

August 17, 2010
Charleston, SC

A regular meeting of County Council of Charleston County was held on the 17th day of August, 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 Dan Pennick, Director of the Zoning/Planning Department.

Rev. Reid gave the invocation. Council Member Rawl 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. Inabinett moved approval of the minutes of July 8, and July 13, 2010, seconded by Mr. Summey, and carried.

The Chairman announced that Ms. Juliett Seabrook, Partnership Specialist for the U. S. Census Bureau was in the audience to give Council an update of Census 2010, and requested that she come forward to the podium to make her report.

Ms. Seabrook answered questions put forth by Council Members and was thanked for her update.

**Resolution
Dr. Vashti K
Washington**

A report was read from the Finance Committee under date of August 12, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Council Member Henry Darby requesting Council's approval of a Resolution honoring the services of Dr. Vashti K. Washington.

Committee recommended that Council approve the requested Resolution.

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

The Chairman invited Dr. Washington to come forward with her family and co-workers and requested Council Member Henry Darby to read the Resolution and present it to Dr. Washington.

The Resolution is as follows:

**A RESOLUTION
HONORING DR. VASHTI K. WASHINGTON**

August 17, 2010

WHEREAS, Dr. Vashti K. Washington is a native of Charleston, SC, raised on the East Side of Charleston in a family of six, and a proud 1971 graduate of Charles A. Brown High School; and

WHEREAS, Dr. Vashti K. Washington was the first member of her family to complete a four year degree, receiving her B.A. in Speech Communication from Charleston Southern University, M. Ed. in Early Childhood Education from the College of Charleston, advanced studies in Educational Leadership from The Citadel, and completing her Ed. D. in Educational Leadership and Administration from Nova Southeastern University; and

WHEREAS, Dr. Vashti K. Washington's service to public education began in 1978 as a volunteer reading teacher at McDougall's Youth Correction Center in Ridgeville, SC, where she was eventually employed as a full-time reading teacher; and

WHEREAS, Dr. Vashti K. Washington's career has included teaching positions in Colleton County, Dorchester District 2, and Berkeley County, as well as administrative positions in rural St. George as a principal and Director of an alternative school, in Charleston County as an assistant principal, principal, and Associate Superintendent of twenty-two elementary schools; and,

WHEREAS, Dr. Vashti K. Washington has recently been selected as the Superintendent of Jasper County School District; and,

WHEREAS, Dr. Vashti K. Washington is married to Bryan L. Washington and they are the parents of three and grandparents of two; and,

WHEREAS, Dr. Vashti K. Washington, in addition to her demanding work schedule and the time she devotes to her family, finds time to enjoy her love of singing and currently sings with two church choirs and the renowned Charleston Symphony Gospel Choir which sings locally and abroad.

NOW, THEREFORE, BE IT RESOLVED, that **Charleston County Council** is proud to acknowledge the numerous contributions of **DR. VASHTI K. WASHINGTON** to her family, church, community, and to the world at-large through her impactful service to public education, and to wish this outstanding citizen of Charleston County success in all her future endeavors.

CHARLESTON COUNTY COUNCIL
Teddie E. Pryor, Sr., Chairman
August 17, 2010

Resolution
Ms. Shirley
Sherrod

A report was read from the Finance Committee under date of August 12, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Council Member Curtis Inabinett, Sr., regarding a request that Council approve a Resolution honoring Mrs. Shirley Sherrod. It was stated that Mrs. Sherrod is State Director of the Georgia Department of Rural Development. It was shown that Council

Member Inabinett was requesting Council's approval of a Resolution which he would like to present to her at the annual meeting to be held in August in Birmingham, Alabama.

Committee recommended that Council approve the requested Resolution.

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

Council Member Inabinett spoke of all the good works Ms. Sherrod had done for the rural farmers of America, and stated that she was an outstanding employee of the Federation of Southern Cooperatives Land Assistance Fund; for many years.

