

Charleston, SC
May 17, 2011

A regular meeting of County Council of Charleston County was held on the 17th day of May, 2011 at 7:35 p.m. 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 B. Johnson; Joseph K. Qualey; A. Victor Rawl; Herbert R. Sass, III; and Dickie Schweers. Council Member J. Elliott Summey was absent.

Also present were: Allen O'Neal, County Administrator and County Attorney Joe Dawson.

Rev. Robert Reid gave the invocation. Council Member Sass 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 the minutes of County Council's meeting of May 3, 2011, seconded by Mr. Rawl, and carried.

**EMS
Resolution**

A report was read from the Finance Committee under date of May 3, 2011 that it considered the information furnished by Allen O'Neal, County Administrator, and Don Lundy, Director of the Charleston County Emergency Medical Services, regarding a request for Council to approve a Resolution proclaiming May 16-20, 2011 as Emergency Medical Services week in Charleston County.

Committee recommended that Council adopt a Resolution proclaiming May 16-20, 2011 as Emergency Medical Services Week in Charleston County to recognize the highly trained professionals, who provide extraordinary life saving care to the residents and visitors in our County, 24 hours a day, 7 days a week.

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

The Chairman asked Mr. Don Lundy, Emergency Medical Director and his team to come forward, and requested the Clerk to read the Resolution into the record.

The Resolution is as follows:



A RESOLUTION OF CHARLESTON COUNTY COUNCIL

To Designate the Week of May 16-20, 2011 as Emergency Medical Services Week

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

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

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

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

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

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

NOW THEREFORE BE IT RESOLVED that in recognition of this event **CHARLESTON COUNTY COUNCIL** does hereby proclaim the week of **May 16-20, 2011** as

EMERGENCY MEDICAL SERVICES WEEK

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

CHARLESTON COUNTY COUNCIL
Teddie E. Pryor, Chairman
May 17, 2011

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**Jack & Jill
Resolution**

A report was read from the Finance Committee under date of May 3, 2011 that it considered the information furnished by Allen O'Neal, County Administrator, and Council Member Anna Johnson, regarding Council approving a Resolution, recognizing the Jack and Jill Teen Program.

Committee recommended that Council approve the Resolution recognizing the Jack and Jill Teen Program.

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

The Chairman requested Mrs. Gwendolyn Brown, Charleston Chapter President of Jack and Jill America, the youth members of the group and the "Mother" to come forward. The Chairman asked Council Member Johnson to present the Resolution and the Clerk to read the Resolution into Council's minutes.



A RESOLUTION OF CHARLESTON COUNTY COUNCIL

RECOGNIZING CHARLESTON CHAPTER OF JACK AND JILL OF AMERICA

WHEREAS, Jack and Jill of America is an organization of mothers with children ages 2-19; **and**,

WHEREAS, Jack and Jill of America is dedicated to nurturing future leaders by supporting children through leadership development, volunteer service, philanthropic giving, and civic duty; **and**,

WHEREAS, Jack and Jill of America creates a medium of contact for children which stimulates growth and development and provides children constructive educational, cultural, health, recreational, and social programs; **and**,

WHEREAS, the Charleston Chapter of Jack and Jill of America supports three signature projects which include the Teacher Supply Closet, which was founded by the group to supply chapter 1 schools with free supplies to teachers and their students; the Charleston Development Academy, where members donate books and volunteer their time; and the Boys and Girls Club, where members foster leadership through summer enrichment activities.

May 17, 2011

NOW, THEREFORE BE IT RESOLVED, Charleston County Council, in meeting duly assembled, recognizes the services of the Charleston Chapter of Jack and Jill of America, Inc. and acknowledges the work of these dedicated mothers to foster leadership qualities and a desire to better their own communities in today's youth.

CHARLESTON COUNTY COUNCIL
Teddie E. Pryor, Chairman
May 17, 2011

An Ordinance amending the SCE&G Fee-In-Lieu-of-Taxes Agreement was given second reading by title only.

SCE&G
Ordinance
2nd
Reading

AN ORDINANCE

AUTHORIZING THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO FEE AGREEMENT BETWEEN CHARLESTON COUNTY, SOUTH CAROLINA AND SOUTH CAROLINA ELECTRIC & GAS COMPANY; AND MATTERS RELATING THERETO.

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

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

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

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

A report was read from the Planning/Public Works Committee under date of May 17, 2011 that it considered the information furnished by Allen O'Neal, County Administrator, and Dan Pennick, Director of Zoning and Planning, regarding a request to rezone from Planned Development (PD-129) to Special Management 3 (S-3). It was stated that the Town of Mount Pleasant and the Towns of Awendaw and McClellanville had been notified of the request but no response had been received from them.

ZREZ 3-
11-10601
Ordinance
1ST
Reading

Committee recommends that Council approve the requested change.

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

An Ordinance rezoning Planned Development 129 was given first reading by title only.

