

NOTICE OF SPECIAL MEETING OF BERKELEY COUNTY COUNCIL

Chairman: Mr. James H. Rozier, Jr., Supervisor
Vice Chairman: Mr. William E. Crosby, District No. 3

Members: Mr. Phillip Farley, District No. 1
Mrs. Judith K. Spooner, District No. 2
Mr. Charles E. Davis, District No. 4
Mr. Dennis L. Fish, District No. 5
Mrs. Judy C. Mims, District No. 6
Mr. Caldwell Pinckney, Jr., District No. 7
Mr. Steve C. Davis, District No. 8

There will be a **Special Meeting** of **BERKELEY COUNTY COUNCIL** on **Monday July 11, 2005**, in the Assembly Room, Berkeley County Office Building, 1003 Highway 52, Moncks Corner, South Carolina, following the meeting of the Committee on Land Use, the Committee on Water and Sanitation, the Committee on Public Works and Purchasing, the Committee on Planning and Development, the Committee on the Committee on Human Services, and the Committee on Justice and Public Service at **6:00 p.m.**

CALL TO ORDER

PUBLIC DISCUSSION – Requests to be heard must be made prior to Call to Order and comments must be limited to Agenda items being considered for final action.

EXECUTIVE SESSION to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the County; or the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the County in other adversary situations involving the assertion against the County of a claim.

CHAIRMAN OF COUNTY COUNCIL

RESOLUTION:

Resolution approving and adopting the **Engineering Report** dated July 2005, prepared by Engineering Resources Corporation in connection with the **2005 Water and Sewer Revenue Bonds of Berkeley County, South Carolina**, including the user charges and fees contemplated and recommended therein; and other related matters.

[Recommended by Committee on Water and Sanitation]

UNFINISHED BUSINESS

NEW BUSINESS

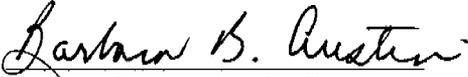
ANNOUNCEMENTS

ADJOURNMENT

EXECUTION OF DOCUMENTS BY COUNCIL

PUBLIC DISCUSSION

July 6, 2005


Barbara B. Austin, CCC
Clerk of County Council

SPECIAL MEETING OF BERKELEY COUNTY COUNCIL

Chairman: Mr. James H. Rozier, Jr., Supervisor
Vice Chairman: Mr. William E. Crosby, District No. 3

SPECIAL MEETING OF BERKELEY COUNTY COUNCIL was held on **Monday, July 11, 2005**, in the Assembly Room of the Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina, at 8:31 p.m.

PRESENT: Mr. Phillip Farley, Council Member District No. 1; Mrs. Judith K. Spooner, Council Member District No. 2; Mr. William E. Crosby, Council Member District No. 3; Mr. Charles E. Davis, Council Member District No. 4; Mr. Dennis L. Fish, Council Member District No. 5; Mr. Steve C. Davis, Council Member District No 8; Mr. James H. Rozier, Jr., Supervisor, Chairman; Mr. D. Mark Stokes, County Attorney; and Ms. Barbara B. Austin, Clerk of County Council. Mrs. Judy C. Mims, Council Member District No. 6 and Mr. Caldwell Pinckney, Jr., Council Member District No. 7 were excused from this meeting.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

During periods of discussion and/or presentations, minutes are typically condensed and paraphrased.

CALL TO ORDER

Chairman Rozier called the meeting to order.

PUBLIC DISCUSSION – Requests to be heard must be made prior to Call to Order and comments must be limited to Agenda items being considered for final action.

EXECUTIVE SESSION – Not Needed

CHAIRMAN OF COUNTY COUNCIL – Not Needed.

RESOLUTION:

“Resolution approving and adopting the Engineering Report dated July 2005, prepared by Engineering Resources Corporation in connection with the 2005 Water and Sewer Revenue Bonds of Berkeley County, South Carolina, including the user charges and fees contemplated and recommended therein; and other related matters.”

[Recommended by Committee on Water and Sanitation]

It was moved by Council Member Spooner and seconded by Council Member Fish to approve the Resolution approving and adopting the Engineering Report dated July 2005, prepared by Engineering Resources Corporation in connection with the 2005 Water and Sewer Revenue Bonds of Berkeley County, South Carolina. This motion was passed by unanimous voice vote of the Committee. (A copy of Resolution No. 05-32 is attached to these minutes.)

UNFINISHED BUSINESS – none

NEW BUSINESS – none

ANNOUNCEMENTS – none

ADJOURNMENT

It was moved by Council Member Spooner and seconded by Council Member S. Davis to adjourn the Special Meeting of County Council. The motion passed by unanimous voice vote of Council.

The meeting adjourned at 8:33 pm for the execution of documents.

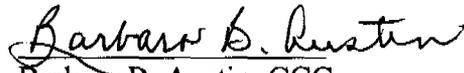
PUBLIC DISCUSSION

Ms. Celia Eade, residing at 134 Old Wagon Road, Moncks Corner, South Carolina, addressed Council and presented the following concerns in regard to Ordinance No. 05-05-20:

- Giving away animals poses many problems.
- Many animals are sold to Pit Bull rings for bait and many are taken into unscrupulous research places.
- The puppies and kittens are not always placed in good homes. The sellers do not screen for good homes and do not have guidelines for such screening as a rescue or shelter does.
- Over 50% of purchases are impulse buying and over 50% come back to a rescue or shelter.
- It has been documented that close to 100 cases of animals that were purchased at the flea market were returned to the shelters in horrible condition.
- They do not spay or neuter, no vaccinations or health care or microchipped.

- A business license or a pet license is not required in Berkeley County. Only one person at the flea market is a legitimate retail licensed pet dealer.
- Most of the people selling the dogs and cats at the flea market are backyard breeders.
- Many state laws are broken at the flea market. There is no system to check for a valid rabies certificate. It has become a haven to sell pit bull puppies and they are sold for under market value.
- The state law mandates that fresh clean water be provided everyday, and typically that does not happen.
- There are pit bulls being walked on retractable leads. I have provided an incident report from DHEC that indicates a gentleman had a dog on a leash and the dog bit a bystander. The dog did, however, have a rabies tag.

We have waited for a year for this ordinance to be passed. We are asking for immediate enforcement so the animals do not have to suffer or at least require that they meet the same guidelines that shelters must. If they have to pay for all that is required, the breeding will stop and the overpopulation which costs the County over \$20,000 per month for the shelter. There are many places to buy a dog or rabbit other than a flea market.


Barbara B. Austin, CCC
Clerk of County Council

August 29, 2005
Date Approved

RESOLUTION

APPROVING AND ADOPTING THE ENGINEERING REPORT DATED JULY 2005, PREPARED BY ENGINEERING RESOURCES CORPORATION IN CONNECTION WITH THE 2005 WATER AND SEWER REVENUE BONDS OF BERKELEY COUNTY, SOUTH CAROLINA, INCLUDING THE USER CHARGES AND FEES CONTEMPLATED AND RECOMMENDED THEREIN; AND OTHER RELATED MATTERS.

WHEREAS, Engineering Resources Corporation at the direction of the Berkeley County Water and Sanitation Authority has prepared a report entitled: "Engineering Report, 2005 Bonds, Berkeley County Water & Sanitation Authority, Berkeley County, South Carolina, dated July 2005 (the "Engineering Report"); and

WHEREAS, the County Council of Berkeley County, South Carolina (the "Council"), has or will enact ordinances which authorize the issuance of water and sewer system revenue bonds (the "Bonds") of Berkeley County; and

WHEREAS, the County intends to issue in August 2005 approximately \$120 million of Bonds to defray a portion of the costs of the Capital Improvements Program—Water and the Capital Improvements Program—Wastewater as described in Exhibits 5 and 6, respectively, to the Engineering Report; and

WHEREAS, in order to provide for the requisite amounts of revenues derived from the ownership and operation of the County's water and sewer system it is necessary that the Council adopt this Resolution imposing the increases in water and wastewater rates and fees as contemplated by and set forth in the last paragraph of Section 6.1 (User Charges and Fees) of the Engineering Report; and

WHEREAS, it is necessary and advisable for the Council to adopt this Resolution in order to approve the rates and fees for the County's water and sewer system; and

NOW, THEREFORE, BE IT RESOLVED by the County Council of Berkeley County, South Carolina, as follows:

Section 1. Authority for Resolution. This Resolution is adopted pursuant to the applicable provisions of the South Carolina Code of Laws 1976.

Section 2. Approval of Engineering Report. The Engineering Report 2005 Bonds Berkeley County Water & Sanitation Authority, Berkeley County, South Carolina, dated July 2005, prepared by Engineering Resources Corporation, a copy of which has been presented to

Council and is filed with the minutes of the meeting of Council at which this Resolution was adopted, is hereby approved.

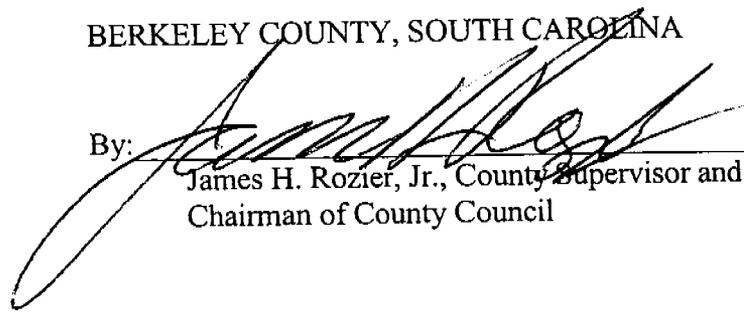
Section 3. Approval of User Charges and Fees. The Council agrees to adjust and impose the water and wastewater rates contemplated by and set forth in the last paragraph of Section 6.1 (User Charges and Fees) of the Engineering Report. The Berkeley County Water and Sanitation Authority shall effectuate the imposition of such User Charges and Fees.

Section 4. Effect of Resolution. All orders and resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and this Resolution shall take effect and be in full force from and after its adoption.

Adopted in Council duly assembled this 11th day of July 2005.

BERKELEY COUNTY, SOUTH CAROLINA

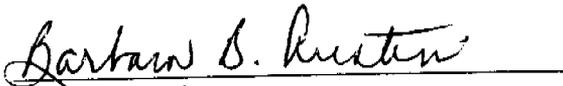
By:



James H. Rozier, Jr., County Supervisor and
Chairman of County Council

(SEAL)

ATTEST:



Barbara Austin
Clerk of County Council

MEMBERS OF COUNCIL

Phillip Farley

Phillip Farley Voting: yes

Dennis L. Fish

Dennis L. Fish Voting: yes

Judith K. Spooner

Judith K. Spooner Voting: yes

Excused 7-11-2005

Judy C. Mims Voting:

William E. Crosby

William E. Crosby Voting: yes

Excused 7-11-2005

Caldwell Pinckney, Jr. Voting:

Charles E. Davis

Charles E. Davis Voting: yes

Steve C. Davis

Steve C. Davis Voting: yes

REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL
July 25, 2005

The **REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL** was held on Monday, **July 25, 2005**, at 6:43 p.m. in the Assembly Room of the Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina.