The Resolution is as follows:

**A RESOLUTION
HONORING SHIRLEY SHERROD**

WHEREAS, Shirley Sherrod has worked on behalf of rural America for over forty years; and

WHEREAS, Shirley Sherrod has been a leader in the struggle to ensure that family farmers of all races will always have a place in America's production of agriculture; and

WHEREAS, Shirley Sherrod was one of the first African American women to be appointed State USDA Director of Rural Development; and

WHEREAS, Shirley Sherrod has worked for over thirty years to achieve racial healing throughout the country and has become an example of tolerance and understanding across racial and cultural lines; and,

WHEREAS, Shirley Sherrod has secured markets for limited resource farmers in both the United States and Canada; and,

WHEREAS, many years before being appointed Director of USDA Rural Development in the State of Georgia, Shirley Sherrod was an outstanding employee of the Federation of Southern Cooperatives Land Assistance Fund; and,

WHEREAS, Shirley Sherrod endured family and individual hardships at an early age, but never became negative or discouraged; and,

WHEREAS, Shirley Sherrod has earned and enjoyed the respect of co-workers, family, community, and all she comes in contact with as she has the ability to relate effectively, is efficient, and seems to have the ability to sense the needs and feelings of others and make them feel that they are part of the whole picture; and,

WHEREAS, Shirley Sherrod is an outstanding administrator, accepts challenges, and has always been proficient in the exercise of her responsibilities; and,

August 17, 2010

WHEREAS, Shirley Sherrod is a church-going, God-fearing Christian who believes in the Golden Rule, and teaches by example and deed.

NOW, THEREFORE, BE IT RESOLVED, that **Charleston County Council** in the **State of South Carolina**, is proud to acknowledge the numerous contributions of **SHIRLEY SHERROD** to her family, church, community, and most especially rural American farmers.

CHARLESTON COUNTY COUNCIL
Teddie E. Pryor, Sr., Chairman
August 17, 2010

**Resolution
 Women's
 Equality
 Day**

A report was read from the Finance Committee under date of August 12, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Council Member Colleen Condon, regarding a request that Council approve a Resolution commemorating the 90th anniversary of the 19th Amendment to the U. S. Constitution which granted American women the right to vote.

Committee recommended that Council approve the requested Resolution.

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

The Chairman announced that Council Members Condon and Rawl, Members of the League of Women Voters will take Council's Resolution to the League's meeting.

The Resolution is as follows:

A RESOLUTION
OF CHARLESTON COUNTY COUNCIL
PROCLAIMING WOMEN'S EQUALITY DAY

WHEREAS, American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and,

WHEREAS, on August 26, 1920, American women were granted the right to vote with the adoption of the 19th Amendment to the Constitution, but the roots of the women's equality movement go back to the earliest days of our country's foundation; and,

WHEREAS, American women's struggle for equality did not end when the voting franchise was finally attained in 1920, but is still being fought today as evidenced by the recent passage of the Lilly Ledbetter Fair Pay Act of 2009; and,

August 17, 2010

WHEREAS, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, the peace movement, and other movements which create a more fair and just society for all; and,

WHEREAS, As we remember the well-known champions of women's equality, we also honor the millions of women whose private efforts and personal ideals continue to sustain and improve this land.

NOW, THEREFORE, BE IT RESOLVED, that Charleston County Council does hereby proclaim August 26, 2010,

WOMEN'S EQUALITY DAY

in Charleston County, in commemoration of the 90th Anniversary of the 19th Amendment, which gave women the right to vote, and calls upon the people of Charleston County to celebrate the achievements of women and recommit themselves to the goal of true gender equality.

CHARLESTON COUNTY COUNCIL

Teddie E. Pryor, Sr., Chairman

August 17, 2010

**St. Paul's Fire
District FY
2011 Budget
3rd Reading**

An Ordinance to increase the St. Paul's Fire District's operating millage was given third reading by title only.

AN ORDINANCE

**TO AMEND THE FISCAL YEAR 2010-2011 BUDGET ORDINANCE NO. 1641
TO PROVIDE FOR THE INCREASE OF THE ST. PAUL'S FIRE DISTRICT'S
OPERATING MILLAGE RATE FROM 44.2 MILLS TO 44.9 MILLS FOR THE
FISCAL YEAR BEGINNING JULY 1, 2010 AND ENDING JUNE 30, 2011,
HEREINAFTER REFERRED TO AS FISCAL YEAR 2011, AND OTHER MATTERS
RELATED THERETO.**

WHEREAS, Charleston County Council enacted Ordinance Number 1641 on June 15, 2010 which, *inter alia*, provided approval of the Fiscal Year 2011 budget for the St. Paul's Fire District (the District), and

WHEREAS, the desired increased millage rate to 44.9 mills for operating expenditures was not reflected in ordinance 1641, and

WHEREAS, as provided in Ordinance Number 1641, County Council must approve an amendment to said Budget Ordinance when millage rates are increased,

NOW, THEREFORE, BE IT ORDAINED BY CHARLESTON COUNTY COUNCIL that Charleston County Ordinance No. 1641 is hereby amended as follows:

Section 1.

