

Charleston, S. C.  
November 8, 2012

A regular meeting of County Council of Charleston County was held on the 8<sup>th</sup> day of November, 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 Schweers gave the invocation. Council Member Condon 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. Summey moved approval of Council's minutes of October 16, 2012, seconded by Mr. Sass, and carried.

**GREENBELT  
BANK BOARD  
MEMBER AT  
LARGE**

The Chairman stated that at Council's meeting of October 16, 2012, the selection of a Member at Large of the Greenbelt Bank Board received a tie vote, four votes for Mr. Master Bines; four votes for Mr. Thomas Bullwinkle, and one Council Member absent. He added that he had requested the Clerk to place this item on tonight's agenda.

The Chairman called for a roll call vote, and votes were recorded as follows:

Ms. Condon	- Bullwinkle
Mr. Darby	- Bines
Ms. Johnson	- Bines
Mr. Qualey	- Bullwinkle
Mr. Rawl	- Bines
Mr. Sass	- Bullwinkle
Mr. Schweers	- Bullwinkle
Mr. Summey	- Bines
Mr. Pryor	- Bines

The vote being five (5) votes for Bines and four (4) votes for Bullwinkle, the Chairman declared that Mr. Bines had been selected for the Member at Large Seat on the Greenbelt Bank Board.

An Ordinance granting an easement to the South Carolina Electric & Gas Company was given third reading by title only.

**AN ORDINANCE**

**APPROVING AND AUTHORIZING THE GRANT OF AN EASEMENT TO SCE&G, OVER A PORTION OF COUNTY PROPERTY KNOWN AS THE COUNTY OFFICE BUILDING, LOCATED AT 101 MEETING STREET, TMS NUMBER 457-12-02-003.**

WHEREAS, South Carolina Electric and Gas Company ("SCE&G") has requested an easement across a portion of Charleston County's property known as the County Office Building property located at 101 Meeting Street, Charleston, South Carolina identified as tax map parcel identification number 457-12-02-003 for the purpose of constructing and installing electrical cables and conduit lines to service Hibernian Hall; and

WHEREAS, Charleston County Council finds that granting the easement to SCE & G is in the best interests of the County and an appropriate use for this property; and

NOW, THEREFORE, BE IT ORDAINED, by Charleston County Council, in meeting duly assembled, as followed:

**SECTION I. FINDINGS INCORPORATED**

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

**SECTION II. EASEMENT GRANTED; AUTHORITY TO EXECUTE DOCUMENTS**

A. Charleston County Council grants an easement to SCE&G to allow for the installation and construction of a five (5) inch diameter conduit that is forty (40) feet in length on one side and a five (5) inch diameter conduit that is sixty-five (65) feet long on the other side across a strip of land extending five (5) feet on each side of the center of any cables, conduits, pipes, transformers, elbow cabinets, handholes, switchgears, or other devices on Charleston County's property known as the County Office Building located at 101 Meeting Street, Charleston, South Carolina identified as tax map parcel identification number 457-12-02-003 so that SCE&G may supply utility service to Hibernian Hall.

B. The location and description of the easement is shown on Exhibit A identified as SCANACAD Drawing-Do Not Revise Manually, South Carolina Electric & Gas Co., Title: Hibernian Society – 105 Meeting Street, Detail: 3Ø Underground Service Upgrade, Sub.: Charleston Eastside 13.8KV Sub (0216), C-80261 Sheet 1 of 1 Sheets, Date Plotted 08/17/12, which is incorporated herein by reference. and attached as Exhibit A.

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

**SECTION III. SEVERABILITY**

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

SECTION IV. EFFECTIVE DATE

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

ADOPTED and APPROVED in meeting duly assembled 8<sup>th</sup> day of November, 2012.

CHARLESTON COUNTY, SOUTH CAROLINA

Teddie E. Pryor, Sr. Chairman  
Charleston County Council

ATTEST:

Beverly T. Craven  
Clerk to Charleston County Council

The Chairman called for a roll call vote on the third reading of the proposed Ordinance. The roll was called and votes recorded as follows:

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

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

ZLDR TEXT  
AMENDMENT  
FORM BASED  
ZONING

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

AN ORDINANCE

AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS AMENDED, CHAPTER 7, FBZD. FORM-BASED ZONING DISTRICT

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

The Chairman called for a roll call vote on the second reading of the proposed Ordinance. The roll was called and votes recorded as follows:

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

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

An Ordinance rezoning real property was given second reading by title only.

