

Charleston, SC
May 8, 2012

A regular meeting of County Council of Charleston County was held on the 8th day of May, 2012, at 7:00 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; Anna B. Johnson; Joseph K. Qualey; A. Victor Rawl; Herbert R. Sass, III; Dickie Schweers; and J. Elliott Summey. Council Member Henry E. Darby was absent due to a family obligation,

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

Rev. Robert Reid gave the invocation. Media Relations Specialist Tracey Amick led in the pledge to the flag.

The Clerk reported that in compliance with the Freedom of Information Act, notice of meetings and agendas were furnished to all news media and persons requesting notification.

Ms. Johnson moved approval of Council's minutes of April 24th, 2012, seconded by Mr. Summey, and carried.

**PGA
Championship
County Update**

The Chairman announced that Assistant Administrator for Community Services, Christine DuRant and Emergency Management Director, Jason Patno, would give Council an update of the County's Involvement in the 2012 PGA Championship which will take place on Kiawah Island on August 6th through August 12th, 2012.

**Public Works
Week
Request
Resolution**

A report was read from the Administration Policy Rules Committee under date of May 3rd, 2012 that it considered the information furnished by County Administrator, W. Kurt Taylor, and Public Works Director Jim Neal, requesting a Resolution to proclaim May 20-26, 2012 as Public Works Week in Charleston County.

Committee recommended that Council adopt a Resolution proclaiming the week of May 20-26, 2012 as Public Works week in Charleston County.

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

The Chairman requested Mr. Neal and some of his employees to come forward and accept the Resolution which was read into the minutes by the Clerk of Council.

The Resolution is as follows:



**A RESOLUTION
OF CHARLESTON COUNTY COUNCIL**

WHEREAS, public works services provided in our community are an integral part of our citizens' everyday lives; **and**,

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as streets and highways, public buildings, and stormwater management; **and**,

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skill of public works officials; **and**,

WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform.

NOW, THEREFORE, BE IT RESOLVED, that **Charleston County Council**, does hereby proclaim the week of **May 20-26, 2012** as

NATIONAL PUBLIC WORKS WEEK

in Charleston County, and calls upon citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials makes every day to our health, safety, comfort, and quality of life.

CHARLESTON COUNTY COUNCIL

**Teddie E. Pryor, Sr., Chairman
May 8, 2012**

**Harbor View
Road
Improvements
Consider Project**

The Chairman announced that Council Member Qualey needed to leave Council's meeting early and had requested that item 20 Harbor View Road Improvements be moved up on the agenda, and he was honoring Mr. Qualey's request at this time.

A report was read from the Finance Committee under date of May 8, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator, and Jim Armstrong, Assistant Administrator for Transportation, regarding Citizens'

comments received concerning the Harbor View Road Improvements Project. It was shown that a public meeting on this project was held and was attended by three hundred and fifty (350) citizens, and that four hundred and seventy (470) comments were received during the open public comment period which ended on March 2, 2012. It was further shown that the purpose of the meeting was to obtain public comment on proposed changes to the Harbor View Road Improvements Project. It was also shown that the Harbor View Road Improvements Project is partially federally funded through a \$6.0 Million allocation of Federal Guideshare funds from the Berkeley, Charleston, Dorchester Council of Governments (BCDCOG) CHATS Policy Committee and in order to be eligible for these funds, Charleston County prepared an Environmental Assessment (EA) subject to approval by the SCDOT and Federal Highway Administration (FHWA) in compliance with the National Environmental Policy Act (NEPA) and the FHWA issued a Finding of No Significant Impact (FONSI) on October 25, 2008 which concluded the NEPA review process. The preferred alternative identified in the FONSI was the same as that approved by Charleston County Council on October 7, 2007. It was stated that the previously approved design was represented at the public information meeting as Alternative A, while the changes proposed by Charleston County Council on October 25, 2011 were represented as Alternative B. and the comment summary illustrates that a majority of respondents (232) do not support Alternative A with the primary reason given as the design being overly wide or having too many lanes, and a majority of respondents (208) generally support Alternative B but with recommended design changes, including the addition of roundabouts in the project design. It was further stated that the project traffic study, completed in February, 2007, recommended that a roundabout be provided at the Harbor View Road and Fort Johnson Road intersection. It was further shown that Council's direction from October 25, 2011 instructed staff to pursue the addition of traffic signals at the Fort Sumter Drive and Mikell Drive intersections with Harbor View Road, striped crosswalks across Harbor View Road at locations subject to SCDOT approval, and a reduction in the speed limit from 40 MPH to 35 MPH.

Committee recommended that Council approve:

- Alternative B with the addition of a roundabout at the intersection of Harbor View Road and Fort Johnson Road
- Traffic signals at the intersections of Fort Sumter Drive and Mikell Drive with Harbor View Road
- Striped crosswalks across Harbor View Road at locations subject to SCDOT approval
- A reduction in the speed limit from 40 MPH to 35 MPH.

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

An Ordinance amending the text of the Charleston County Comprehensive Plan Ordinance was given third reading by title only.