Section 3. is amended by increasing the Levy amount from 44.2 mills for operating expenditures to 44.9 mills for operating expenditures so that Section 3 shall read as follows:

“The Auditor of Charleston County shall levy 44.9 mills for operating expenditures and 3.5 mills for debt service of the District in the year 2010, and the Treasurer shall collect the proceeds of the levy upon all taxable property within the boundaries of the District during the fiscal year beginning July 1, 2010, and ending June 30, 2011.”

Section 2.

If any provision of this ordinance or its application to any circumstance is held by a court of competent jurisdiction to be invalid for any reason, this holding shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are declared by Council to be severable.

Section 3.

The remainder of the original ordinance shall continue in full force and effect.

Section 4.

This Ordinance shall take effect upon approval following Third Reading.

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

The vote being six (6) ayes and three (3) nays, the Chairman declared the Ordinance to have received third reading approval.

District was given third reading by title only.

AN ORDINANCE

FINDING THAT THE ST. PAUL'S FIRE DISTRICT, SOUTH CAROLINA MAY ISSUE NOT EXCEEDING \$3,000,000 GENERAL OBLIGATION BONDS AND TO PROVIDE FOR THE PUBLICATION OF NOTICE OF THE SAID FINDING AND AUTHORIZATION.

South Carolina which is the governing body of Charleston County, South Carolina (hereinafter called the "**County Council**"), ordered that a public hearing on the question of the issuance of not exceeding \$3,000,000 general obligation bonds (the "**Bonds**") of the St. Paul's Fire District, South Carolina (the "**District**") be held in the Charleston County Council Chambers in the Lonnie Hamilton III Public Service Building, located at 4045 Bridge View Drive, 2nd Floor, North Charleston, South Carolina 29045, on the 13th day of July, 2010 at 6:55 p.m., and notice of such hearing has been duly published once a week for three successive weeks in The Post and Courier, a newspaper of general circulation in Charleston County; and

WHEREAS, the said public hearing has been duly held at the above time, date and place and said public hearing was conducted publicly and both proponents and opponents of the proposed action were given full opportunity to be heard and it is now in order for the County Council to proceed, after due deliberation, in accordance with the provisions of Act No. 1189, enacted at the 1974 Session of the South Carolina General Assembly and approved July 9, 1974, now codified as Article 5 of Chapter 2 of Title 6 (Sections 6-11-810 through 6-11-1050, inclusive) (hereinafter called the "**Enabling Act**") of the South Carolina Code (the "**Code**") to make a finding as to whether or not the Bonds should be issued; and

NOW THEREFORE, BE IT ORDAINED, by the County Council in a meeting duly assembled:

Section 1. It is found and determined that each statement of fact set forth in the preamble of this ordinance (this "**Ordinance**") is in all respects true and correct.

Section 2. On the basis of the facts adduced at the public hearing held on July 13, 2010, it is found and determined that the St. Paul's Fire District Commission, the governing body of the District (the "**Commission**") should be authorized to issue the Bonds.

Section 3. The County Council finds that the Commission should issue the Bonds in the amount of not exceeding \$3,000,000 as a single issue or from time to time as several separate issues, as the District shall determine.

Section 4. The County Council hereby authorizes the Commission to issue the Bonds of the District in the aggregate principal amount of not exceeding \$3,000,000 as a single issue or from time to time as several separate issues, as the Commission shall determine, for the purpose of defraying the costs related to (A) all or a substantial portion of the following items related to the operation of the District (i) construction and equipping of a new fire station, (ii) construction of a drill tower, (iii) acquisition and installation of a new computer network system for the District, (iv) purchasing of fire apparatus, together with equipment therefor, (v) purchasing of a heavy rescue truck and an auxiliary truck, (vi) purchasing and installation of a truck lift, (vii) purchasing of maintenance tools, (viii) purchasing of bunker gear, and (ix) purchasing and equipping of various testing and communication equipment, mechanic-related tools and equipment, and miscellaneous items and furnishings for the District (collectively, the "**Project**"), and (B) the issuance of the Bonds. The Commission estimates that the cost of the Project, together with the cost of issuance of the Bonds will not exceed \$3,000,000. For the payment of the principal of and interest on the Bonds as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the District shall be irrevocably pledged, and there shall be levied annually a tax without limit on all taxable property within the area of the District sufficient to pay such principal of and interest on the Bonds as they respectively mature, and to create such sinking fund.