ZREZ-7-12-  
14267, 1835  
Belgrade Ave

**AN ORDINANCE**

**REZONING THE REAL PROPERTY LOCATED AT 1835 BELGRADE AVENUE, PARCEL IDENTIFICATION NUMBER 350-01-00-013, FROM THE SINGLE FAMILY RESIDENTIAL (R-4) DISTRICT TO THE COMMUNITY COMMERCIAL (CC) DISTRICT**

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

The Chairman called for a roll call vote on the second reading of the proposed Ordinance. The roll was called and votes recorded as follows:

Ms. Condon	- aye
Mr. Darby	- aye
Ms. Johnson	- aye
Mr. Qualey	- aye
Mr. Rawl	- aye
Mr. Sass	- aye
Mr. Schweers	- aye
Mr. Summey	- absent at time of voting
Mr. Pryor	- aye

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

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

Mr. Rawl moved approval of the Consent Agenda, seconded by Ms. Condon, and carried.

The Consent Agenda is as follows:

A report was read from the Finance Committee under date of November 8, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and

**Consent Agenda**

**A) Otranto Rd/Rivers Ave Sidewalks**

**B) Crew Cab Trucks**

**C) Articulated Trucks -2**

**D) Tire Wheel Loader**

**E) Recycling Vehicles -5**

**F) Code Enforcement Officers**

**G) Mental Health Grant**

**H) Highway Safety Grant**

Barrett J. Tolbert, Director of Procurement, regarding bids received for the Otranto Road and Rivers Avenue Sidewalk Project (CTC). It was stated that the Otranto Road at Rivers Avenue Sidewalk project is located in the City of North Charleston and this Project will construct approximately 1,400 LF of sidewalk along the north side of Otranto Road from Antler Drive to Rivers Avenue (US 52) and along the east side of Rivers Avenue from Otranto Road to North Park Extension with associated drainage improvements along the sidewalk route being installed, including curb and gutter on Otranto Road. It was further stated that new crosswalks and pedestrian signals will be installed at the Antler/Otranto and Otranto/Rivers intersections as well as a new crosswalk across North Park Extension, and a new bus turn-out will be provided at the bus stop on Otranto Road. It was shown that the Work for this Project shall include earthwork, concrete sidewalk, asphalt milling, paving, and striping, signage, drainage swales, pipes, and collection structures including curb and gutter, pedestrian signals and traffic signal modifications, erosion and sediment control, and traffic control. The project will be constructed utilizing the items listed on the bid forms.

Bids were received in accordance with the terms and conditions of IFB No. 4712-13C. State "C" Fund regulations do not allow SBE or local preference goals.

<b>Bidder</b>	<b>Total Bid Price</b>
AOS Specialty Contractor, Inc. Lexington, SC Principal: Dianne Rushing	\$165,602.50
First Construction Management, LLC Hanahan, SC Principal: Roger Holcombe	\$198,392.91
*International Public Works, LLC Charleston, SC Principal: Cyrus Sinor	\$233,545.28

\*non-responsive failure to submit the Co-Permittee Agreement and Contractor Certification form.

Committee recommended that Council, as agent for the Charleston County Transportation Committee (CTC), authorize award of a contract for the Otranto Road and Rivers Avenue Sidewalk Project CTC to AOS Specialty Contractor, Inc., the lowest responsive and responsible bidder, satisfying all specifications, in the amount \$165,602.50 with the understanding that funding is available through the State "C" Fund for road improvements.

A report was read from the Finance Committee under date of November 8, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Barrett J. Tolbert, Director of Procurement, regarding bids received for the purchase of three (3) Over Style Crew Cab Landscape Trucks to be utilized by Public Works. The Over Style Crew Cab Landscape Trucks were previously approved in the FY 2013 budget.