AN ORDINANCE

REZONING THE REAL PROPERTY LOCATED AT 2615 LINNEN LANE, PARCEL IDENTIFICATION NUMBER 578-00-00-502 FROM THE LINNEN PLACE PLANNED DEVELOPMENT, (PD-129) DISTRICT TO THE SPECIAL MANAGEMENT 3 (S-3) DISTRICT

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

**ZPDA-3-11
-10602
Ordinance
1st
Reading**

A report was read from the Planning/Public Works Committee under date of May 17, 2011 that it considered the information furnished by Allen O'Neal, County Administrator, and Dan Pennick, Director of Zoning and Planning, regarding a request to rezone approximately 22 acres of a Planned Development PD-129.

Committee recommended approval of the requested rezoning subject to Staff recommendations.

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

An Ordinance further rezoning Planned Development 129 was given first reading by title only.

AN ORDINANCE

AMENDING THE LINNEN PLACE PLANNED DEVELOPMENT (PD-129) TEXT AND MAP OF PROPERTIES LOCATED WITHN THE LINNEN PLACE PLANNED DEVELOPMENT (PD-129)

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

**Consent
Agenda
A) TST 2011
Resurfacing
Plan
B) Edisto
Branch
Library**

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 meeting of May 12, 2011 that That it considered the information furnished by Allen O'Neal, County Administrator, and Barrett J. Tolbert, Director of Procurement, regarding bids received for traffic control, milling, surfacing preparation, asphalt resurfacing, shoulder widening and grading, stripping and associated appurtenances of various local and SCDOT paved roadways within the boundaries of Charleston County for a total project length of 6.26 miles

Committee recommended that Council authorize award of a contract for TST 2011 Resurfacing Plan to Sanders Brothers Construction Co., Inc. the lowest responsive and responsible bidder, in the amount of \$1,256,233.50, with the understanding that funding is available through the Transportation Sales Tax.

A report was read from the Finance Committee meeting of May 12, 2011 that it considered the information furnished by Allen O'Neal, County Administrator, and Daniel L. Chandler, Director of Facilities, regarding a current verbal lease with Trinity Episcopal Church for 728 square feet of their Thomas Hall for use as a branch library. It was stated that the Episcopal Diocese is offering the entire building, \$1,500 sq. ft. to the County to be used specifically as a library. It was further stated that the Library wishes to use the additional space for more citizen programs with the emphasis on children's needs. It was shown that under the new lease agreement, the County would continue to pay all expenses, plus a onetime relocation fee of \$7,200 to the Church to vacate its ministries from the building.

Committee recommended that Council authorize the Chairman of Council to execute a five year lease agreement beginning June 1, 2011, with Trinity Episcopal Church for 1,500 sq. ft. in Thomas Hall located at 1589 Highway 174, Edisto Island under the following conditions:

1. That the County has the option to renew the lease for an additional five years.
2. That the space will be used for the Edisto Branch Library.
3. That the County will continue to maintain the building.
4. That the County will pay rent in the amount of \$1,000 annually and a onetime lump sum total of \$7,200 as a relocation fee, with source of funding to come from the Library Special Projects account.
5. That all document will be submitted to the County Attorney's Office for approval.

**FY 2012
Urban
Entitlement
Funding**

A report was read from the Finance Committee under date of May 12, 2011 that That it considered the information furnished by Allen O'Neal, County Administrator, and Christine DuRant, Director of Community Services regarding funds received by Charleston County Government from the U. S. Department of Housing and Urban Development (HUD). These funds come in the form of Community Development Block Grant Program (CDBG); Emergency Shelter Grant Program (ESG) and the HOME Investment Block Grant Program (HOME). It was stated that Charleston County created and authorized the Community Development Advisory Board to make recommendations to Council on the expenditure of fund received, and that representation on the Board is comprised of members representing each participating

Jurisdiction, which include the Towns of Awendaw, Hollywood, Lincolnton, Meggett, Mount Pleasant, Ravenel, Sullivan's Island and the City of Isle of Palms. It was shown that the purpose of the Board is to review all income requests for funding submitted to the Community Services Department's Urban Entitlement Program.

Committee recommended that Council:

1. Allocate to the City of North Charleston FY2012 Community Development Block Grant Program (CDBG) funding and HOME Investment Partnership Program (HOME) funding according to the Agreement between the City of North Charleston and the County of Charleston, with the final funding allocation to be determined by HUD.
2. Direct Staff in the Community Services Department to administer \$890,215 in CDBG Funds, with the understanding that 30 percent (\$133,532) may be awarded for public service activities per HUD regulations.
3. Direct Staff in the Community Services Department to administer \$451,372 in Home Investment Partnership Program funding.
4. Direct Staff in the Community Services Department to administer \$124,733 of Emergency Shelter Grant allocation according to the approvals direct by Council.
5. Complete the public process by reviewing and, if approved, authorizing the FY 2012 Annual Action Plan as recommended by the Community Development

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

**I-526
Recommendation**

A report was read from the Finance Committee meeting of May 12, 2011 that it considered the information furnished by Members of Council and County Attorney Joseph Dawson, as well as the information Council received from the State Infrastructure Bank regarding the Loan to complete the I-526 roadway.

