerated distribution facility by 'Project Epsilon' under the following conditions:

1. FILOT terms include a 6% assessment, with millage 'fixed' at the rate of 269.5 (coinciding with Tax District 4-3 City of North Charleston for 2011) throughout the 20-year term.

2. A special source revenue credit not to exceed \$500,000 will be made to the company during the first five years the company pays FILOT.

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

The Chairman announced that the next item on Council's agenda, Employee Compensation Adjustment, was removed, and would be on Council's Agenda at the time of "Mid-Year "Review.

A report was read from the Finance Committee under date of December 13, 2012 that it considered the motion of Ms. Condon regarding extra compensation in the amount of \$7,500 per month to be paid to County Attorney, Joseph Dawson for his duties as acting Director of Enviromental Management for Charleston County.

Committee recommended that Council approve the recommendation of Council Member, Colleen Condon, which was seconded by Ms. Johnson. Messrs. Qualey, Rawl and Schweers voted nay.

A report was read from the Finance Committee under date of December 13, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Jim Armstrong, Assistant Administrator for Transportation, regarding the right of way acquisition process which, in a negotiated purchase of right of way, depends on the willingness of affected property owners to reach a mutually agreeable settlement and the entire schedule can be negatively impacted by one or more individual properties, which cannot be resolved through reasonable negotiations. It was stated that in order to minimize the schedule delays caused by the failure or refusal of a few properties to reach a settlement in a reasonable length of time, it is requested that Council approve the use of eminent domain on all properties where right of way acquisition is necessary and has not been settled at this time. It was shown that currently, right of way acquisition has been negotiated and settled on 5 of 8 affected tracts, and that Staff remains extremely sensitive to the property rights of persons affected on all of County's projects, and has directed that the right of way consultants continue to exercise all due care when negotiating with each owner and that actual condemnation actions would be filed only in cases where it appears that a settlement is not imminent and the project schedule will be impacted. It was further stated that Condemnation Authority is currently requested on projects for which the right of way plans have been completed to a point where all the properties impacted by the project may be identified by their parcel ID numbers (TMS Numbers). It was further shown that this authority is currently requested for the following allocation project:

Ashley
Phosphate
Cross
County/
Eminent
Doman

- Ashley Phosphate Rd at Cross County Rd Intersection Improvements Project

Committee recommended that Council approve the requested resolution which authorizes the use of eminent domain for the properties identified for the Ashley Phosphate Rd at Cross County Rd Intersection Improvements Project.

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

The Resolution is as follows:

A RESOLUTION

AUTHORIZING THE EXERCISE OF EMINENT DOMAIN TO ACQUIRE TITLE TO OR INTERESTS IN REAL PROPERTY FOR THE PURPOSE OF CONSTRUCTING ROAD IMPROVEMENTS FOR THE ASHLEY PHOSPHATE RD AT CROSS COUNTY RD INTERSECTION IMPROVEMENTS PROJECT

SECTION I. FINDINGS

THE COUNTY COUNCIL OF CHARLESTON COUNTY, IN MEETING DULY ASSEMBLED, HEREBY FINDS AS FOLLOWS:

WHEREAS, as a project being undertaken as part of its Transportation Sales Tax Program, Charleston County intends to construct certain improvements to Ashley Phosphate Road and Cross County Road in North Charleston, SC (the "Project"); and

WHEREAS, the plans for the improvements are shown on the technical drawings of Davis & Floyd entitled "Proposed Plans of Intersection Improvement, Intersection of S-75 (Ashley Phosphate Rd) and S-2028 (Cross County Rd)"; and

WHEREAS, the Plans depict, *inter alia*, the existing roadway, the proposed roadway and the privately-owned properties and portions of properties that the County seeks to acquire to complete the Project; and

WHEREAS, said plans are subject to refinement and revision as additional design efforts and investigations are undertaken regarding the roadway alignment and the project's components, including but not limited to sidewalks, utilities, drainage facilities and the traveling surface; and

WHEREAS, the acquisition of the privately-owned properties will be accomplished in accordance with the eminent domain laws of the State of South Carolina; and

WHEREAS, it is in the best interest of the citizens of Charleston County to acquire title to or an interest in the privately-owned properties in order to complete the Project; and

WHEREAS, public purposes, including but not limited to improved safety, the facilitation of commerce and the convenience of the traveling public will be served by acquiring the properties and completing the Project; and

WHEREAS, the properties acquired will be for a public use, including but not limited to, the improvement of a publicly-owned thoroughfare in Charleston County.

SECTION II. ACTIONS AUTHORIZED

As a result of the findings set forth above, and by virtue of the powers granted to the County under the constitution and statutes of the State of South Carolina, the Charleston County Council hereby authorizes and directs the following:

Charleston County Council hereby authorizes the exercise of eminent domain to acquire full title or a property interest in the privately-owned properties shown on the above-described Plans, as the same may be refined or revised from time to time, for the Project. The Parcel Identification Numbers of the properties involved are listed in attachment A, which is incorporated herein by reference. Council expressly authorizes the acquisition of the parcels identified, in whole or in part, as the needs of the project so require.