Sealed Bids were received in accordance with the terms and conditions of IFB No. 4705-13V. The bid tabulation is as follows:

<b>Bidder</b>	<b>Make/Model Delivery Time</b>	<b>Price (includes tax and options)</b>
*Hughes Motors Charleston, SC Principal: Christopher Herring	2012 Isuzu N Series Delivery: 60 Days	\$180,300.00
<b>Carolina International Trucks North Charleston, SC Principal: Ed Jones</b>	<b>2013 Mitsubishi FE 160 Delivery: 45 Days</b>	<b>\$194,183.04</b>
Christopher Trucks Greenville, SC Principal: Scott Christopher	2012 Isuzu N Series Delivery: 140 Days	\$206,301.00

\*Hughes Motors quoted truck bed length at 17-feet and 20-feet was requested. It was evaluated by the customer and determined the item quoted on did not meet all of the specifications as requested.

Committee recommended that Council authorize award of bid for the purchase of three (3) Over Style Crew Cab Landscape Trucks to the responsive and responsible bidder, Carolina International Trucks, in the amount of \$194,183.04, with the understanding that equipment will be utilized by the Public Works Department.

A report was read from the Finance Committee under date of November 8, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Barrett J. Tolbert, Director of Procurement, regarding Sealed bids received for the purchase of two (2) new 30 Ton 6x6 Articulated Trucks to be utilized by the Environmental Management Department. It was stated that the trucks were approved in the FY 2013 budget to replace existing ones, and will assist the Environmental Management Department in moving compost and alternative daily coverage at the Landfill.

Sealed bids were received in accordance with the terms and conditions of IFB No. 4700-13V. The bid tabulation is as follows:

<b>Bidder</b>	<b>Make/Model Delivery Time</b>	<b>Price (includes tax and options)</b>
<b>Flint Equipment-Bid #1 Ladson, SC Principal: John Lockhart</b>	<b>2013 John Deere 300D-2 Delivery: 90-120 Days</b>	<b>\$669,866.00</b>
ASC Construction Equipment North Charleston, SC Principal: Mitch Bailey	2012 Volvo A-30F Delivery: 30-45 Days	\$701,510.00
Blanchard-Caterpillar Summerville, SC Principal: James Johnston	2012 Caterpillar 730 Delivery: 120 Days	726,582.00

Committee recommended that Council authorize award of bid for the purchase of two (2) new 30 Ton, 6x6 Articulated Trucks to the responsive and responsible bidder, Flint Equipment Company, in the amount of \$669,866.00, with the understanding that this

equipment will be utilized at the Collections Division at Bee's Ferry Road by the Environmental Management Department.

A report was read from the Finance Committee under date of November 8, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Barrett J. Tolbert, Director of Procurement, regarding sealed bids received for the purchase of one (1) Rubber Tire Wheel Loader to be utilized by the Environmental Management Department. It was stated that the wheel loader was approved in the FY 2013 budget to replace an existing one and will be used by Environmental Management to load trucks, make compost rows, and for yard waste intake.

Sealed Bids were received in accordance with the terms and conditions of IFB No. 4697-13V. The bid tabulation is as follows:

<b>Bidder</b>	<b>Make/Model Delivery Time</b>	<b>Price (includes tax and options)</b>
*Flint Equipment-Bid #2 Ladson, SC Principal: John Lockhart	2013 John Deere 624K Delivery: 60 Days	\$189,025.00
<b>May Heavy Equipment-Alternate Bid Columbia, SC Principal: Richard Ambrose</b>	<b>2012 Hyundai HL-760XTD-9 Delivery: 45 Days</b>	<b>\$196,502.00</b>
Dougherty Equipment-Alternate Bid Ladson, SC Principal: Butch Morris	2012 JBC 456ZX Delivery: 90 Days	\$202,603.74
Grove River Machinery Richmond Hill, GA Principal: Dale Richbourg	2012 Hyundai HL760-9 Delivery: 45 Days	\$205,080.00
Flint Equipment-Bid #1 Ladson, SC Principal: John Lockhart	2013 John Deere 644K Delivery: 60 Days	\$220,810.00
Hill Machinery North Charleston, SC Principal: Brett Diggett	2012 Case 821F/XR Delivery: ?	\$222,041.00
ASC Construction Equipment North Charleston, SC Principal: Mitch Bailey	2012 Volvo L110G Delivery: 60-90 Days	\$222,589.00
May Heavy Equipment Columbia, SC Principal: Richard Ambrose	2011 Hyundai 80ZV-2 Delivery: 45 Days	\$239,773.00