August 17, 2010

Section 5. The Chairman and other officers of the County Council are herewith authorized and empowered to take such further action as may be necessary to fully implement the action taken by this Ordinance.

Section 6. A certified copy of this Ordinance shall forthwith be transmitted to the Commission to advise it of the action taken by the County Council, whereby the Commission has been authorized to issue, pursuant to the provisions of the Enabling Act, the Bonds in the aggregate principal amount of not exceeding \$3,000,000.

DONE AT CHARLESTON, SOUTH CAROLINA, this 17th day of August, 2010.

CHARLESTON COUNTY COUNCIL

Teddie E. Pryor, Chairman

Attest:

Beverly T. Craven, Clerk
County Council of Charleston County

First Reading: June 15, 2010
Public Hearing: July 13, 2010
Second Reading: July 13, 2010
Third Reading: August 17, 2010

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.

The Chairman announced that the next item on the agenda, third reading of an Ordinance in Case #ZPD-12-09-6474. 2714 Highway 17N & Coakley Road, had been removed at the request of the property owners.

ZDP-12-09-6474, 2714 Hwy 17N & Coakley Rd. WITHDRAWN

August 17, 2010

**Charleston
County
Aviation
Authority
Appointment**

A report was read from the Administration Policy and Rules Committee under date of August 12, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Kristen Salisbury, Deputy Clerk to Council, regarding the need to make an appointment to the Charleston County Aviation Authority Board. It was stated that an application for reappointment was received from David Jennings and applications for appointment were received from: Rev. Jimmy Gallant, Patrick McCurdy, John O'Brien, Philip O'Reilly, Andrew Savage and Dr. John Walton

Committee recommended that Council recommend to the Governor the appointment of Andrew Savage to the Charleston Aviation Authority for a term to expire in June, 2014.

Mr. Summey moved approval of Committee Recommendation, seconded by Mr. Thurmond.

Ms. Condon nominated David Jennings for reappointment to the Charleston County Aviation Authority Board..

There being no further nominations, the Chairman called for a roll call vote on this issue.

The roll was called and votes were as follows:

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

The vote being six (6) votes for Savage and three (3) votes for Jennings, the Chairman declared Savage to have received Council recommendation for appointment to be sent to the Governor.

**"Wayfinding"
Recommendation**

A report was read from the Economic Development Committee under date of August 12, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Perrin Lawson, Deputy Director of the Charleston Visitors Bureau, regarding a program entitled "Wayfinding". It was stated that the Visitors Bureau was requesting Council's consideration to lead an effort to develop a comprehensive signage plan for the major highways and arteries of Charleston County as part of an overall infrastructure improvement plan.

Committee recommended that Council authorize Staff to work with the Charleston Convention and Visitors Bureau to prepare a RFP and to identify funding for a study on "Wayfinding".

ZREZ 3-10-7521, 10571 Hwy 78 Request to Change Ordinance 1st Reading

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

A report was read from the Planning/Public Works Committee under date of August 12, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Dan Pennick, Director of Zoning and Planning Department regarding a request for a zoning change from the Single Family Residential 4 (R-4) District to the Neighborhood Commercial (CN) Zoning District. It was stated that both Staff and the Planning Commission have approved the request .

Committee recommended that Council approve and give first reading to the requested zoning change.

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

AN ORDINANCE

REZONING THE REAL PROPERTY LOCATED AT 10571 HIGHWAY 78, PARCEL IDENTIFICATION NUMBER 385-06-00-023 FROM THE SINGLE FAMILY RESIDENTIAL 4 (R-4) DISTRICT TO THE NEIGHBORHOOD COMMERCIAL (CN) DISTRICT

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

Right of Way/ Portion of Russelldale Avenue Request to Abandon

A report was read from the Planning/Public Works Committee under date of August 12, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Dan Pennick, Director of Zoning and Planning, regarding a property owner's request for abandonment of a portion of Russelldale Avenue. It was stated that the portion of Russelldale Avenue for which abandonment is being requested has not been maintained by Charleston County since 1958, is currently located in the City of North Charleston and the South Carolina Department of Transportation (SCDOT) removed this section of road from its system on August 18, 1994. It was shown that the right of way does not access marshlands or water.

Committee recommend that Council approve the abandon of the 50" right of way of a portion of Russelldale Avenue between Willis Drive and Rivers Avenue, subject to the existence of any underground utilities or other encumbrances on the property, and the rights of access, maintenance, removal and replacement of the utilities, and any rights related to any other existing encumbrances.