PRESENT: Mr. James H. Rozier, Jr., Supervisor, Chairman; Mr. William E. Crosby, Council Member District No. 3, Vice Chairman; Mr. Phillip Farley, Council Member District No. 1; Mr. Charles E. Davis, Council Member District No. 4; Mr. Dennis L. Fish, Council Member District No. 5; Mr. Caldwell Pinckney, Jr., Council Member District No. 7; Mr. Steve C. Davis, Council Member District No. 8; Mr. D. Mark Stokes, County Attorney; and Ms. Barbara B. Austin, Clerk of County Council. Mrs. Judith K. Spooner, Council Member District No. 2, and Mrs. Judy C. Mims, Council Member District No. 6, were excused from this meeting.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

During periods of discussion and/or presentations, minutes are typically condensed and paraphrased.

CALL TO ORDER

Chairman Rozier called the meeting to order.

APPROVAL OF MINUTES

Chairman Rozier asked for approval of minutes from: two Special Meetings of County Council dated June 13, 2005; Public Hearings dated June 20, 2005; and a Regular Council Meeting dated June 20, 2005.

It was moved by Council Member Fish and seconded by Council Member Crosby to approve the minutes as presented. The motion passed by unanimous voice vote of Council.

PUBLIC DISCUSSION – none

EXECUTIVE SESSION

It was moved by Council Member Crosby and seconded by Council Member Fish to enter into Executive Session to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the County; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney – client privilege, settlement of legal claim, or the position of the County in other adversary situations involving the assertion against the County of a claim. The motion passed by unanimous voice vote of Council.

Council entered into Executive Session at 6:45 p.m., and returned to Regular Session at 7:16 p.m.

Mr. D. Mark Stokes, County Attorney, reported that Council went into Executive Session for reasons stated in the motion, and no formal action was taken.

MONCKS CORNER KIWANIS CLUB: PRESENTATION

Ms. Helen Lukow, representing the Kiwanis Club, addressed Council, and stated that the Kiwanis Club is part of an international organization that has eradicated iodine deficiencies in third world countries by providing funds for salt mines. As part of the Carolinas District, the Moncks Corner Kiwanis Club helped build a cabin at the Victory Junction Gang Camp, which is sponsored by Kyle Petty and Paul Newman for children with terminal illnesses. The Kiwanis Club's number one priority is children.

In conclusion, Ms. Lukow, recognized Ms. Sherry Villeponteaux, former secretary of the Kiwanis Club, with a plaque entitled, "Kiwanian of the Year". This recognition was for Ms. Villeponteaux's project participation, which won first place in the projects category of the Carolinas District.

THIRD READING

"BILL No. 05-42, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #252-06-00-024."
(Portrait Homes-SC, LLC)

It was moved by Council Member Crosby and seconded by Council Member Fish to approve **Bill No. 05-42 for Third Reading**. The motion passed by unanimous voice vote of Council. *(A copy of Ordinance No. 05-07-49 is attached to these minutes.)*

"BILL NO. 05-43, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #275-00-00-056, -018 and 090."

(Trico Engineering)

It was moved by Council Member Steve Davis and seconded by Council Member Pinckney to approve **Bill No. 05-43 for Third Reading.** The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-07-50 is attached to these minutes.)

"BILL NO. 05-45, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #178-00-03-036."

(Randolph Varner)

It was moved by Council Member Pinckney and seconded by Council Member Steve Davis to approve **Bill No. 05-45 for Third Reading.** The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-07-51 is attached to these minutes.)

"BILL NO. 05-46, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #197-00-02-029."

(Jeff and Vicky Hall)

It was moved by Council Member Crosby and seconded by Council Member Fish to approve **Bill No. 05-46 for Third Reading.** The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-07-52 is attached to these minutes.)

"BILL NO. 05-47, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #210-00-00-180."

(Fred Amaker)

It was moved by Council Member Charles Davis and seconded by Council Member Fish to approve **Bill No. 05-47 for Third Reading.** The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-07-53 is attached to these minutes.)

"BILL NO. 05-48, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #209-06-00-025."

(Chris J. Loudon)

It was moved by Council Member Farley and seconded by Council Member Crosby to approve Bill No. 05-48 for Third Reading. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-07-54 is attached to these minutes.)

“BILL NO. 05-49, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #268-00-00-074.”
(Rosemarie West)

It was moved by Council Member Steve Davis and seconded by Council Member Pinckney to approve Bill No. 05-49 for Third Reading. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-07-55 is attached to these minutes.)

Berkeley County Council Rules allow all bills to be given Second Reading by one motion as a collective group. Any member may object to a particular bill, and it shall be separated from the collective group and handled by a separate motion.

SECOND READING

It was moved by Council Member Steve Davis and seconded by Council Member Crosby to allow Bills Numbered 05-44, 05-55, 05-56, 05-57, 05-58, 05-59, 05-60 and 05-61 to be given Second Reading by one motion as a collective group.

“BILL NO. 05-44, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #233-09-02-017.”
(Louis Vick, Jr.)

“BILL NO. 05-55, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #141-00-02-016.”
(Tony Thomas)

“BILL NO. 05-56, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #194-00-02-012.”
(Brandon Hawkins)

“BILL NO. 05-57, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #233-09-02-036.”
(Bonnell Meese)

"BILL NO. 05-58, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #244-06-00-028."

(Dennis Burbage)

"BILL NO. 05-59, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #211-00-02-102 and proposed Development Plan."

(HLA, Inc.)

"BILL NO. 05-60, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #142-14-00-008."

(Don Winningham)

"BILL NO. 05-61, AN ORDINANCE AUTHORIZING THE CONVEYANCE OF THAT CERTAIN PIECE OF REAL PROPERTY KNOWN AS THE PINEVILLE HEALTH CENTER LOCATED IN PINEVILLE, BERKELEY COUNTY, SOUTH CAROLINA."

The motion passed by unanimous voice vote of Council.

"BILL NO. 05-62, AN ORDINANCE GRANTING A FRANCHISE RENEWAL FOR THE CONSTRUCTION, ACQUISITION, OPERATION, AND MAINTENANCE OF A CABLE TELEVISION SYSTEM WITHIN SPECIFIC UNINCORPORATED AREAS OF THE COUNTY OF BERKELEY TO TIME WARNER CABLE, INC."

Chairman Rozier informed Council that **Bill No. 05-62** would be held until August at the request of the applicant. There was no objection from Council.

FIRST READING

Chairman Rozier stated there were 10 bills for First Reading. Bills for First Reading are not discussed or voted upon. The bills are read into the record by title only and, thereafter, sent to the proper Committee for further consideration.

"BILL NO. 05-63, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #161-15-00-032."

(Minnis Brenner)

“BILL NO. 05-64, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #250-00-00-038.”

(Mary Ann Lattrell)

“BILL NO. 05-65, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #232-00-01-042.”

(Greg Sarver)

“BILL NO. 05-66, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #235-13-03-020 and 021.”

(S.E. Felkel)

“BILL NO. 05-67, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #233-00-00-037.”

(Jessco Homes)

“BILL NO. 05-68, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #242-00-01-019.”

(Barry Baker)

“BILL NO. 05-69, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #263-00-03-042 and 043.”

(Frank Oakley)

“BILL NO. 05-70, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #233-00-00-015 and 062.”

(Beazer Homes)

“BILL NO. 05-71, THE SIXTH SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BERKELEY COUNTY, SOUTH CAROLINA, SOLID WASTE SYSTEM REFUNDING REVENUE BOND, SERIES 2005, IN THE PRINCIPAL AMOUNT OF \$2,950,000 FOR THE PURPOSE OF REFUNDING THE COUNTY’S SOLID WASTE SYSTEM REVENUE BOND, SERIES 2000; AND OTHER MATTERS RELATING THERETO.”

“BILL NO. 05-72, AN ORDINANCE AMENDING ORDINANCE NUMBER 05-06-45, PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2005, AND ENDING JUNE 30, 2006, FOR THE OPERATIONAL BUDGET OF THE BERKELEY COUNTY SPECIAL FIRE TAX DISTRICT WITHIN THE UNINCORPORATED PORTIONS OF BERKELEY COUNTY; PROVIDING FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE SPECIAL FIRE TAX DISTRICT DURING THE FISCAL YEAR; AND AMENDING ORDINANCES NUMBERED 96-7-35 AND 03-06-37 ESTABLISHING THE UNIFORM SERVICE CHARGE TO BE ASSESSED AND COLLECTED IN THE SPECIAL TAX DISTRICT.”

RESOLUTIONS

“RESOLUTION PROVIDING FOR THE TRANSFER OF FUNDS IN THE 2005-2006 BERKELEY COUNTY BUDGET FOR COUNTY PURPOSES OTHER THAN AS SPECIFIED IN SAID BUDGET.”

It was moved by Council Member Crosby and seconded by Council Member Fish to approve the Resolution providing for a Transfer of Funds in the 2005-2006 Berkeley County Budget. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. 05-33 is attached to these minutes.)

“RESOLUTION APPROVING AND ADOPTING THE ENGINEERING REPORT DATED JULY 2005, PREPARED BY ENGINEERING RESOURCES CORPORATION IN CONNECTION WITH THE 2005 WATER AND SEWER REVENUE BONDS OF BERKELEY COUNTY, SOUTH CAROLINA, INCLUDING THE USER CHARGES AND FEES CONTEMPLATED AND RECOMMENDED THEREIN; AND OTHER RELATED MATTERS.”

This resolution was adopted by County Council during a Special Meeting of Council held July 11, 2005.

PROCLAMATION

“PROCLAMATION URGING ALL CITIZENS TO RECOGNIZE AND PARTICIPATE IN FAMILY DAY -- A DAY TO EAT DINNER WITH YOUR CHILDREN.”

It was moved by Council Member Steve Davis and seconded by Council Member Crosby to approve the Proclamation recognizing Family Day. The motion passed by unanimous voice vote of Council.

REPORTS FROM STANDING COMMITTEES

COMMITTEE ON FINANCE

Mr. Dennis L. Fish, Chairman

Chairman Fish reported that the Committee on Finance met earlier this night. Many of the matters before the Committee were addressed on this night's agenda.

On recommendation of the Committee, Chairman Fish moved to approve a salary increase for the Sangaree Special Tax District Manager in the amount of \$6,749.66, including benefits. This increase in personnel services will be funded by the Sangaree Special Tax District funds. (No second required.)