\*Flint Equipment's bid #2 was evaluated by the customer and it was determined that the item quoted on did not meet all of the specifications as requested. Reasons are 1) Item #1-Engine 186 HP ILO 200HP and Item #3-Axles: Does not have Floating Axle Shaft that can be removed independent of the Planetary; 2) Item #6-Tires, 20.5x25 and

Item #8C-Cooling System-Cooling Cores: Do not meet specifications; 3) Item #9-Frames and Lift Arms 9-feet 5-inches, Dump Clearance ILO 10-feet, and item #12B-Ground Clearance 15-feet 1-inch, ILO 16-feet 20-inches: Does not meet specifications.  
 \*\*Prices shown do not include the 8.5% tax rate. This item is considered exempt. See attached certificate.

Committee recommended that Council authorize award of bid for the purchase of one (1) Rubber Tire Wheel Loader to the responsive and responsible bidder, May Heavy Equipment, in the amount of \$196,502.00 with the understanding that the equipment will be utilized a by the Environmental Management Department.

A report was read from the Finance Committee under date of November 8, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Barrett J. Tolbert, Director of Procurement, regarding Sealed bids which were received for the purchase of five (5) automated residential front end load refuse/recyclables vehicles to be used by the Environmental Management Department. It was stated that the vehicles were approved in the FY 2013 budget to replace existing manual collection vehicles, and the automated residential front end load refuse/recyclables vehicles will assist the Environmental Management Department in order to implement an extensive commercial recycling collection program intended to collect cardboard and commercial mixed paper as well as commercial single-stream materials. Purchase of these necessary vehicles will continue the rollouts of the single stream recycling program. It was shown that Sealed Bids were received in accordance with the terms and conditions of IFB No. 4698-13J. The bid tabulation is as follows:

Bidder	Make/Model Delivery Time	Price (includes tax and options)
<b>Hughes Motors, Incorporated</b> <b>North Charleston, SC</b> <b>Principal: David W. Bunch</b>	<b>2013 Mack, LEU613</b> <b>4087 FEMcNeilus</b> <b>Contender</b> <b>Delivery: 130-160 Days</b>	<b>\$1,420,110.00</b>
Hughes Motors, Incorporated North Charleston, SC Principal: David W. Bunch	2013 Mack, LEU613 Half Body Heil DP 28 Yard Delivery: 200-240 Days	\$1,433,000.00

Committee recommended that Council authorize award of bid for the purchase of five (5) automated residential front end loader refuse/recyclables vehicles to the local responsive and responsible bidder, Hughes Motors, Incorporated, in the amount of \$1,420,110.00, with the understanding that vehicles will be utilized by the Environmental Management Department.

A report was read from the Finance Committee under date of November 8, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Bernard Ferrara, Deputy County Attorney, regarding the yearly appointment of County Employees as Code Enforcement Officers. It was stated that in 1994, Charleston County Council adopted an Ordinance authorizing the issuance of a Uniform Ordinance Summons which is used to enforce any County Ordinance.

Committee recommended that Council approve the following list of employees as Code Enforcement Officers for Charleston County for 2013.

**Assessor's Office**

Pamela S. Hope and Christine White

**Building Services**

Brian S. Barraclough, William R. Bullock, James R. Houser, Calvin T. Phillips, Cecil A. Rhudy, Carl H. Simmons and Karl A. Wichmann

**Planning**

Sally Brooks, Joel Evans, James Hackett, Dan Pennick, Andrea Pietras, Brandon White

**Public Works**

James Neal

**Public Works - Storm Water**

Russell Bennett, Luca Costabile, Neil Desai, Charles Jarman, Doug Pilcher

**Revenue Collections**

George Boniface, Hillary Bowers, Dionne Brown, Jim Bunn, Joe Coates, Byron Foster, Lourenza Green Ron Hall, Anthony Hazelton, Megan Hume, Britt Miller, Tom Tamblyn, Edrian Trakas, Douglas Wurster, Colin Wieringa