Committee also considered the motion made by Council Member Johnson to reconsider the action taken by Council at its meeting on April 19, 2011.

Ms Johnson's motion to reconsider was seconded by Mr. Summey and carried. Council Members Schweers, Qualey and Condon voted nay.

Committee recommended that Council:

1. Rescind the action taken by County Council on April 19, 2011 that provides If enhancements to existing transportation infrastructure are still being refused for consideration by the South Carolina Department of Transportation, then County Council directs Staff in cooperation with the South Carolina Department of Transportation and the State Infrastructure Bank to negotiate a "no build" agreement.
2. Direct the County Attorney to cure the default of the Intergovernmental Agreement, as determined by the South Carolina Transportation Infrastructure

Bank on May 12, 2011, and through negotiations with the S. C. Transportation Infrastructure Bank and the South Carolina Department of Transportation to explore any opportunities regarding the Mark Clark Extension Project and bring back alternatives for consideration by County Council.

Mr. Summey moved approval of Committee recommendations seconded by Ms. Johnson, and carried. Council Members Schweers, Qualey and Condon voted nay.

**Consolidated
Dispatch**

A report was read from the Finance Committee under date of March 12, 2011 that it considered the information furnished by Allen O'Neal, County Administrator, and Barrett J. Tolbert, Director of Procurement, regarding sealed bids received for the construction of the Charleston County Consolidated 9-1-1 Center, which will be located on the Palmetto Commerce Parkway. It was shown that six bids were received by three were determined to be non-responsive.

Committee recommended that Council:

1. Authorize award of contract for the construction of the Charleston County Consolidated 9-1-1 Center to the lowest responsive and responsible bidder, Palmetto Construction Group, Inc. in the amount of \$13,544,000.00 with the understanding that funds are available in the Facilities Capital Projects Construction Fund.
2. Amend the Capital Improvement Plan and transfer \$1,370,000.00 from the Parking Garage Project to the Consolidated Dispatch Project.

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

**Public
Forum**

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

Mr. David Coe furnished a statement which reflected his Freedom of Information request for salaries of employees of the Auditor's Office. He also questioned the costs that the Sheriff's Office operation is on Charleston County taxpayers.

The following individuals spoke against the I-526 completion:

Carol Jacobson, James Island; Bryon Saunders, Seabrook Island; Ron Welch, James Island; Rich Thomas, Johns Island; Marian Leamy, Waterway South; Thomas Legare, Johns Island, Catherine Dunbar, West Ashley; Steve Fortier, River Road; Jim Pearson, Long Point Road; Carmen Rivers. Johns Island; Alice Muller, East Shore Lake; Barbara Carter; Eugene Platt, James Island; Joe Hoedapt; Steve Longer; Longview Drive; Bernie Buckley, 1720 Wappoo Road.

The following individuals spoke in favor of the I-526 Completion:

Leddie Bell, 1 Johnson Road; Jerry Johnson, James Island; Brad and Pamela Taggart, Johns Island; Willburn Gaillard, James Island; Obie Carriage; James Island;

Mary Ann Taylor, Elizabeth Hanahan; Johns Island; Franklin Davis, James Island; Graham Drayton, James Island; Gene Taylor, Highway 61.

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

Ms. Condon thanked people for their attendance, e-mails and calls. She questioned where Charleston County would find the extra \$70 million, the difference between the amount we would receive from the State Infrastructure Bank and the estimate for completion.

Mr. Schweers thanked the people for coming to tonight's meeting and stated that he wished he believed that the completion of I-526 was the silver bullet to fix all of the County's traffic problems.

Ms. Johnson thanked the people for being patient with Council. She stated that the vote tonight gets the County out of default and in a better financial position.

Mr. Sass thanked the people for coming out tonight and for their e-mails, phone calls. He stated that he was very concerned about the County's AAA bond rating. He said that the vote tonight helps the County to maintain that rating.

Mr. Rawl thanked the people for coming and expressing their views. He said that Council should not govern by mob rule, and that the citizens need to make sure that the person they elect looks at today, tomorrow and yesterday when making their decisions. He added that it was not easy to make decisions, and he didn't make his by counting noses.

Mr. Summey stated that he would support the State Infrastructure Bank amended application when it is appropriate to. He said in 1971 the Citadel Parkway Inner Beltway Loop was approved with a western route starting on James Island, West to Johns Island, West to North Charleston, much, much later it was built backwards. He added that Alternative G is something we don't want.

Mr. Qualey said when Members of Council left the State Infrastructure Bank Meeting, he thought Council would take the 60 days to make an assessment, and that nothing has happened between that meeting and today that has changed his mind.

Mr. Pryor thanked the citizens for coming out tonight. He said that there is nothing wrong with disagreeing on matters, as long as we do not disrespect those with whom we disagree. He said to stick to the facts and be mindful of each other.

The Chairman asked the County Administrator if he had any comments.

Mr. O'Neal stated the Fiscal Year 2012 Budget Books will be passed out to Council Members tonight for their review. He added that Council's first Budget Review would be on held on Thursday, May 19th.

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

Beverly T. Craven
Clerk of Council