The motion passed by unanimous voice vote of Council. (That concluded Chairman Fish's report.)

COMMITTEE ON LAND USE

Mr. Phillip Farley, Chairman

Chairman Farley reported that the Committee on Land Use met on July 11, 2005 and earlier this night. All matters before the Committee were addressed on this night's agenda. *(That concluded Chairman Farley's report.)*

COMMITTEE ON PUBLIC WORKS AND PURCHASING

Mr. Caldwell Pinckney, Jr., Chairman

Chairman Pinckney reported that the Committee on Public Works and Purchasing met on July 11, 2005 and earlier this night.

On recommendation of the Committee, Chairman Pinckney moved to award the contract for roof replacement at 223 North Live Oak Drive to Carolina Roofing in the amount of \$430,826.00. (No second required.)

The motion passed by unanimous voice vote of Council.

On recommendation of the Committee, Chairman Pinckney moved to award the lease purchase financing contract to All Points Public Funding, LLC. The amount financed shall not exceed \$1,488,622.00, and the annual interest rate, in the absence of default or change in tax status, shall not exceed 3.17 percent. (No second required.)

The motion passed by unanimous voice vote of Council. (That concluded Chairman Pinckney's report.)

COMMITTEE ON JUSTICE AND PUBLIC SAFETY

Mr. William E. Crosby, Chairman

Chairman Crosby reported that the Committee on Justice and Public Safety met on July 11, 2005. Several of the matters before the Committee were addressed on this night's agenda.

On recommendation of the Committee, Chairman Crosby moved to approve acceptance of Homeland Security Grants in the amount of \$389,644.00, with no matching funds required of Berkeley County. (No second required.)

The motion passed by unanimous voice vote of Council.

On recommendation of the Committee, Chairman Crosby moved to approve acceptance of a Justice Assistance Grant in the amount of \$81,494.00 for the Sheriff's Department, with no matching funds required of Berkeley County. (No second required.)

The motion passed by unanimous voice vote of Council.

On recommendation of the Committee, Chairman Crosby moved to approve the acceptance of a second Justice Assistance Grant in the amount of \$48,000.00, with required matching funds in the amount of \$12,050.00 to come from Contingency. (No second required.)

The motion passed by unanimous voice vote of Council. (That concluded Chairman Crosby's report.)

COMMITTEE ON WATER AND SANITATION
Mrs. Judith K. Spooner, Chairman

Acting Chairman Fish reported that the Committee on Water and Sanitation met on July 11, 2005. Many of the matters before the Committee were addressed on this night's agenda.

On recommendation of the Committee, Acting Chairman Fish moved to approve purchase of a site for the new Berkeley County Water and Sanitation Authority office in the amount of \$40,000.00 per acre, contingent upon the delineation of wetlands. (No second required.)

The motion passed by unanimous voice vote of Council.

On recommendation of the Committee, Acting Chairman Fish moved to approve an upgrade to a portion of the Cane Bay Master Pump Station sewer contract in the amount of \$227,820.00. (No second required.)

The motion passed by unanimous voice vote of Council.

On recommendation of the Committee, Acting Chairman Fish moved to approve a request to release St. Thomas Point from the Berkeley County Water and Sanitation Authority franchise agreement to allow the City of Charleston to provide service to the area. (No second required.)

The motion passed by unanimous voice vote of Council. (That concluded Chairman Spooner's report.)

COMMITTEE ON PLANNING AND DEVELOPMENT

Mr. Steve C. Davis, Chairman

No report.

COMMITTEE ON COMMUNITY SERVICES

Mr. Charles E. Davis, Chairman

Chairman Charles Davis reported that the Committee on Community Services met earlier this night.

On recommendation of the Committee, Chairman Charles Davis moved to approve the acceptance of grants for the Berkeley County Airport to extend the parallel taxiway 375 feet, as follows: an FAA Grant in the amount of \$150,000.00 and a state grant in the amount of \$3,750.00. The required matching funds from Berkeley County, in the amount of \$3,750.00, have been placed in the 2005-2006 budget. (No second required.)

The motion passed by unanimous voice vote of Council. (That concluded Chairman Charles Davis' report.)

COMMITTEE ON HUMAN SERVICES

Mrs. Judy C. Mims, Chairman

No report.

NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.

Council Member Crosby nominated Mrs. Joanne Page for appointment to serve on the Berkeley County Library Board.

The nomination to the Berkeley County Library Board passed by unanimous voice vote of Council.

CORRESPONDENCE – none

UNFINISHED BUSINESS – none

NEW BUSINESS

With no objection from Council, Mr. Robbie Metts, Deputy Supervisor, addressed Council pertaining to an upgrade within the Berkeley County Water and Sanitation Authority's Deputy Director of Operations Department. The separation of Operations from the Engineering Department was approved in the 2005-2006 budget. Inadvertently, the additional responsibilities assumed by a secretary was overlooked in the budget, because one position moved to Engineering, leaving one secretary to assume the Deputy Director of Operations clerical duties. Mr. Metts concluded by requesting Council's approval to upgrade this secretarial position to one of an administrative assistant. This upgrade would entail a total amount of \$1,274.01 for the duration of this fiscal year.

It was moved by Council Member Pinckney and seconded by Council Member Charles Davis to approve the upgrade of one secretary to that of an administrative assistant in the Berkeley County Water and Sanitation Authority's Deputy Director of Operations Department for an additional amount in salary of \$1,274.01 through the end of fiscal year 2005-2006. The motion passed by unanimous voice vote of Council.

Without objection from Council, Chairman Rozier stated that Administrative Services, due to the illness of an employee, was in need of one part-time position now, rather than January as reflected in the 2005-2006 budget. To activate the part-time position at this time would necessitate a total of \$5,804.34 from Contingency.

It was moved by Council Member Fish and seconded by Council Member Farley to approve the immediate hiring of one part-time position for Administrative Services, versus January 2006, with the required funds in the amount of \$5,804.34 to come from Contingency. The motion passed by unanimous voice vote of Council.

Chairman Rozier stated there was one resolution, which needed Council's approval.

“RESOLUTION APPROVING FINANCING TERMS FOR VARIOUS EQUIPMENT LEASE PURCHASES NOT TO EXCEED FOUR (4) YEARS.”

It was moved by Council Member Crosby and seconded by Council Member Pinckney to approve the Resolution for Equipment Lease Purchases not to exceed four years and an annual interest rate not to exceed 3.17 percent. The motion passed by unanimous voice vote of Council.

With no objection from Council, Mrs. Marie Wauben, Human Resources Director, addressed Council and explained that due to certain situations that had occurred in the Clerk of Court's Office, the following outlined hiring procedures would be implemented immediately.

- The Human Resources Department will post the position.
- The Human Resources Department will obtain references in writing. If they cannot be obtained in writing, Human Resources will call for references.
- After the position has closed, the Human Resources Department will forward all applications to the Clerk of Court's Office.
- The Clerk of Court's Office will screen the applications and choose who to interview.
- The Clerk of Court's Office will document the reasons for not interviewing certain applicants.
- The Clerk of Court's Office will make an applicant selection and document the reasons for not selecting the other candidates that were interviewed, but not selected.
- The Clerk of Court accepts the responsibility for her office's actions during the screening, interviewing and selection process should a claim arise.
- The Human Resources Department agrees to accept the responsibility for any part of the process that their office conducts.
- The Clerk of Court is expected to follow all applicable State and Federal Laws and agrees to ensure that all applicants selected meet at least the minimum qualifications for the position, including computer test scores.
- The Clerk of Court agrees to report any claims directly to the Legal Department.
- Once the Human Resources Department is presented with the name of a selected candidate, the Human Resources Department will conduct a background check and all necessary medical examinations. If the Human Resources Department discovers a problem, the Clerk of Court's Office will be notified.
- At the time the Human Resources Department receives the applicant selection, the Clerk of Court's Office will return the applications with their EEOC paperwork, which will be filed in the Human Resources Department.
- The process for determining salaries will remain the same.

Council Member Fish asked why the procedures were being changed.

Mrs. Wauben responded that a situation had arisen in the hiring procedure. Mrs. Wauben and the Clerk of Court agreed to come up with a proposal together, in order to accommodate the Clerk of Court's right to hire and accommodate the County's Human Resources Department's system.

Council Member Fish stated that his understanding of the current system is that when there is an opening in the Clerk of Court's Department, the Human Resources Department will post the opening and select a number of qualified candidates from the applications. The Clerk of Court's Department would perform the interviews and select an individual to fill the position.

Mrs. Wauben stated that is the current process, but Mrs. Wauben was advising Council of what was being proposed.

Council Member Steve Davis asked if this policy change would fulfill the interests of both the Clerk of Court's Department and the Human Resources Department.

Mrs. Wauben responded that an elected official has the right to hire who they wish to hire, and the County has personnel policies and procedures it must adhere to.

Council Member Steve Davis questioned the type policy the Sheriff's Department adhered to.

Mrs. Wauben responded that the Sheriff's Department screens its own applications and conducts its own background checks in the hiring of deputies and correctional officers.

Chairman Rozier stated that the Human Resources Department does not accept responsibility for that which it is not involved with (i.e., the Sheriff's Department).

Mrs. Wauben stated that the Sheriff's Department takes its claims directly to the County's Legal Department (rather than to the Human Resources Department).

Chairman Rozier stated that the integrity of the County's policies and procedures are protected with this proposal, because the County's policies are not changed to fit any one particular department.

Chairman Fish stated that whether a claim is against any particular department (i.e., Sheriff) or the Human Resources Department, that claim is still against the County.

No formal action was required of Council. *(A copy of the screening procedures, as approved by the Berkeley County Human Resources Department and the Clerk of Court is attached to these minutes.)*

ANNOUNCEMENTS

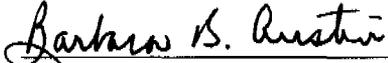
The **August 2005 Regular Meeting of Berkeley County Council** will be held on **Monday, August 29, 2005**, immediately following Public Hearings and the meeting of the Committee on Finance at **6:00 p.m.** in the **Assembly Room** of the **Berkeley County Administration Building, 1003 Highway 52**, Moncks Corner, South Carolina.

ADJOURNMENT

It was moved by Council Member Pinckney and seconded by Council Member Crosby to adjourn the Regular Meeting of County Council. The motion passed by unanimous voice vote of Council.

Meeting adjourned at 7:47 p.m., for the execution of documents by Council.