**Planning/Environmental Management**

Charles "Tim" Fetner

A report was read from the Finance Committee under date of November 8, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Charleston County Sheriff J. Alton Cannon, regarding a proposed partnership between the Medical University of South Carolina (MUSC) and the Charleston County Sheriff's Office in order to conduct a study pertaining to intervention for adult victims of crime. It was stated that the project is funded by the National Institute of Mental Health, and the Charleston County Sheriff's Office would be the sub-grantee and would receive \$1,500 from MUSC. It was stated that the Sheriff's Office is requesting to use this award funding for training activities and associated costs. It was further stated that the grant period would run from October 1, 2012 until September 30, 2013 and that no FTE's would be requested in this grant and no match is required.

Committee recommended that Council allow the Sheriff's Office to participate with MUSC and accept \$1,500 from the 2012 Psychological First Aid for Victims of Crime through the National Institute of Mental Health with the understanding that the grant period will run from October 1, 2012 until September 30, 2013; that there are no FTE's requested in this grant and no match is required.

A report was read from the Finance Committee under date of November 8, 2012 that it considered the information furnished by the County Administrator, W. Kurt Taylor, regarding the Sheriff's Office's request for permission to accept funding from the SC Department of Public Safety's (SCDPS) Office of Highway Safety (OHS) for a grant to combat drivers driving under the influence (DUI) in Charleston County. It was stated that the OHS grant program is a three-year project and this request to accept funding is for the second-year of funding. It was shown that the purpose of these funds is to sustain the designated DUI Enforcement Team within the Sheriff's Office, and the funds cover two (2) grant funded FTE's, office supplies, radio fees and in-state enforcement mileage costs for a total amount of \$149,842. It was further stated that there is no match requirement under this grant, and the grant period is October 1, 2012 through September 30, 2013.

Committee recommended that Council accept second-year funding for the FY'13 Highway Safety Grant Program in the amount of \$149,842 and the funds will cover two (2) grant funded FTE's, office supplies, radio fees and in-state enforcement mileage costs, with the understanding that:

1. At the conclusion of the grant period, the County is under no obligation to retain these positions after the grant period has expired.
2. The grant period is October 1, 2012 through September 30, 2013.
3. There is no match requirement under this grant.

**Sale/Mary  
Ann Point  
Borrow Pit**

A report was read from the Finance Committee under date of November 8, 2012 that it considered the information furnished by County Administrator, W. Kurt Taylor, and Director of Facilities, Dan Chandler, regarding County properties to be considered for sale. It was stated that on June 20, 2012, County Council was provided with information on underutilized County properties and subsequently appraisals were obtained and sealed bids were solicited for each property. It was shown that all properties received bids from the one bidder, Mr. David N. Jordan, and only the 2 acres on Mary Ann Point Borrow Pit property, located on Johns Island, received a bid higher than the appraised value of \$5,000; that bid was \$5,850.

Committee recommended that Council:

1. Approve and give first reading to the sale of the Mary Ann Point Borrow Pit, located on Johns Island, identified as TMS 281-00-00-095, to David N. Jordan in the amount of \$5,850.
2. Not sell the remaining properties at this time.

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

An Ordinance approving the sale of County Property was given first reading by title only.

**AN ORDINANCE**

**AUTHORIZING COUNTY COUNCIL OF CHARLESTON COUNTY TO CONVEY BY DEED THE PROPERTY IDENTIFIED BY PARCEL ID NUMBER 281-00-00-095 TO DAVID N. JORDAN.**

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

**Shimano  
American  
Financial  
Incentives**

A report was read from the Finance Committee under date of November 8, 2012 that it considered the information furnished by Charleston County Administrator W. Kurt Taylor and Charleston County Economic Director, Steve Dykes regarding a potential expansion of Shimano American Financial distribution facility at Palmetto Commerce Park in North Charleston. It was stated that the company plans to spend over \$5 million to double their square footage from its current 102,000 sq. ft. to 201,000 sq. ft. as they begin handling two new additional fishing and cycling product lines. It was shown that along with the additional floor space, Shimano plans to ramp up their current workforce of 36 employees with the addition of up to 17 new employees to handle the expansion. It was further stated that the Economic Development Director committed to the use of fee-in-lieu-of-taxes (FILOT) to support this \$5 million expansion project, with its new job creation. It was shown that the new investment would be taxed at 6% assessment over the next twenty years, with millage 'fixed' at the current rate of 269.5 (Tax District 4-3 City of North Charleston for 2011) throughout the 20-year term.