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

Consent Agenda

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

Mr. Summey 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 August 12, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Scarlett Wilson, Solicitor of the Ninth Judicial Circuit, regarding the Solicitor's Office request for permission to accept funds under a Memorandum of Understanding with the City of Charleston in the amount of \$50,000 for fiscal year 2011. It was stated that the funds are from the City of Charleston's narcotics asset forfeiture fund and that if additional funds are required they will come from the Solicitor's Office State Appropriation Fund.

Committee recommends that Council approve the Solicitor's Office continuing with an agreement with the City of Charleston for the second year and future years of funding for an FTE for one prosecutor who will handle drug crimes for the City of Charleston, with the understanding that the City of Charleston will contribute \$50,000 from its narcotics asset forfeiture fund toward the FTE, and the Solicitor's Office will be responsible for the balance with funding to come from the Solicitor's Office's State Appropriation Fund.

A report was read from the Finance Committee under date of August 12, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Scarlett Wilson, Solicitor of the Ninth Judicial Circuit, regarding a competitive grant awarded by the South Carolina Department of Justice ARRA funds. It was stated that the Solicitor's Office has applied for this grant in the amount of \$194,511, and if awarded will be a continuation (second year) of a previously awarded grant. It was shown that the Solicitor's Office is requesting to use the \$194,511 award to fund a prosecutorial team consisting of a Prosecutor Investigator, Victim Advocate and Legal Assistant.

Committee recommends that Council allow the Solicitor's Office to apply for the Violence Against Women Act (VAWA) grant from the South Carolina Department of Public Safety in the amount of \$194,511 with a cash match of \$64,837 from the Victim Witness State Appropriation fund, with the understanding that:

1. There are four grant-funded FTEs associated with this grant and at the conclusion of the grant period, the FTEs positions will be dissolved if no further grant funding is available.
2. That the grant period is October 1, 2010 through September 30, 2011.

A report was read from the Finance Committee under date of August 12, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Jason R. Patno, Emergency Management Director, regarding funding available to provide hazardous materials emergency planning and training to local first responder agencies. It was stated that the Emergency Management Department is requesting approval to

apply for \$20,000 in order to provide local fire departments, law enforcement and emergency medical services personnel with the training needed to properly respond to incidents involving clandestine methamphetamine laboratories.

Committee recommends that Council approve the Emergency Management Department's application for grant funding in the amount of \$20,000 through the U. S. Department of Transportation's Hazardous Materials Emergency Preparedness grant program, with the understanding that :

1. There are no FTE's, cash match, vehicles, or reoccurring costs associated with the acceptance of this grant, and that the required "soft match" would be covered by salaries of department personnel associated with the completion of projects identified in the grant scope of work.
2. The grant performance period is October 1, 2010 through September 30, 2011.

A report was read from the Finance Committee under date of August 12, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Daniel L. Chandler, Director of Charleston County Facilities regarding the Medical University of South Carolina (MUSC) request to lease property at the Charleston Center. It was stated that the space will be used and occupied by the Department of Psychiatry's Clinical Neuroscience Division and all lease documents will be reviewed by the County's Legal Department.

Committee recommends that Council authorize the Chairman of Council to execute a three-year agreement with the Medical University of South Carolina (MUSC), beginning September 1, 2010 for 2,698 square feet on the first floor in the Charleston Center, with the option to renew for two additional years for a full service lease for a rental rate of \$22.00 per square foot or \$59,356 per year and with the understanding that:

1. MUSC would have the option to lease an additional 2,349 square feet on the second floor as of January 1, 2011, for \$51,678 per year with the option to renew for two additional years, and the space will be used and occupied by the Department of Psychiatry's Clinical Neuroscience Division
2. Both original terms will expire on August 31, 2013
3. The rent will be increased by the CPI, not to exceed 3% annually, without negative adjustments,
4. The County Administrator is authorized to approve the exercise of future options and all other matters related hereto.

A report was read from the Finance Committee under date of August 12, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Dan Pennick, Director of the Planning Department, regarding funds available from the

Consolidated Appropriations Act signed by the President on December 16, 2009. It was stated that there have been several recent efforts to create more sustainable communities in the Charleston area, and the Charleston County Zoning/Planning Department would like to submit an application for a HUD Community Challenge Planning Grant in order to build on these efforts and develop an Energy and Sustainability Master Plan to encourage organized growth by identifying ways to efficiently connect energy sources, affordable housing transportation, land use, and employment centers. It was further stated that, if approved, the Master Plan will be coordinated with area jurisdictions and stakeholders to encourage adoption of similar strategies.