PUBLIC DISCUSSION – none


Barbara B. Austin, CCC
Clerk of Council

August 29, 2005
Date Approved

REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL is scheduled to be held on **Monday July 25, 2005**, to begin immediately following Public Hearings, the Committee on Finance, the Committee on Public Works and Purchasing, the Committee on Community Services and the Committee on Land Use at **6:00 P.M.**, in the **ASSEMBLY ROOM, BERKELEY COUNTY ADMINISTRATION BUILDING, 1003 HIGHWAY 52, MONCKS CORNER, S. C.**

CALL TO ORDER

APPROVAL OF MINUTES:

Special Meetings of County Council (2)	June 13, 2005
Public Hearings Bills Numbered: 05-25, 05-26, 05-27, 05-28, 05-29, 05-30, 05-31, 05-32, 05-33, 05-34, 05-36, 05-37, 05-38, 05-39, 05-40	June 20, 2005
Public Hearing Bill Numbered: 05-35 (BCW&SA Budget)	June 20, 2005
Public Hearing Bill Numbered: 05-41 (BC Budget)	June 20, 2005
Regular Council Meeting	June 20, 2005

PUBLIC DISCUSSION - Request to be heard must be made prior to Call to Order and comments must be limited to Agenda items being considered for final action.

EXECUTIVE SESSION to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the county; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claim, or the position of the County in other adversary situations involving the assertion against the County of a claim.

CHAIRMAN OF COUNTY COUNCIL

MONCKS CORNER KIWANIS CLUB: PRESENTATION

THIRD READING:

- 1. Bill No. 05-42, an ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Portrait Homes-SC, LLC.**, Red Bank Road and Garwood Road, Goose Creek, **TMS #252-06-00-024**, (38.23 acres), **from R-1, Single Family Residential to R-4, Multi-Family Residential (Small Scale)**. Council District No. 3.
[Recommended by Committee on Land Use]
- 2. Bill No. 05-43, an ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Trico Engineering**, 1101 St. Thomas Island

Drive, Charleston, TMS #275-00-00-056, -018, and 090, (2.464 acres), (-056) from GC, General Commercial, and (-018 and -090) from R1-MM, Multi-Section Manufactured Residential to OI, Office and Institutional District. Council District No. 8.

[Recommended by Committee on Land Use]

3. **Bill No. 05-45**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Randolph Varner**, 2065 State Road, Summerville, TMS #178-00-03-036 (3.3 acres portion of 5.38 acres total), from F-1, Agriculture to RNC, Rural and Neighborhood Commercial. Council District No. 7.

[Recommended by Committee on Land Use]

4. **Bill No. 05-46**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Jeff and Vicky Hall**, 323 Garbar Lane, Moncks Corner, TMS #197-00-02-029 (11.1 acres portion of 21.67 acres total), from R-2, Manufactured Residential to F-1, Agricultural District. Council District No. 3.

[Recommended by Committee on Land Use]

5. **Bill No. 05-47**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Fred Amaker**, 200 Amaker Lane, Moncks Corner, TMS #210-00-00-180 (5.42 acres), from F-1, Agricultural District, to R-3, Mobile Home Park. Council District No. 4.

[Recommended by Committee on Land Use]

6. **Bill No. 05-48**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Chris J. Loudon**, 1377 State Road, Summerville, TMS #209-06-00-025 (4 acres), from F-1, Agricultural to RNC, Rural and Neighborhood Commercial District. Council District No. 4.

[Recommended by Committee on Land Use]

7. **Bill No. 05-49**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Rosemarie West**, 819 Travis Lane, Charleston, TMS #268-00-00-074 (3 acres), from, R-2, Manufactured Residential to GC, General Commercial. Council District No. 8.

[Recommended by Committee on Land Use]

Berkeley County Council Rules allows all bills to be given second reading by one motion as a collective group. Any member may object to a particular bill and it shall be separated from the collective group and handled by a separate motion.

SECOND READING:

1. **Bill No. 05-44**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Louis Vick, Jr.**, 740 Royle Road, Ladson, TMS #233-09-02-017, (2.4 acres), from R-2, Manufactured Residential to R-3, Mobile Home Park. Council District No. 4.

[Recommended by Committee on Land Use]

2. **Bill No. 05-55**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Tony Thomas**, Old Whitesville Road, Moncks Corner, TMS #141-00-02-016 (20.32 acres) from PDMU, Planned Development Mixed Use to R2, Manufactured Residential District. Council District No. 7.

[Recommended by Committee on Land Use]

3. **Bill No. 05-56**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Brandon Hawkins**, 126 Farm Branch Lane, Summerville, TMS #194-00-02-012 (14.78 acres total), from R-3, Mobile Home Park to RNC, Rural and Neighborhood Commercial. Council District No. 7.

[Recommended by Committee on Land Use]

4. **Bill No. 05-57**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Bonnell Meese**, 209 Frankie Lane, Ladson, TMS #233-09-02-036 (2.3 acres), from R-3, Mobile Home Park to R-2, Manufactured Residential. Council District No. 4.

[Recommended by Committee on Land Use]

5. **Bill No. 05-58**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Dennis Burbage**, 361 Liberty Hall Road, Goose Creek, TMS #244-06-00-028 (14.4 acres), from R-2, Manufactured Residential to RNC, Rural and Neighborhood Commercial. Council District No. 3.

[Recommended by Committee on Land Use]

6. **Bill No. 05-59**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **HLA, Inc.**, Old Hwy 52 and Cypress Gardens Road, Moncks Corner, TMS #211-00-02-102 et al (477.2 acres), from Flex-1, Agricultural, R-1, Single-Family Residential, and GC, General Commercial to PDMU, Planned Development Mixed Use and proposed Development Plan. Council District No. 3.

[Recommended by Committee on Land Use]

7. **Bill No. 05-60**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Don Winningham**, 710 South Live Oak Drive, Moncks Corner TMS #142-14-00-008 (<1 acre), from R-2, Manufactured Residential to GC, General Commercial. Council District No. 8.

[Recommended by Committee on Land Use]

8. **Bill No. 05-61**, an ordinance authorizing the conveyance of that certain piece of real property known as the **Pineville Health Center** located in Pineville, Berkeley County, South Carolina.

[Recommended by Committee on Land Use]

9. **Bill No. 05-62**, an **ordinance** granting a **franchise renewal** for the construction, acquisition, operation, and maintenance of a cable television system within specific unincorporated areas of the County of Berkeley to **Time Warner Cable, Inc.**
[Recommended by Committee on Finance]

FIRST READING:

1. **Bill No. 05-63**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Minnis Brenner**, Gaillard Road and Hwy 17A, Moncks Corner, **TMS #161-15-00-032** (.876 acres), **from F-1, Agriculture District to R-2, Manufactured Residential District**. Council District No. 6.
[Recommended by Committee on Land Use]

2. **Bill No. 05-64**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Mary Ann Lattrell**, United Drive and Wildflower Lane, Huger, **TMS #250-00-00-038** (5 acres), **from R-2, Manufactured Residential District to F-1, Agriculture District**. Council District No. 8.
[Recommended by Committee on Land Use]

3. **Bill No. 05-65**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Greg Sarver**, 114 Berkeley Circle, Summerville, **TMS #232-00-01-042** (<1 acre), **from R-1, Single Family Residential District to RNC, Rural and Neighborhood Commercial District**. Council District No. 7.
[Recommended by Committee on Land Use]

4. **Bill No. 05-66**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **S.E. Felkel**, Corner of Blossom and Hollywood, Goose Creek, **TMS #235-13-03-020 and 021**, (.547 acres), **from R-1, Single Family Residential District to OI, Office and Institutional District**. Council District No. 3.
[Recommended by Committee on Land Use]

5. **Bill No. 05-67**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Jessco Homes**, Treeland Drive and Plantation Pine Road, Ladson, **TMS #233-00-00-037** (10.95 acres), **from OI, Office and Institutional District to R-4, Multi-Family (Small Scale)** (7.10 acres), **to GC, General Commercial** (4.65 acres). Council District No. 6.
[Recommended by Committee on Land Use]

6. **Bill No. 05-68**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Barry Baker**, 173 College Park Road, Summerville, **TMS #242-00-01-019** (3.893 acres), **from R-2, Manufactured Residential District to GC, General Commercial District**. Council District No. 5.
[Recommended by Committee on Land Use]

7. **Bill No. 05-69**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Frank Oakley**, 2695 Highway 41, Wando, TMS #263-00-03-042 and 043 (.68 acres) **from R-2, Manufactured Residential to GC, General Commercial District**. Council District No. 2.
[Recommended by Committee on Land Use]

8. **Bill No. 05-70**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Beazer Homes**, Discovery Drive and Royle Road, Ladson, TMS# 233-00-00-015 and 062 (7.343 acres), **from R-1, Single Family Residential to R-4, Manufactured Residential**. Council District No. 4.
[Recommended by Committee on Land Use]

9. **Bill No. 05-71**, the **Sixth Supplemental Ordinance** providing for the issuance and sale of Berkeley County, South Carolina, **Solid Waste System Refunding Revenue Bond, Series 2005**, in the principal amount of **\$2,950,000** for the purpose of **Refunding the County's Solid Waste System Revenue Bond, Series 2000**; and other matters relating thereto.
[Recommended by Committee on Water and Sanitation]

10. **Bill No. 05-72**, an **ordinance** amending **Ordinance Number 05-06-45**, providing for the fiscal year beginning July 1, 2005, and ending June 30, 2006, for the operational budget of the Berkeley County Special Fire Tax District within the unincorporated portions of Berkeley County; providing for the expenditures of the revenues received by the Special Fire Tax District during the fiscal year; and amending Ordinances numbered 96-7-35 and 03-06-37 establishing the uniform service charge to be assessed and collected in the special tax district.
[Recommended by Committee on Finance]

RESOLUTIONS

1. **RESOLUTION** providing for the Transfer of Funds in the 2005-2006 Berkeley County Budget for County purposes other than as specified in said Budget.
[Recommended by Committee on Finance]

2. **RESOLUTION** approving and adopting the **Engineering Report** dated July 2005, prepared by **Engineering Resources Corporation** in connection with the **2005 Water and Sewer Revenue Bonds of Berkeley County, South Carolina**, including the user charges and fees contemplated and recommended therein; and other related matters.
[Recommended by Committee on Water and Sanitation]

PROCLAMATION

Proclamation urging all citizens to recognize and participate in **Family Day – a Day to Eat Dinner with your Children**.

REPORTS FROM STANDING COMMITTEES:

1. **Committee on Finance.**
Council Member, Mr. Dennis L. Fish, Chairman.
2. **Committee on Land Use.**
Council Member, Mr. Phillip Farley, Chairman.
3. **Committee on Public Works and Purchasing.**
Council Member, Mr. Caldwell Pinckney, Jr., Chairman.
Bids and Recommendations:
 1. Lease Purchase Financing
4. **Committee on Justice and Public Safety.**
Council Member, Mr. William E. Crosby, Chairman.
5. **Committee on Water and Sanitation.**
Council Member, Mrs. Judith K. Spooner, Chairman.
Recommendations:
 1. Purchase of Site for New Office.
 2. Sewer Contract – Cane Bay Master Pump Station.
 3. St. Thomas Point Subdivision Water System.
6. **Committee on Planning and Development.**
Council Member, Mr. Steve C. Davis, Chairman.
7. **Committee on Community Services.**
Council Member, Mr. Charles E. Davis, Chairman.
Recommendation:
 1. Approval of FAA Grants.
8. **Committee on Human Services.**
Council Member, Mrs. Judy C. Mims, Chairman.

NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.

ACCOMMODATIONS TAX ADVISORY COMMITTEE
BERKELEY COUNTY AERONAUTICS COMMISSION
BERKELEY-CHARLESTON-DORCHESTER COUNCIL OF GOVERNMENTS
BERKELEY COUNTY LIBRARY BOARD
BERKELEY COUNTY PLANNING COMMISSION
BERKELEY-CHARLESTON-DORCHESTER RTMA
BERKELEY COUNTY WATER AND SANITATION APPEALS BOARD
BERKELEY COUNTY BOARD OF ZONING APPEALS
CHARLESTON NAVAL REDEVELOPMENT AUTHORITY

CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS
DEVON FOREST SPECIAL TAX DISTRICT

District 5 – Troy Barber – St. Ives.

GOOSE CREEK RECREATION COMMISSION
HOUSING BOARD OF ADJUSTMENTS AND APPEALS
MENTAL HEALTH BOARD
SANGAREE SPECIAL TAX DISTRICT ADVISORY COMMISSION
SPIERS LANDING COMMISSION
TAX ASSESSMENT REVIEW BOARD
WORKFORCE INVESTMENT BOARD

CORRESPONDENCE

UNFINISHED BUSINESS

NEW BUSINESS

ANNOUNCEMENTS

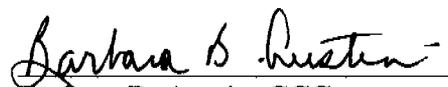
THE AUGUST 2005, REGULAR MEETING OF BERKELEY COUNTY COUNCIL WILL BE HELD ON MONDAY AUGUST 29, 2005, IMMEDIATELY FOLLOWING PUBLIC HEARINGS AND THE MEETING OF THE COMMITTEE ON FINANCE AT 6:00 PM, IN THE ASSEMBLY ROOM, OF THE BERKELEY COUNTY ADMINISTRATION BUILDING, 1003 HIGHWAY 52, MONCKS CORNER, S. C.

ADJOURNMENT

EXECUTION OF DOCUMENTS BY COUNCIL

PUBLIC DISCUSSION

July 20, 2005


Barbara B. Austin, CCC
Clerk of County Council

ORDINANCE NO. 05-07-49

AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #252-06-00-024 (38.23 acres).

WHEREAS, Berkeley County Council adopted a Zoning and Development Standards Ordinance, including Official Zoning and Development Standards Maps, on April 26, 1999, pursuant to Title 6, Chapter 29, of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, Berkeley County Council adopted such regulations for the purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the County; and

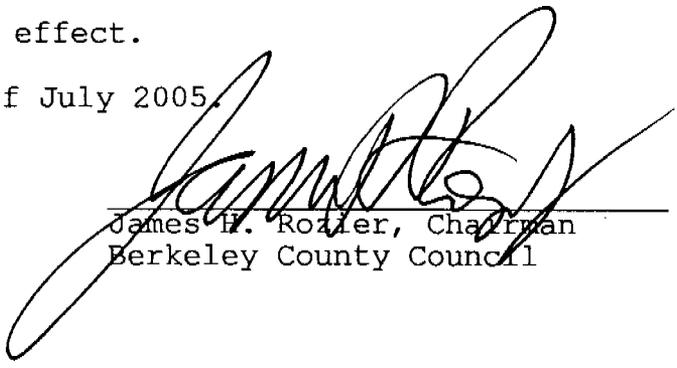
WHEREAS, the Berkeley County Council has determined that the rezoning or reclassification of the land designated herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was adopted on April 26, 1999;

NOW, THEREFORE, BE IT ORDAINED that the official Zoning and Development Standards Maps for Berkeley County, South Carolina, which were adopted pursuant to Ordinance No. 01-8-35 shall be modified in the following regard:

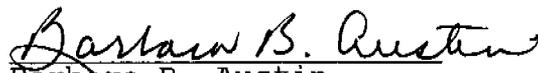
That portion of the official Zoning Map which contains that property identified as TMS#252-06-00-024 (38.23 acres) as is more clearly shown on "Exhibit A", which is attached hereto and made a part hereof. This property has previously been designated and approved as R-1, Single Family Residential District and will hereafter upon approval of this ordinance be reclassified as R-4, Multi Family Residential (Small Scale).

BE IT FURTHER ORDAINED that all ordinances in conflict with this modification are repealed to the extent necessary to give this ordinance full force and effect.

ADOPTED this 25th of July 2005.


James H. Rozler, Chairman
Berkeley County Council

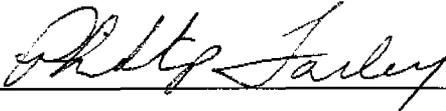
ATTEST:


Barbara B. Austin
CLERK OF COUNTY COUNCIL

First Reading: May 23, 2005
Second Reading: June 20, 2005
Public Hearing: July 25, 2005
Third Reading: July 25, 2005

05-07-49

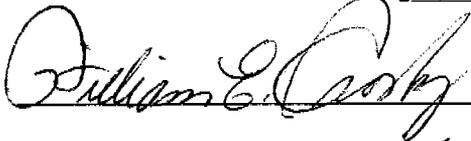
MEMBERS OF COUNTY COUNCIL



PHILLIP FARLEY Voting yes

Excused 7-25-05

JUDITH K. SPOONER Voting _____



WILLIAM E. CROSBY Voting yes



CHARLES E. DAVIS Voting yes



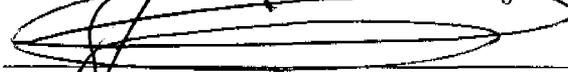
DENNIS L. FISH Voting yes

Excused 7-25-05

JUDY C. MIMS Voting _____



CALDWELL FINCKNEY, JR. Voting yes



STEVE C. DAVIS Voting yes

05-07-49

TMS#: 252-06-00-024



Berkeley County GIS Department
P.O. Box 6122
Moncks Corner, SC 29461
(843) 719-4038 | fax (843) 719-4190
e-mail: rhauck@co.berkeley.sc.us
BCGIS Online: <http://gis.co.berkeley.sc.us>
7-25-2005



THE COUNTY OF BERKELEY AND ITS GIS DEPARTMENT DISCLAIMS ACCOUNTABILITY FOR THIS PRODUCT AND MAKES NO WARRANTY EXPRESS OR IMPLIED CONCERNING THE ACCURACY THEREOF. RESPONSIBILITY FOR INTERPRETATION AND APPLICATION OF THIS PRODUCT IS WITH THE USER.

ORDINANCE NO. 05-07-50

AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #275-00-00-056, -018 and 090 (2.464 acres), (-056).

WHEREAS, Berkeley County Council adopted a Zoning and Development Standards Ordinance, including Official Zoning and Development Standards Maps, on April 26, 1999, pursuant to Title 6, Chapter 29, of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, Berkeley County Council adopted such regulations for the purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the County; and

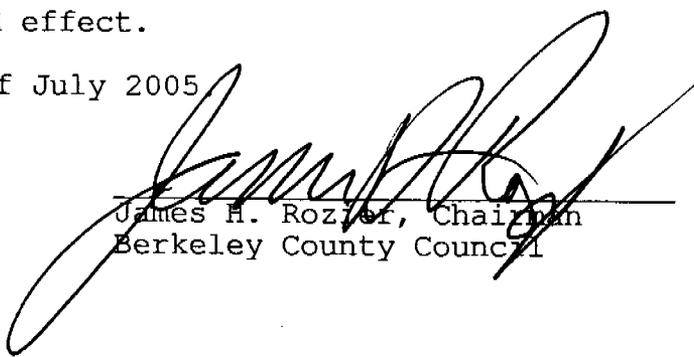
WHEREAS, the Berkeley County Council has determined that the rezoning or reclassification of the land designated herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was adopted on April 26, 1999;

NOW, THEREFORE, BE IT ORDAINED that the official Zoning and Development Standards Maps for Berkeley County, South Carolina, which were adopted pursuant to Ordinance No. 01-8-35 shall be modified in the following regard:

That portion of the official Zoning Map which contains that property identified as TMS#275-00-00-056, -018, and 090(2.464 acres), (-056) as is more clearly shown on "Exhibit A", which is attached hereto and made a part hereof. This property has previously been designated and approved as GC, General Commercial District, and (-018 and -090) from R-1MM, Multi-Section Manufactured Residential District and will hereafter upon approval of this ordinance be reclassified as OI, Office Institutional District.

BE IT FURTHER ORDAINED that all ordinances in conflict with this modification are repealed to the extent necessary to give this ordinance full force and effect.

ADOPTED this 25th of July 2005


James H. Rozler, Chairman
Berkeley County Council

ATTEST:


Barbara B. Austin
CLERK OF COUNTY COUNCIL

First Reading: May 23, 2005
Second Reading: June 20, 2005
Public Hearing: July 25, 2005
Third Reading: July 25, 2005

05-07-50

MEMBERS OF COUNTY COUNCIL

Phillip Farley
PHILLIP FARLEY Voting yes

Excused 7-25-05

JUDITH K. SPOONER Voting _____

William E. Crosby
WILLIAM E. CROSBY Voting yes

Charles E. Davis
CHARLES E. DAVIS Voting yes

Dennis L. Fish
DENNIS L. FISH Voting yes

Excused 7-25-05

JUDY C. MIMS Voting _____

Caldwell Pinckney, Jr.
CALDWELL PINCKNEY, JR. Voting yes

Steve C. Davis
STEVE C. DAVIS Voting YES

ORDINANCE NO. 05-07-51

AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #178-00-03-036 (3.3 acre portion of 5.38 acres total).