Committee recommended that Council approve an inducement resolution authorizing the use of fee-in-lieu-of-taxes (FILOT), and an ordinance authorizing the execution and delivery of fee-in-lieu-of-taxes to support the \$5 million 17-person expansion by Shimano American Corporation, with the understanding that FILOT terms would include: a 6% assessment rate, with millage 'fixed' at the current rate of 269.5 over the twenty year term.

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

The Resolution is as follows:

**RESOLUTION**

**WHEREAS**, Charleston County (the "County") is presently recruiting an investment in the County by Shimano American Corporation (the "Corporation") in the form of a facility expansion to be located in the County (the "Project");

**WHEREAS**, Charleston County Council (the "Council"), in order to induce the Corporation to locate the Project in the County, has committed to the Corporation that the Council will take certain actions and provide certain incentives, including but not limited to entering into a fee-in-lieu of taxes ("FILOT") agreement providing certain

benefits to the Corporation, if the Corporation was willing to locate the Project in the County; and

**WHEREAS**, during the FILOT investment period, the Corporation is anticipated to make an investment of at least \$5 million;

**NOW, THEREFORE, BE IT RESOLVED** by the Charleston County Council that:

1. If the Corporation decides to locate the Project in the County, the Council, upon request by the Corporation, hereby agrees to enter into a FILOT agreement under Title 12, Chapter 44 Code of Laws of South Carolina, as amended (the "FILOT Act"), as to the Corporation's real and personal property at the Project that will provide the Corporation with a calculation of such FILOT payments on the basis of an assessment ratio of 6% for 20 years.
2. The Council agrees to enter into and execute a FILOT agreement with the Corporation at such time as the Corporation may request, consistent with this Inducement Resolution and with the FILOT Act. The millage rate shall be fixed for the full term of the FILOT agreement and shall be 269.5 mills.
3. The County agrees the Project will remain in a multi-county industrial and business park throughout the FILOT term.
4. The County agrees to provide the Corporation with the most favorable provisions allowable under the FILOT Act with respect to the disposal and replacement of property.
5. This Resolution shall constitute action reflecting and identifying the Project for purposes of the FILOT Act.
  - (a) The Project constitutes a 'project' as said term is referred to and defined in Section 12-44-30 (16) of the FILOT Act.
  - (b) The Project is anticipated to benefit the general public welfare of the County by providing services, employment and other public benefits not otherwise provided locally.
  - (c) The Project will not give rise to any pecuniary liability of the County or give rise to any charge against its general credit or taxing power.
  - (d) The purposes to be accomplished by the Project are proper governmental and public purposes and the benefits of the Project are greater than the costs.
6. The County agrees to provide the incentives set forth in this Resolution as long as the Corporation agrees to the payment of all costs and expenses, including legal fees, incurred by the County due to the grant of the incentives set forth herein for the Project.

**APPROVED AND ADOPTED IN A MEETING THIS 8<sup>TH</sup> DAY OF NOVEMBER, 2012.**

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

**ATTEST:**

Beverly Craven, Clerk  
Charleston County Council

The Chairman called for first reading of the proposed Ordinance.