Committee recommends that Council authorize Staff to submit a HUD Community Challenge Planning Grant application to fund \$240,000 for creation of an Energy and Sustainability Master Plan.

A report was read from the Finance Committee under date of August 12, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Junerese Rhodan, Summary Courts Director, regarding the issue of increasing the hourly rate of pay for two magistrates. It was shown that on April 5, 2005, Council approved a salary increase for all current full-time Magistrates, and adopted a salary increase for part time magistrates to an hourly rate which is currently \$40.00.

Committee also considered the recommendation of the Magistrate Oversight Committee, which included bringing Magistrate Henley and Magistrate Perry hourly rate up to that of their colleagues, and their recommendation that guidelines be established as a policy for all new magistrates appointed hereafter so as to assure future pay equity.

Committee recommends that Council:

1. Adjust the salaries of Magistrate Patricia Henley and Magistrate Sheryl Perry to include the existing \$5.89 Charleston County supplement to their base salary as provided by state statute.
2. Establish a policy that all newly appointed magistrates will receive the current supplement provided by Charleston County and that upon completion of the statutorily four year step program, a magistrate will receive the full current hourly rate.

A report was read from the Finance Committee under date of August 12, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and James D. Armstrong, Transportation Development Director, regarding the design-build contract for the Johnnie Dodds Improvements Project which includes improvements from the Arthur Ravenel Bridge through the Bowman Road Intersection to I-526. It was stated that in order to complete the necessary improvements Mount Pleasant Waterworks (MPW) will be required to relocate water and sewer lines that are in conflict with the new drainage improvements, and due to staffing limits, MPW wishes to accomplish this work through the use of a subcontractor from a pre-qualified list provided to Charleston County by MPW. It was further stated that in order to establish a reimbursement schedule and to outline the responsibilities of Charleston County and the MPW, a

Memorandum of Understanding (MOU) will be required

Committee recommends that Council authorize the Administrator, with approval of the Legal Department, to negotiate and enter into a Memorandum of Understanding with Mount Pleasant Waterworks for the relocation of water and sewer lines as needed on the Johnnie Dodds Improvement Project and authorize acceptance of reimbursement from Mount Pleasant Waterworks for the relocation work.

A report was read from the Finance Committee under date of August 12, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and James D. Armstrong, Transportation Development Director, regarding the Charleston County Transportation Staff Department's request to submit an application to the U. S. Department of Transportation for funding to be utilized on the Johnnie Dodds Boulevard Improvement Project. It was stated that on December 16, 2009 the Transportation Housing and Urban Development and Related Agencies Appropriation Act for 2010 was signed, which Act appropriated \$600 million to be awarded by the Department of Transportation for National Infrastructure Investment.. It was further stated that the grant request will be for \$14 million and would be used to supplement the local match of \$70 million of County Transportation Sales Tax funds that have been allocated to the project.

Committee recommends that Council approve submission of the TIGER II Grant Application for \$14 million in funding from the U.S. Department of Transportation to be applied to the Johnnie Dodds Boulevard Improvements Project.

A report was read from the Finance Committee under date of August 12, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Kurt Taylor, Deputy Administrator, regarding the right-of-way acquisition process concerning Transportation Sales Tax Projects. It was stated that securing rights-of-way is the most unpredictable portion of the Transportation Sales Tax Projects and in order to minimize delays caused by the failure or refusal of a few properties to reach a settlement in a reasonable length of time that it would be advisable for Council to approve the use of eminent domain on all properties where right of way acquisition is necessary for a given project. 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.

Committee recommends that Council approve a Resolution which authorizes the use of eminent domain for the properties identified for the New Road Improvement and SC 7-SC 17 Intersection Improvement Projects.

**St. Johns Fire
District
Budget
Amendment
Request to
Approve
Ordinance
1st Reading**

A report was read from the Finance Committee under date of August 12, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Mack Gile, Budget Director, regarding the St. John's Fire District Commission's request to amend its fiscal year 2010-2011 budget by \$220,000 to support a land purchase for the replacement of Fire Station #3 on Wadmalaw Island, with the understanding that the additional funds will come from the existing fund balance.