WHEREAS, Berkeley County Council adopted a Zoning and Development Standards Ordinance, including Official Zoning and Development Standards Maps, on April 26, 1999, pursuant to Title 6, Chapter 29, of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, Berkeley County Council adopted such regulations for the purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the County; and

WHEREAS, the Berkeley County Council has determined that the rezoning or reclassification of the land designated herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was adopted on April 26, 1999;

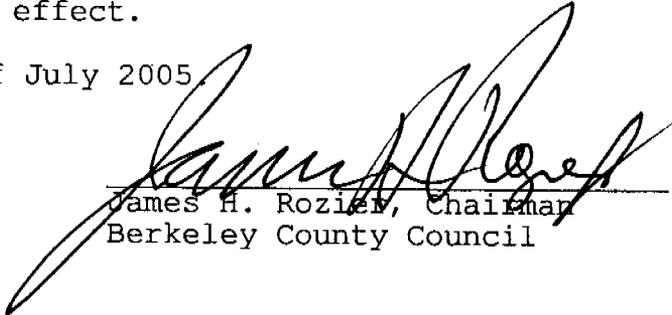
NOW, THEREFORE, BE IT ORDAINED that the official Zoning and Development Standards Maps for Berkeley County, South Carolina, which were adopted pursuant to Ordinance No. 01-8-35 shall be modified in the following regard:

05-07-51

That portion of the official Zoning Map which contains that property identified as TMS#178-00-03-036 (3.3 acre portion of 5.38 acres total) as is more clearly shown on "Exhibit A", which is attached hereto and made a part hereof. This property has previously been designated and approved as F-1, Agricultural District and will hereafter upon approval of this ordinance be reclassified as RNC, Rural Neighborhood Commercial District

BE IT FURTHER ORDAINED that all ordinances in conflict with this modification are repealed to the extent necessary to give this ordinance full force and effect.

ADOPTED this 25th of July 2005


James H. Rozier, Chairman
Berkeley County Council

ATTEST:


Barbara B. Austin
CLERK OF COUNTY COUNCIL

First Reading: May 23, 2005
Second Reading: June 20, 2005
Public Hearing: July 25, 2005
Third Reading: July 25, 2005

05-07-51

MEMBERS OF COUNTY COUNCIL

Phillip Farley
PHILLIP FARLEY Voting yes

Excused 7-25-05

JUDITH K. SPOONER Voting _____

William E. Crosby
WILLIAM E. CROSBY Voting yes

Charles E. Davis
CHARLES E. DAVIS Voting yes

Dennis L. Fish
DENNIS L. FISH Voting yes

Excused 7-25-05

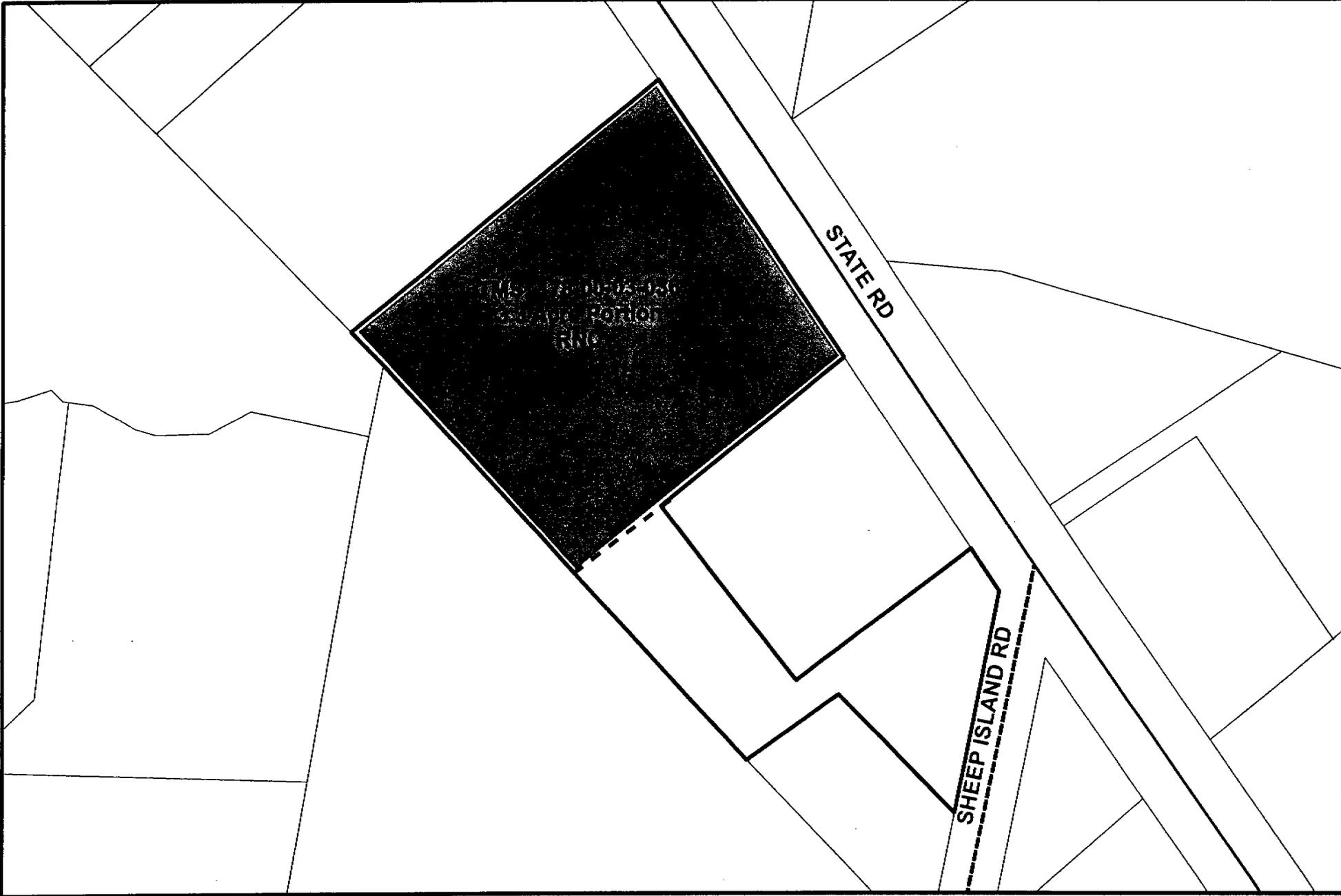
JUDY C. MIMS Voting _____

Caldwell Pinckney, Jr.
CALDWELL PINCKNEY, JR. Voting yes

Steve C. Davis
STEVE C. DAVIS Voting yes

05-07-51

TMS#: 178-00-03-036 (3.3 Acre Portion)



Berkeley County GIS Department
 P.O. Box 6122
 Moncks Corner, SC 29461
 (843) 719-4038 | fax (843) 719-4190
 e-mail: rhauck@co.berkeley.sc.us
 BCGIS Online: <http://gis.co.berkeley.sc.us>
 7-25-2005



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ORDINANCE NO. 05-07-52

AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #197-00-02-029 (11.1 acres portion of 21.67 acres total).

WHEREAS, Berkeley County Council adopted a Zoning and Development Standards Ordinance, including Official Zoning and Development Standards Maps, on April 26, 1999, pursuant to Title 6, Chapter 29, of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, Berkeley County Council adopted such regulations for the purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the County; and

WHEREAS, the Berkeley County Council has determined that the rezoning or reclassification of the land designated herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was adopted on April 26, 1999;

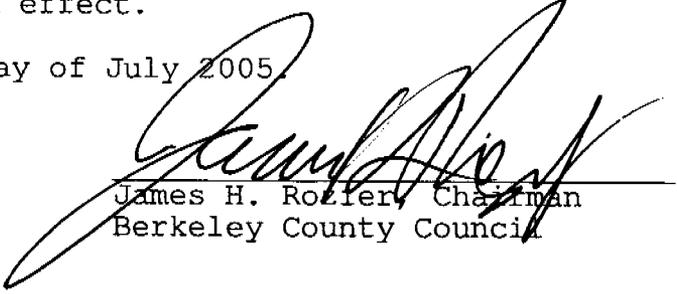
NOW, THEREFORE, BE IT ORDAINED that the official Zoning and Development Standards Maps for Berkeley County, South Carolina, which were adopted pursuant to Ordinance No. 01-8-35 shall be modified in the following regard:

05-07-52

That portion of the official Zoning Map which contains that property identified as TMS#197-00-02-029 (11.1 acres portion of 21.67 acres total) as is more clearly shown on "Exhibit A", which is attached hereto and made a part hereof. This property has previously been designated and approved as R-2, Manufactured Residential District and will hereafter upon approval of this ordinance be reclassified as F-1, Agricultural District

BE IT FURTHER ORDAINED that all ordinances in conflict with this modification are repealed to the extent necessary to give this ordinance full force and effect.

ADOPTED this 25th day of July 2005.


James H. Rozier, Chairman
Berkeley County Council

ATTEST:


Barbara B. Austin
CLERK OF COUNTY COUNCIL

First Reading: May 23, 2005
Second Reading: June 20, 2005
Public Hearing: July 25, 2005
Third Reading: July 25, 2005

MEMBERS OF COUNTY COUNCIL

Phillip Farley
PHILLIP FARLEY Voting yes

Excused 7-25-05
JUDITH K. SPOONER Voting _____

William E. Crosby
WILLIAM E. CROSBY Voting yes

Charles E. Davis
CHARLES E. DAVIS Voting yes

Dennis L. Fish
DENNIS L. FISH Voting yes

Excused 7-25-05
JUDY C. MIMS Voting _____

Caldwell Pinckney, Jr.
CALDWELL PINCKNEY, JR. Voting yes

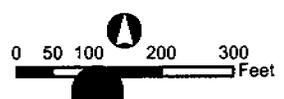
Steve C. Davis
STEVE C. DAVIS Voting yes

05-07-52

TMS#: 197-00-02-029 (11.1 Acre Portion)



Berkeley County GIS Department
 P.O. Box 6122
 Moncks Corner, SC 29461
 (843) 719-4038 | fax (843) 719-4190
 e-mail: rhauck@co.berkeley.sc.us
 BCGIS Online: <http://gis.co.berkeley.sc.us>
 7-25-2005



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ORDINANCE NO. 05-07-53

AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #210-00-00-180 (5.42 acres).

WHEREAS, Berkeley County Council adopted a Zoning and Development Standards Ordinance, including Official Zoning and Development Standards Maps, on April 26, 1999, pursuant to Title 6, Chapter 29, of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, Berkeley County Council adopted such regulations for the purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the County; and

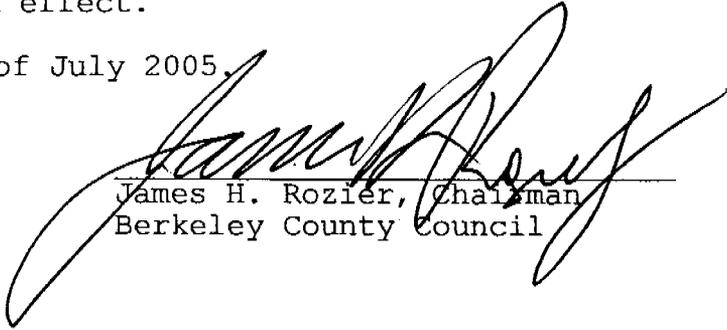
WHEREAS, the Berkeley County Council has determined that the rezoning or reclassification of the land designated herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was adopted on April 26, 1999;

NOW, THEREFORE, BE IT ORDAINED that the official Zoning and Development Standards Maps for Berkeley County, South Carolina, which were adopted pursuant to Ordinance No. 01-8-35 shall be modified in the following regard:

That portion of the official Zoning Map which contains that property identified as TMS#210-00-00-180 (5.42 acres) as is more clearly shown on "Exhibit A", which is attached hereto and made a part hereof. This property has previously been designated and approved as F-1, Agricultural District and will hereafter upon approval of this ordinance be reclassified as R-3, Mobile Home Park District.