**AN ORDINANCE**

**AUTHORIZING, PURSUANT TO CHAPTER 44 OF TITLE 12, SOUTH CAROLINA CODE OF LAWS, 1976 AS AMENDED. THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BETWEEN CHARLESTON COUNTY, SOUTH CAROLINA AND SHIMANO AMERICAN CORPORATION; AND MATTERS RELATING THERETO.**

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

**Multi-County  
Industrial  
Park  
Amendments**

A report was read from the Finance Committee under date of November 8, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator, and Steve Dykes, Director of Charleston County Economic Development Charleston County's utilization of an economic development tool known as "multi-county industrial park" (MCIP) designation to leverage relocations or expansions of over 50 companies, which companies have invested in excess of \$3 Billion in Charleston County, while creating over 11,000 jobs within its borders. It was shown that the MCIP designation enhances the value of 'job tax credits,' an incentive tied to new hiring which companies can claim to partially offset their state corporate income tax liability and is used within a broader package of other county and state-level financial incentives and has historically helped to further strengthen the business case for many companies to relocate or expand in Charleston County vis-à-vis other competing local, state, national, and even international locales. It was also shown that Charleston County's agreement with "partner" Colleton County has been amended fourteen times since 1995, with the most recent amendment occurring in 2011. It was stated that during 2012, the Economic Development Director committed to the use of MCIP designation as a portion of the financial incentives packages to leverage relocation by Morgan Olson, a custom converter of Daimler Vans which created 119 new jobs earlier this year., and also included in this years' amendment are additional properties added to the facility footprints of SCE&G, TIGHITCO, and Project Quality, three companies initially added to the MCIP in 2011. Finally, the Town of Mt. Pleasant has requested that three properties located on U.S. Hwy. 17-N within Carolina Park be designated to provide its owners an additional marketing advantage when dealing with would-be corporate tenants.

Committee recommended that Council approve an Ordinance amending Ordinance #972, adopted on September 19, 1995 (as previously amended) to add the real and business personal property owned by Morgan Olson, SCE&G, and TIGHITCO in North Charleston, S.C., the real property owned by Lerato, LLC and CDM of Charleston, LLC at Carolina Park in Mt. Pleasant, S.C., and the real and business personal property of another soon-to-be-announced company.



Funds Awarded	- <u>\$52.9 million</u>
Currently Available	<u>\$12.4 million</u>

Committee recommended that Council

1. Approve funding for the following rural greenbelt projects with the Greenbelt Bank Board's conditions listed below, provided that upon approval, grant agreements will be executed between the County and appropriate parties.

<b>Applicant</b>	<b>Project Name</b>	<b>Project Type</b>	<b>Acres</b>	<b>Funding</b>
<u>Amount</u>				
Edisto Island Open Land Trust	Edisto County Park Expansion	Fee Simple	10.0	\$70,000
Progressive Club of Johns Island	Fields Tract	Fee Simple	10.5	\$158,700
<b>TOTAL</b>			<b>20.5</b>	<b>\$228,700</b>

The conditions for The Progressive Club of Johns Island's Fields Tract Project are: that no impervious surface be allowed on the back 8.5 acres.

2. Authorize the County Administrator to require the execution and delivery of proper agreements and instruments to implement the conditions of the approval of the grant funds, and to effectuate the goals of the Greenbelt Program Ordinances and policies.
3. Approve the use of \$228,700 to be funded from a combination of Greenbelt Operating Contingency and/or 2011 General Obligation Bonds.

Ms. Johnson moved approval of Committee recommendation, seconded by Mr. Rawl, and carried. Mr. Schweers voted nay.

**B) Urban Greenbelt Projects**

A report was read from the Finance Committee under date of November 8, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Cathy Ruff, Director of the Greenbelt Projects, regarding the Charleston County Comprehensive Greenbelt Urban Projects listed below, which were reviewed by the Urban Grants Review Committee and the Charleston County Park and Recreation Commission. It was stated that the Charleston County Park and Recreation Commission is recommending approval of the following projects.

<b>Applicant</b>	<b>Project Name</b>	<b>Project Type</b>	<b>Acres</b>	<b>Funding</b>
City of Isle of Palms	Live Oak Park	Fee Simple	1.07	\$474,305
City of North Charleston	East Enterprise St.	Fee Simple	.75	\$81,400
City of North Charleston	Gregory O'Hear	Fee Simple	9.86	\$140,050
<b>TOTAL</b>			<b>11.68</b>	<b>\$695,755</b>

Committee recommended that Council

1. Approve funding for the following urban greenbelt projects with the condition listed below, provided that upon approval, grant agreements will be executed between the County and appropriate parties.