Committee recommends that Council amend and give first reading to the St. John's

Fire District's FY 2010-2011 Budget Ordinance authorizing an increase in the budgeted expenditure from \$9,497,762 to \$9,717,762

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

An Ordinance amending Budget Ordinance 1642 was given first reading by title only.

AN ORDINANCE

TO AMEND THE FISCAL YEAR 2010-2011 BUDGET ORDINANCE NO. 1642 TO PROVIDE FOR THE INCREASE OF THE ST. JOHNS FIRE DISTRICT'S AUTHORIZED EXPENDITURES FROM \$9,497,762 TO 9,717,762 FOR THE FISCAL YEAR BEGINNING JULY 1, 2010 AND ENDING JUNE 30, 2011, HEREINAFTER REFERRED TO AS FISCAL YEAR 2011 AND OTHER MATTERS RELATED THERETO.

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

**Sea Island
Greenway
Recommendation**

A report was read from the Finance Committee under date of August 12, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Jim Armstrong, Director of the Transportation Sales Tax Department, regarding Planning and Concept Design for the Sea Islands Greenway. It was stated that a public workshop was held to discuss the project with residents of Johns Island as well as an environmental overview, traffic study and conceptual design that evaluated several options to improve traffic capacity on Johns Island. It was further stated that the study was performed with Council directing that there be no County or Council commitment for the use of public money to build the project.

Committee also considered the many, many points brought forth by Members of Council.

Committee recommends that Council:

1. Authorize the Transportation Sales Tax Staff:
 - A) to further evaluate design and implement the various safety improvements as identified by Staff.
 - B) to submit a TIGER II Grant Application for \$5 million from the U. S. Department of Transportation to be applied to the safety improvements as identified by Staff.

Mr. Darby made a substitute motion which was to approve submission of the Tiger II Grant Application for \$60 million in funding from the U. S. Department of Transportation to be applied to the Sea Island/Johns Island Roadway.

This was seconded by Mr. Thurmond.

After comments from Council Members, Mr. Darby read into the record a portion of the remarks made by Council Member Thurmond at the Thursday, Finance Committee: The remarks are as follows:

By Mr. Thurmond: Ok, one of the arguments is that it would cost about \$150 million, and I believe that all estimates are maybe close to a third of that, is that accurate? Ok. You know, one of the things that maybe as a lawyer, or maybe just as a citizen if I really want to control the discussion, I try to make it just outlandish. You know, if I make an outlandish statement, I can potentially really control how things go. Those questions that I started off with are all based on the emails that we have all received. Toll roads across the state – toll roads – are going into bankruptcy. That's not accurate. That's not accurate at all. The idea that we are going to have to relocate all of Johns Islanders. That's not accurate. This study says 12 people or 12 homes or 12 homes and businesses. The original discussion was we are going to have to have all these wetlands affected. Not accurate. Original discussion was it was going to be above grade, super-highway. That's not accurate. The original discussion and in an email was that this is going to create a tremendous amount of development. The exact language is "allow development to follow big roads". That's not accurate, we have control over that. Isn't it amazing what special interest groups can do to control the discussion, isn't it amazing? And it is with information that is not accurate according to all the studies that we do. And of course, the next request is let's study this some more. How many times have we studied this? So I want everybody on this Council, I know you guys have heard this when we have asked for this information, now we have the accurate information to make a decision. We have a choice to be proactive. We have a choice to control the growth in this area. We have a choice to make safe passage for people. The argument is that this is only going to benefit the rich. There are hundreds, if not thousands of people that are working day in and day out for maybe just a little bit more than minimum wage that work out there that are affected by these roads. How many accidents did you hear? How many accidents? Then the argument was that it is always because it's a bunch of drunks, again, not accurate. I hope that everybody takes into consideration the tremendous amount of false information presented by a special interest group to control the discussion. What a wonderful way to scare people, to encourage people to be on your side, simply by putting out inaccurate information. Thank you.

Mr. Summey asked if Mr. Darby's intention was to place the roadway plan on the Berkeley/Charleston/Dorchester Council of Governments Plan as an unfunded project.

Mr. Darby answered in the affirmative.

Mr. Inabinett said that in general he is not against improvements, but he questioned some of the facts furnished by Mr. Thurmond, as read by Mr. Darby. He added that Council should do what it has to do with the existing roads.

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

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

The vote being four (4) ayes and five (5) nays, the Chairman declared the motion to have to have failed.

Mr. Schweers moved to approve Committee recommendation, which authorized the Transportation Sales Tax Staff:

1. to further evaluate design and implement the various safety and intersection improvements as identified by Staff.
2. to submit a TIGER II Grant Application for \$5 million from the U. S. Department of Transportation to be applied to the safety improvements as identified by Staff.