BE IT FURTHER ORDAINED that all ordinances in conflict with this modification are repealed to the extent necessary to give this ordinance full force and effect.

ADOPTED this 25th of July 2005.


James H. Rozier, Chairman
Berkeley County Council

ATTEST:


Barbara B. Austin
CLERK OF COUNTY COUNCIL

First Reading: May 23, 2005
Second Reading: June 20, 2005
Public Hearing: July 25, 2005
Third Reading: July 25, 2005

05-07-53

MEMBERS OF COUNTY COUNCIL

Phillip Farley
PHILLIP FARLEY Voting yes

Excused 7-25-05
JUDITH K. SPOONER Voting _____

William E. Crosby
WILLIAM E. CROSBY Voting Yes

Charles E. Davis
CHARLES E. DAVIS Voting yes

Dennis L. Fish
DENNIS L. FISH Voting yes

Excused 7-25-05
JUDY C. MIMS Voting _____

Caldwell Pinckney, Jr.
CALDWELL PINCKNEY, JR. Voting yes

Steve C. Davis
STEVE C. DAVIS Voting YES

05-07-53

TMS#: 210-00-00-180



Berkeley County GIS Department
 P.O. Box 6122
 Moncks Corner, SC 29461
 (843) 719-4038 | fax (843) 719-4190
 e-mail: rhauck@co.berkeley.sc.us
 BCGIS Online: <http://gis.co.berkeley.sc.us>
 7-25-2005



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ORDINANCE NO. 05-07-54

AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #209-06-00-025 (4 acres).

WHEREAS, Berkeley County Council adopted a Zoning and Development Standards Ordinance, including Official Zoning and Development Standards Maps, on April 26, 1999, pursuant to Title 6, Chapter 29, of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, Berkeley County Council adopted such regulations for the purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the County; and

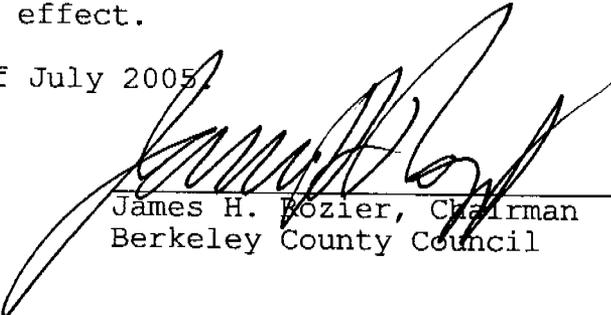
WHEREAS, the Berkeley County Council has determined that the rezoning or reclassification of the land designated herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was adopted on April 26, 1999;

NOW, THEREFORE, BE IT ORDAINED that the official Zoning and Development Standards Maps for Berkeley County, South Carolina, which were adopted pursuant to Ordinance No. 01-8-35 shall be modified in the following regard:

That portion of the official Zoning Map which contains that property identified as TMS#209-06-00-025 (4 acres) as is more clearly shown on "Exhibit A", which is attached hereto and made a part hereof. This property has previously been designated and approved as F-1, Agricultural District and will hereafter upon approval of this ordinance be reclassified as RNC, Rural Neighborhood Commercial District.

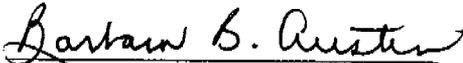
BE IT FURTHER ORDAINED that all ordinances in conflict with this modification are repealed to the extent necessary to give this ordinance full force and effect.

ADOPTED this 25th of July 2005



James H. Bozier, Chairman
Berkeley County Council

ATTEST:



Barbara B. Austin
CLERK OF COUNTY COUNCIL

First Reading: May 23, 2005
Second Reading: June 20, 2005
Public Hearing: July 25, 2005
Third Reading: July 25, 2005

MEMBERS OF COUNTY COUNCIL

Phillip Farley
PHILLIP FARLEY Voting yes

[Signature]
DENNIS L. FISH Voting yes

Excused 7-25-05
JUDITH K. SPOONER Voting _____

Excused 7-25-05
JUDY C. MIMS Voting _____

William E. Crosby
WILLIAM E. CROSBY Voting yes

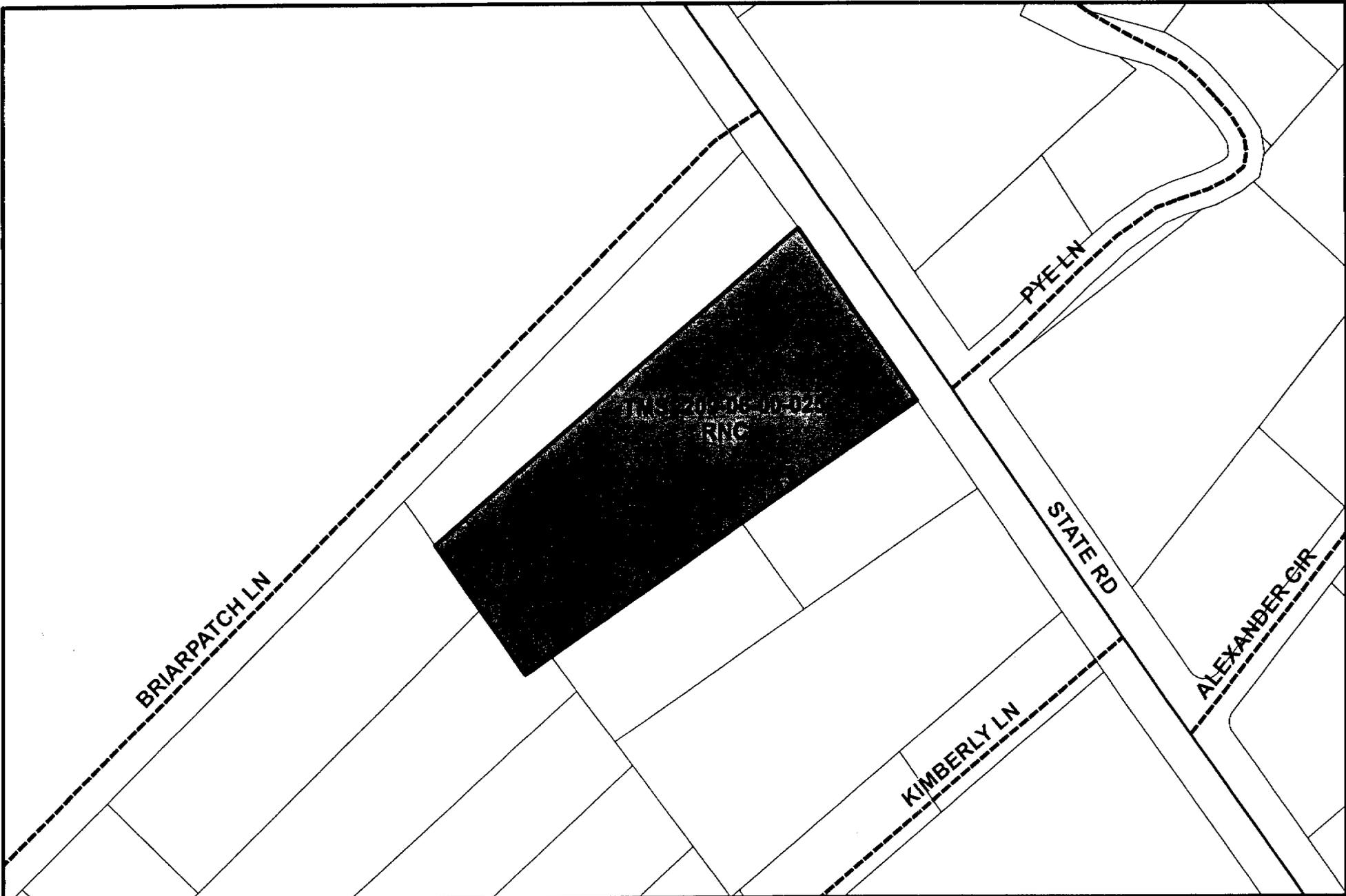
Caldwell Pinckney, Jr.
CALDWELL PINCKNEY, JR. Voting yes

Charles E. Davis
CHARLES E. DAVIS Voting yes

[Signature]
STEVE C. DAVIS Voting yes

05-07-54

TMS#: 209-06-00-025



Berkeley County GIS Department
P.O. Box 6122
Moncks Corner, SC 29461
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BCGIS Online: <http://gis.co.berkeley.sc.us>
7-25-2005



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ORDINANCE NO. 05-07-55

AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #268-00-00-074 (3 acres).

WHEREAS, Berkeley County Council adopted a Zoning and Development Standards Ordinance, including Official Zoning and Development Standards Maps, on April 26, 1999, pursuant to Title 6, Chapter 29, of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, Berkeley County Council adopted such regulations for the purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the County; and

WHEREAS, the Berkeley County Council has determined that the rezoning or reclassification of the land designated herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was adopted on April 26, 1999;

NOW, THEREFORE, BE IT ORDAINED that the official Zoning and Development Standards Maps for Berkeley County, South Carolina, which were adopted pursuant to Ordinance No. 01-8-35 shall be modified in the following regard:

05-07-55

MEMBERS OF COUNTY COUNCIL

Phillip Farley
PHILLIP FARLEY Voting yes

Executed 7-25-05

JUDITH K. SPOONER Voting _____

William E. Crosby
WILLIAM E. CROSBY Voting yes

Charles E. Davis
CHARLES E. DAVIS Voting yes

Dennis L. Fish
DENNIS L. FISH Voting yes

Executed 7-25-05

JUDY C. MIMS Voting _____

Caldwell Pinckney, Jr.
CALDWELL PINCKNEY, JR. Voting yes

Steve C. Davis
STEVE C. DAVIS Voting YES

05-07-55

TMS#: 268-00-00-074



Berkeley County GIS Department
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 (843) 719-4038 | fax (843) 719-4190
 e-mail: rhauck@co.berkeley.sc.us
 BCGIS Online: <http://gis.co.berkeley.sc.us>
 7-25-2005



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RESOLUTION

R 05-33

**PROVIDING FOR THE TRANSFER OF FUNDS APPROPRIATED IN
THE 2005-2006 BUDGET FOR BERKELEY COUNTY FOR COUNTY
PURPOSES OTHER THAN AS SPECIFIED IN SAID BUDGET**

WHEREAS, Section 4-9-140 of the 1976 South Carolina Code of Laws, as amended, provides in part that upon approval of Council, funds appropriated in the annual budget may be transferred for purposes other than as specified in such budget, and to provide for expenditure of additional funds which have become available; and

WHEREAS, the need has arisen which necessitates a transfer of funds appropriated in the annual budget for Berkeley County for other purposes;

NOW, THEREFORE, BE IT RESOLVED:

SECTION ONE

There is hereby transferred from budget line items designated in the 2005-2006 Berkeley County Budget the sum of **SEVENTEEN THOUSAND EIGHT HUNDRED FIFTY SIX AND NO/100 (\$17,856.00)** as set forth in Exhibit "A" attached hereto and made a part hereof by this reference.