<b>Applicant Funding Amount</b>	<b>Project Name</b>	<b>Project Type</b>	<b>Acres</b>	
City of Isle of Palms	Live Oak Park	Fee Simple	1.07	\$474,305
City of North Charleston	East Enterprise St.	Fee Simple	.75	\$81,400
City of North Charleston	Gregory O'Hear	Fee Simple	9.86	\$140,050
<b>TOTAL</b>			11.68	\$695,755

- City of Isle of Palms' Live Oak Park Project – The recommendation for approval includes a request that the city consider the development of the park includes a public process; improvements to accommodate public access; as well as signage acknowledging the source of the funding for the project.
- City of North Charleston's East Enterprise Street Project - The recommendation for approval includes a request for the city to add signage that will indicate the property is a public park and to consider adding benches.

2. Authorize the County Administrator to require the execution and delivery of proper agreements and instruments to implement the conditions of the approval of the grant funds, and to effectuate the goals of the Greenbelt Program ordinances and policies.

3. Approve the use of \$695,755 to be funded from a combination of Greenbelt Operating Contingency and/or 2011 General Obligation Bonds.

moved approval of Committee recommendation, seconded by and carried.

**St. John's  
Fire District  
Resolution**

A report was read from the Finance Committee under date of November 8, 2012 that it considered the information furnished by County Administrator, W. Kurt Taylor, the County Attorney, Joseph Dawson, and the Resolution from the St. John's Fire District Commission requesting Charleston County Council to add two commissioners from Kiawah Island to the St. John's Fire District Commission.

Ms. Condon moved that County Council approve the request from the St. John's Fire District Commission to add two additional Commissioners to the St. John's Fire District pursuant to Section 6-11-335 of the South Carolina Code of Laws, as amended. This motion was seconded by Ms. Johnson and carried unanimously.

The Resolution is as follows:

**A RESOLUTION**

**APPROVING A REQUEST TO CHARLESTON COUNTY COUNCIL PURSUANT TO SECTION 6-11-335 OF THE SOUTH CAROLINA CODE OF LAWS TO ADD TWO ADDITIONAL COMMISSIONERS TO THE ST. JOHN'S FIRE DISTRICT COMMISSION.**

**BE IT RESOLVED** by the St. John's Fire District Commission, in a meeting duly assembled,

That based on the dramatic growth which parts of the District have experienced since the last time that the Commission Membership was adjusted in 1978, the Commission believes that the addition of two new members from Kiawah Island will:

- 1) Provide for more balanced representation in terms of the number of structures, the acreage and number of parcels of property which each commissioner represents on behalf of the district.
- 2) Provide a fairer apportionment of commission representation in terms of the value of property which each commissioner represents within the district.
- 3) Be in keeping with the fact that the growth of population, property value and number of structures on Kiawah has grown dramatically and disproportionately to other areas within the district since a single commissioner was assigned to represent Kiawah in 1978.

The St. John's Fire Commission hereby requests that Charleston County Council add two commissioners from Kiawah to the St. John's Fire District Commission pursuant to Section 6-11-335 of the Code of Laws of South Carolina.

**DONE, RATIFIED, AND ENACTED this 5<sup>th</sup> day of November, 2012.**

  
 CHAIRMAN  
 ST. JOHN'S FIRE DISTRICT COMMISSION

ATTEST:

  
 SECRETARY  
 ST. JOHN'S FIRE DISTRICT COMMISSION

**Solid Waste  
Issues**

A report was read from the Finance Committee Meeting of November 8, 2012 that it considered the information furnished in executive session by the County Environmental Management Department Staff and Kessler Consulting Inc., concerning a site for a new state-of-the-art single stream recycling facility. It was stated that the current material recycling facility, which is approximately 22 years old was built to process dual stream recyclables and is not adequate for a single stream recycling facility. Committee also received information on possible recycling facility sites.

Committee recommended that Council authorize Staff to move forward in entering into negotiations for two sites as discussed in Executive Session.

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

**Council  
Comments**

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

Mr. Rawl thanked County Staff for all they do to make life better for Charleston County Citizens and Council.

Mr. Darby stated that he was glad Allen West was defeated in Florida.

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

Beverly T. Craven  
Clerk of Council