This motion was seconded by Mr. Inabinett.

The Chairman stated that all improvements were based on the applied for grants being received.

In combination with Staff recommendations/requirements the motion was refined as follows:

1. To the extent funding is available and in coordination with the SCDOT: authorize staff to further evaluate, design, and implement safety improvements including the possibility of widening roadway shoulders along the Main Road/Bohicket Road corridor and the River Road corridor, the installation of rumble strips along the Main Road/Bohicket Road corridor and the River Road corridor, installing guardrail adjacent to certain trees and other collision hazards, installing "Deer Crossing" signs on Main Road (from Dr. Whaley Road to Mary Ann Point Road), Bohicket Road (from Berryhill Road to River Road), and River Road (from Maybank Highway to Fort Trenholm Road and from Edenvale Road to Betsy Kerrison Parkway), reducing the speed limit from 45 mph to 40 mph (where warranted), improvements at major intersections along the Maybank Highway corridor * and the Main Road/Bohicket Road corridor, intersection improvements at the Main Road/US Highway 17 intersection as recommended in the traffic study presented by Jordan, Jones & Goulding in November, 2009 consisting of dual left turn lanes off of US 17 onto Main Road, and extending a concrete median from US 17 to a point beyond Old Charleston and Old

Savannah Highway, making these two roads right in and right out only, and adding a traffic signal at the intersection of Bohicket Road and Plow Ground Road.

*consisting of the following improvements authorized by County Council Sept. 1, 2009: Widening Main Road from Brownswood to Maybank; adding two right turn lanes at the intersection of Brownswood and Murraywood; adding a left turn lane from River Road onto Murraywood; adding a right turn lane from Maybank onto River Road along with traffic light timing adjustments; adding a right turn lane onto Plowground Road at River Road; and adding a right turn onto Bohicket from Plowground and a left turn lane onto Plowground from Bohicket.

- 2. Approve submission of the TIGER II grant application for \$5 million plus a funding amount for the recommended improvements at Main Road/US Highway 17 described above, to be determined by staff.
- 3. Coordinate with the BCDCOG with regard to placing all of some of the recommended improvements on the long range transportation plan, as is appropriate.

The Chairman called for a vote on the motion as refined by requirements faced by County Staff. The roll was called and votes recorded as follows:

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

The vote being eight (8) ayes and one (1) nay, the Chairman declared the motion to have passed.

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

Public Forum

Mr. Thomas Legare of Legare Farms on Johns Island; Richard Thomas, Linda Lovelace Tim Dunnell, Kate Parks of the Conservation League and Rev. Jessie Simmons thanked Council for not approving a cross Island road. They stated that there were other ways that safety issues and congestion could be handled, and that we should take care of what God has given us.

Ms. Glenda Miller of Seabrook Island said that this was certainly a hard decision for Council

Mr. Edward Jefferson of McKnight Road on Mount Pleasant spoke of their need for

help now, He referred particularly to the six and seven mile alignment; Long Point Road, Old Georgetown Road and Whitehall Terrace.

The Chairman request Deputy Administrator Kurt Taylor to meet with Mr. Jefferson regarding his concerns.

Mayor Bill Wert, of Kiawah Island and Mayor Bill Holtz of Seabrook Island thanked those who supported the new "greenway" road and expressed his appreciation for the plan to provide safer roads on Johns Island.

Mr. Steve Green thanked Council for working hard on this difficult issue.

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

Mr. Thurmond thanked citizens for their advocacy and for making the commitment to be involved. He added that the "Power of the Press" decided that he left the meeting because he was mad. His real reason for leaving was that his Son was going to Kindergarten and there was a meeting of the new students and their parents.

Mr. Inabinett shook hands with Mr. Thurmond and said it was all a part of the process, and added that since he and Mr. Thurmond would be leaving this year, he was happy to have been part of the process.

Ms. Condon thanked all citizens who e-mailed or called to express their opinions on this issue. She stressed the importance of hearing from Constituents. She said she was pleased about the "Safety Issues" on Johns Island that were addressed tonight.

Mr. Rawl thanked Staff for their hard work and stated that the Johns Island Roadway is a tough issue and County Council Members have their own ideas.

Mr. Pryor thanked the Citizens who came out tonight for this very important meeting, and for all the input that Council had received.

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

Beverly T. Craven
Clerk of Council