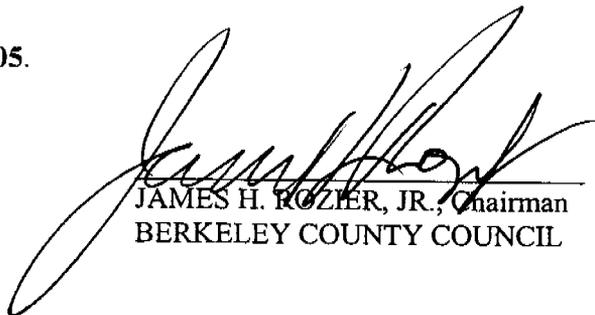
SECTION TWO

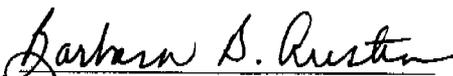
Allocations to budget line items as designated in the 2005-2006 Berkeley County Budget and as set forth in Exhibit "A" and Exhibit "B" attached hereto and made a part hereof by this reference, are approved herein.

ADOPTED this 25th day of July A. D. 2005.

(SEAL)

ATTEST:


JAMES H. ROZIER, JR., Chairman
BERKELEY COUNTY COUNCIL


Barbara B. Austin
Clerk of County Council

TRANSFER FROM:

47010	Contingency Fund (6104-Capital Outlay-Equipment)	\$12,050	
	Total transfer from Contingency		\$12,050
47010	Contingency Fund (5101-Salaries)	\$5,010	
	Contingency Fund (5109-Workers' Comp Insurance)	\$26	
	Contingency Fund (5110-Retirement Contribution-Regular)	\$386	
	Contingency Fund (5112-FICA taxes)	\$384	
	Total transfer from Contingency		\$5,806
	TOTAL TRANSFERRED FROM:		\$17,856

TRANSFER TO:

00100	General Fund Administration		
	7151 Operating Transfer Out	\$12,050	
	Total transfer to General Fund Administration		\$12,050
41514	Administrative Services		
	5101 Salaries	\$5,010	
	5109 Workers' Comp Insurance	\$26	
	5110 Retirement Contribution-Regular	\$386	
	5112 FICA taxes	\$384	
	Total transfer to Administrative Services		\$5,806
	TOTAL TRANSFERRED TO:		\$17,856

INCREASE ESTIMATED REVENUE:

42128	Live Scan		
	4579 Federal Grants	\$36,150	
	7101 Operating Transfer In	\$12,050	
Total increase to	Live Scan		\$48,200
42129	2005 JAG (Justice Assistance Grant)		
	4579 Federal Grants	\$89,494	
Total increase to	2005 JAG (Justice Assistance Grant)		\$89,494
42408	Homeland Security 5SHSP08 Equipment for EMS Discipline		
	4579 Federal Grants	\$6,667	
Total increase to	Homeland Security 5SHSP08 Equipment for EMS Discipline		\$6,667
42409	Homeland Security 5SHSP08 Equipment for Law Enforcement Discipline		
	4579 Federal Grants	\$156,167	
Total increase to	Homeland Security 5SHSP08 Equipment for Law Enforcement Discipline		\$156,167
42410	Homeland Security 5SHSP08 Equipment for Emergency Preparedness		
	4579 Federal Grants	\$124,928	
Total increase to	Homeland Security 5SHSP08 Equipment for Emergency Preparedness		\$124,928
42411	Homeland Security Equipment 5SHSP08 for Fire Discipline		
	4579 Federal Grants	\$27,500	
Total increase to	Homeland Security Equipment 5SHSP08 for Fire Discipline		\$27,500
42130	Law Enforcement Terrorism Prevention 5LETP08		
	4579 Federal Grants	\$74,382	
Total increase to	Law Enforcement Terrorism Prevention 5LETP08		\$74,382
47018	Sangaree Special Tax District		
	4350 Carryover from prior fiscal year	\$6,751	
Total increase to	Sangaree Special Tax District		\$6,751
TOTAL INCREASE IN ESTIMATED REVENUE:			\$534,089

INCREASE APPROPRIATIONS:

42128	Live Scan		
	6104	Capital Outlay Equipment	\$48,200
	Total increase to	Live Scan	\$48,200
42129	2005 JAG (Justice Assistance Grant)		
	5380	Office Furniture & Equipment	\$3,000
	5382	Other Operating Supplies	\$12,000
	5513	Computer Equipment	\$12,500
	5515	Employee Training	\$11,000
	6104	Capital Outlay-Equipment	\$50,994
	Total increase to	2005 JAG (Justice Assistance Grant)	\$89,494
42408	Homeland Security 5SHSP08 Equipment for EMS Discipline		
	5495	Medical Supplies/Expenses	\$5,000
	5515	Employee Training	\$1,667
	Total increase to	Homeland Security 5SHSP08 Equipment for EMS Discipline	\$6,667
42409	Homeland Security 5SHSP08 Equipment for Law Enforcement Discipline		
	5515	Employee Training	\$1,667
	6104	Capital Outlay-Equipment	\$154,500
	Total increase to	Homeland Security 5SHSP08 Equipment for Law Enforcement Discipline	\$156,167
42410	Homeland Security 5SHSP08 Equipment for Emergency Preparedness		
	5514	Computer Equipment-GIS	\$2,000
	5305	Construction Services	\$7,000
	5382	Other operating supplies	\$30,000
	5495	Medical Supplies/Expenses	\$3,000
	5510	Small Equipment	\$13,000
	5515	Employee Training	\$1,666
	6104	Capital Outlay-Equipment	\$20,262
	6106	Capital Outlay-Vehicle	\$30,000
	6110	Capital Outlay-Computer Equipment	\$12,000
	6112	Capital Outlay-Software	\$6,000
	Total increase to	Homeland Security 5SHSP08 Equipment for Emergency Preparedness	\$124,928
42406	Homeland Security 5SHSP08 Equipment for Fire Discipline		
	5510	Small Equipment	\$27,500
	Total increase to	Homeland Security 5SHSP08 Equipment for Fire Discipline	\$27,500
42130	Law Enforcement Terrorism Prevention LETP08		
	5324	Radios	\$74,382
	Total increase to	Law Enforcement Terrorism Prevention LETP08	\$74,382

47018	Sangaree Special Tax District		
	5101	Salaries	\$5,633
	5109	Workers' Comp Insurance	\$253
	5110	Retirement Contribution-Regular	\$434
	5112	FICA taxes	\$431
Total increase to	Sangaree Special Tax District		\$6,751

TOTAL INCREASE IN APPROPRIATIONS: **\$534,089**

MEMBERS OF COUNTY COUNCIL

Phillip Farley
PHILLIP FARLEY Voting Yes-

Excused 7-25-05
JUDITH K. SPOONER Voting _____

William E. Crosby
WILLIAM E. CROSBY Voting Yes

Charles E. Davis
CHARLES E. DAVIS Voting yes

Dennis L. Fish
DENNIS L. FISH Voting Yes

Excused 7-25-05
JUDY C. MIMS Voting _____

Caldwell Pinckney, Jr.
CALDWELL PINCKNEY, JR. Voting Yes

Steve C. Davis
STEVE C. DAVIS Voting Yes

RESOLUTION

APPROVING FINANCING TERMS FOR VARIOUS EQUIPMENT
LEASE PURCHASES NOT TO EXCEED FOUR (4) YEARS

WHEREAS, the Berkeley County ("County") has previously determined to undertake a project for Equipment Lease Purchase, and the Director of Procurement has now presented a proposal for the financing of such Project.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The County hereby determines to finance the Project through All Points Public Funding, LLC ("All Points") in accordance with the bid proposal closed on July 19, 2005. The amount financed shall not exceed \$1,488,622.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 3.17%, and the financing term shall not exceed four years from the date of closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the County are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and an Escrow Agreement as All Points may request.

3. The Director of Procurement is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Director of Procurement is authorized to approve changes to any Financing Documents previously signed by County officers or employees, provided that such changes shall not

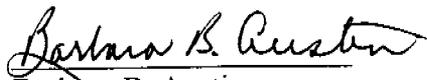
substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final form as the Director of Procurement shall approve, with the Director of Procurement's release of any Financing Document for delivery constituting conclusive evidence of such officer's approval of the Document's final form.

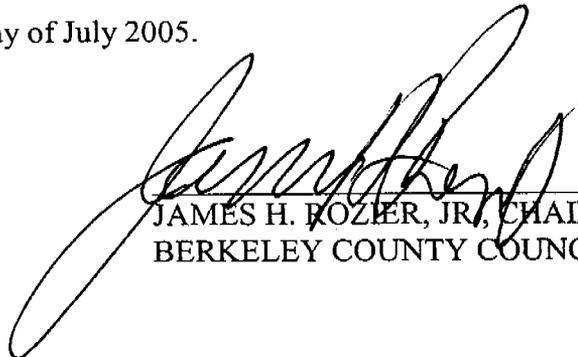
4. The County shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes or the registered owners of the interest payment obligations. The County hereby designates its obligations to make principal and interest payments under the Financing Documents as "non-qualified exempt obligations" for the purpose of the Internal Revenue Code Section 265(b)3.

5. All prior actions of County officers in furtherance of the purposes of this resolution are hereby ratified, approved, and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

APPROVED this 25th day of July 2005.

(SEAL)


Barbara B. Austin
Clerk of County Council



JAMES H. ROZIER, JR., CHAIRMAN
BERKELEY COUNTY COUNCIL

MEMBERS OF COUNTY COUNCIL

Phillip Farley

PHILLIP FARLEY Voting Yes

Excused 7-25-05

JUDITH K. SPOONER Voting _____

William E Crosby

WILLIAM E. CROSBY Voting Yes

Charles E Davis

CHARLES E. DAVIS Voting YES

Dennis L Fish

DENNIS L. FISH Voting yes

Excused 7-25-05

JUDY C. MIMS Voting _____

Caldwell Pinckney Jr

CALDWELL PINCKNEY, JR. Voting yes

Steve C Davis

STEVE C. DAVIS Voting YES