**1-526
Completion
Project**

A report was read from the Finance Committee under date of December 13, 2012 that it considered the motion made by Council Member Elliott Summey, regarding completion of I 526, and amended by Ms. Johnson and Ms. Condon. The amendments were accepted by Mr. Summey, Ms. Johnson and Ms. Condon. The final Motion is as follows:

A RESOLUTION OF CHARLESTON COUNTY COUNCIL

WHEREAS, THE CHARLESTON COUNTY IS A PARTY TO A THREE-PARTY INTERGOVERNMENTAL AGREEMENT (THE "IGA") WITH THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK (THE "SCTIB") AND SC DEPARTMENT OF TRANSPORTATION (THE "SCDOT") REGARDING THE MARK CLARK EXPRESSWAY/I-526 COMPLETION PROJECT; AND

WHEREAS, CHARLESTON COUNTY COUNCIL ("COUNTY COUNCIL") HAS CONTEMPLATED VARIOUS OPTIONS WITH REGARD TO MOVING FORWARD WITH THE PROJECT; AND

WHEREAS, COUNTY COUNCIL HAS RECEIVED INNUMERABLE PUBLIC COMMENTS REGARDING THE PUBLIC'S DESIRES WITH REGARD TO THE PROJECT; AND

WHEREAS, COUNTY COUNCIL HAS ALSO RECEIVED INFORMATION FROM ITS STAFF, THE STAFF OF THE SCDOT, REPRESENTATIVES OF ORGANIZED GROUPS IN OPPOSITION TO THE PROJECT IN CERTAIN FORMS; AND

WHEREAS, COUNTY COUNCIL MEMBERS HAVE ALSO RESEARCHED AND INVESTIGATED IMPACTS OF THE PROJECT, OPINIONS OF THE

PEOPLE, AND OTHER PERTINENT INFORMATION REGARDING THE PROJECT; AND

WHEREAS, COUNTY COUNCIL NOW WISHES TO MAKE DETERMINATIONS AND DIRECTIVES REGARDING MOVING THE PROJECT FORWARD:

NOW, THEREFORE, BE IT RESOLVED, BY COUNTY COUNCIL IN MEETING DULY ASSEMBLED AS FOLLOWS:

1. County Council hereby finds that it is in the best interests of the County to proceed with the permitting, design, financing and construction of the project referred to herein.
2. Subject to full environmental and other permitting approvals, Council endorses the proposed conceptual route known as "Alternative G", EXPRESSLY WITH THE FOLLOWING MODIFICATIONS which have been proposed by SCDOT staff (together with other modifications which may be made as a result of public comments received during the Environmental Impact Statement ("EIS") process the "Modified Project"):

a grade-separated interchange at Folly Road, including an overpass at Up On the Hill Road on James Island; an overpass at East Shore Lane West Ashley a speed limit of 45 MPH on the mainline.

3. Staff is directed to pursue additional modifications, including but not limited to eliminating traffic lights on the Modified Project and adding the overpass at Riley Road which is already under consideration.
4. Staff is directed to pursue any and all modifications to the IGA with the SCTIB and/or the SCDOT which are necessary or helpful to proceeding with the Modified Project, including, but not limited to:

Memorializing the Modified Project; Updating the funding commitment of the SCTIB; Modifying the contract exhibit regarding the county's match projects to reflect the elimination of the Folly Road Loop Ramp Project and the substitution(s) therefor

5. The Chairman of Council is authorized to execute any and all modifications to the IGA or other documents or instruments necessary or helpful to the completion of the Modified Project as authorized herein.
6. Staff is directed to work with the SCDOT to complete the Final Environmental Impact Statement (the "FEIS") and to receive the US Army Corps of Engineers 404 Permit and any and all other applicable permits.

7. Staff is directed to manage the completion of the Modified Project through a management system similar to the SCDOT's local and public agency administration ("LPAA") process following completion of the FEIS.
8. Staff is directed to issue and pursue Requests for Qualifications ("RFQ's") and Requests for Proposals ("RFP's") and other appropriate procurement documents and procedures as soon as practicable for engineering, design, construction and inspection services, construction, Design-Build and other necessary or appropriate services.
9. In concert with the requirements of the FEIS and other permitting processes, staff is directed to take all reasonable steps beneficial to avoiding the displacement of residences caused by the Modified Project.
10. Staff is directed to immediately begin hardship and/or protective acquisition of properties in the expected Right of Way of the Modified Project, and to seek payment therefor from the SCTIB.
11. Staff is expressly empowered and urged to take all such further actions and make such further efforts to expedite completion of the Modified Project as are consistent with approved SCTIB funding, existing County ordinances, Council Directives and all other applicable agreements, laws, rules and regulations.

Mr. Summey moved approval of Committee recommendation with amendments, seconded by Mr. Rawl;

The Chairman called for a roll call vote on I-526 Completion project. The roll was called and votes recorded as follows:

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

The Chairman announced that the motion as amended passed by a vote of five (5) ayes and 4 nays.

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

Board.

**Council
Comments**

Ms. Condon thanked the public for their great response. Whether you are happy with my vote or not, please know that I did look at it. I believe parts of James and Johns Islands will be irreparably damaged by this. I hope that the engineers are correct.

Mr. Darby

Mr. Sass, this was a hard one and I appreciate all the e-mails and letters I received. I know all of Council worked hard on this.

Mr. Rawl said he was grateful for comments on each side. I don't take the position that this is a win or loss for any group. Council makes the best decision with the information they have for everyone. This is the best of the worst. Not a panacea, but, not an end. advantage is the length of time we will have to get through the process. It may be a blessing, maybe a curse.

Mr. Summey - I am a commercial real estate developer. I am not the devil. I have been a developer in Charleston and throughout the southeast for about 6 years. I am not a residential developer and never will be. I don't own property on Johns Island. I am proud of the development I have done. I follow ULI standards and smart growth practices.

Mr. Qualey – I tried to be responsive, but it was difficult to be responsive on this issue with the volume of comments we have received.

Mr. Pryor - thanked staff.

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

Beverly T. Craven
Clerk of Council