AN ORDINANCE**No.: 1722**

Comp Plan and
ZLDR
Amendments
A) Comprehensive
Plan Amendments
Form Based Zoning
B) ZLDR
Amendment/Form
Based Zoning
C) ZLDR
Amendment
Developments of
County
Significance
Ordinances 3rd
Readings

**AMENDING THE TEXT OF THE CHARLESTON COUNTY COMPREHENSIVE
PLAN ORDINANCE, NUMBER 1095, AS AMENDED, TO INCORPORATE FORM-
BASED ZONING DISTRICTS AND CLARIFY DEVELOPMENTS OF COUNTY
SIGNIFICANCE**

WHEREAS, the Charleston County Council adopted the Charleston County Comprehensive Plan Ordinance, No. 1095, effective April 20, 1999, with subsequent amendments and additions made thereto, which enacted and amended the Charleston County Comprehensive Plan in compliance with the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Sections 6-29-310, et seq., 6-29-510 et seq., 6-29-710 et seq. and 6-29-110 et seq., of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, pursuant to the Planning Act, the County Council adopted Ordinance No. 1274, effective November 18, 2003, with subsequent amendments and additions made thereto, at the 5-year review of the Comprehensive Plan; Ordinance No. 1567, effective November 18, 2008, with subsequent amendments and additions made thereto, at the 10-year update of the Comprehensive Plan; Ordinance No. 1622, effective December 22, 2009; Ordinance No. 1694, effective October 11, 2011; and the "Ordinance Amending the Charleston County Comprehensive Plan Ordinance, Number 1095, as amended, to include Chapter 3.10, Energy Element," effective February 28, 2012; and

WHEREAS, the Charleston County Planning Commission (the "Planning Commission") has reviewed the proposed amendments to the Comprehensive Plan in accordance with the procedures established in State law and the Charleston County Zoning and Land Development Regulations Ordinance; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least 1 public hearing and after close of the public hearing, County Council approves the proposed amendments to the Comprehensive Plan;

NOW, THEREFORE, BE IT ORDAINED, by the County Council of Charleston County, South Carolina, in meetings duly assembled, as follows:

SECTION I. FINDINGS INCORPORATED

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

SECTION II. TEXT AMENDMENTS OF THE COMPREHENSIVE PLAN

The Charleston County Comprehensive Plan is hereby amended to include the text amendments attached hereto as Exhibit "A" and made a part of this Ordinance by reference.

SECTION III. SEVERABILITY

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

SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective immediately upon its approval following third reading by the County Council.

ADOPTED and APPROVED in meeting duly assembled this 8th day of May, 2012.

CHARLESTON COUNTY, SOUTH CAROLINA

Teddie E. Pryor, Sr.
Chairman of Charleston County Council

ATTEST:

Beverly T. Craven
Clerk to Charleston County Council

First Reading: February 7, 2012
Second Reading February 23, 2012
Third Reading: May 8, 2012

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

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

The vote being eight (7) ayes and two (2) absent, the Chairman declared the Ordinance to have received third reading approval.

An Ordinance amending the text of the Charleston County Comprehensive Plan was given third reading by title only.

AN ORDINANCE

No.: 1722

**AMENDING THE TEXT OF THE CHARLESTON COUNTY
COMPREHENSIVE PLAN ORDINANCE, NUMBER 1095, AS
AMENDED, TO INCORPORATE FORM-BASED ZONING DISTRICTS
AND CLARIFY DEVELOPMENTS OF COUNTY SIGNIFICANCE**

WHEREAS, the Charleston County Council adopted the Charleston County Comprehensive Plan Ordinance, No. 1095, effective April 20, 1999, with subsequent amendments and additions made thereto, which enacted and amended the Charleston County Comprehensive Plan in compliance with the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Sections 6-29-310, et seq., 6-29-510 et seq., 6-29-710 et seq. and 6-29-110 et seq., of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, pursuant to the Planning Act, the County Council adopted Ordinance No. 1274, effective November 18, 2003, with subsequent amendments and additions made thereto, at the 5-year review of the Comprehensive Plan; Ordinance No. 1567, effective November 18, 2008, with subsequent amendments and additions made thereto, at the 10-year update of the Comprehensive Plan; Ordinance No. 1622, effective December 22, 2009; Ordinance No. 1694, effective October 11, 2011; and the "Ordinance Amending the Charleston County Comprehensive Plan Ordinance, Number 1095, as amended, to include Chapter 3.10, Energy Element," effective February 28, 2012; and

WHEREAS, the Charleston County Planning Commission (the "Planning Commission") has reviewed the proposed amendments to the Comprehensive Plan in accordance with the procedures established in State law and the Charleston County Zoning and Land Development Regulations Ordinance; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least 1 public hearing and after close of the public hearing, County Council approves the proposed amendments to the Comprehensive Plan;

NOW, THEREFORE, BE IT ORDAINED, by the County Council of Charleston County, South Carolina, in meetings duly assembled, as follows:

SECTION I. FINDINGS INCORPORATED

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

SECTION II. TEXT AMENDMENTS OF THE COMPREHENSIVE PLAN

The Charleston County Comprehensive Plan is hereby amended to include the text amendments attached hereto as Exhibit "A" and made a part of this Ordinance by reference.

SECTION III. SEVERABILITY

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

SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective immediately upon its approval following third reading by the County Council.

ADOPTED and APPROVED in meeting duly assembled this 8th day of May, 2012.

CHARLESTON COUNTY, SOUTH CAROLINA

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

ATTEST:

Beverly T. Craven
Clerk to Charleston County Council

First Reading: February 7, 2012
Second Reading February 23, 2012
Third Reading: May 8, 2012

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

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

The vote being eight (7) ayes and two (2) absent, the Chairman declared the Ordinance to have received third reading approval.

An Ordinance amending the County ZLDR Ordinance was given third reading by title only.

AN ORDINANCE

No.: 1723

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

WHEREAS, the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Sections 6-29-310, et seq., 6-29-510 et seq., 6-29-710 et seq. and 6-29-110 et seq., of the Code of Laws of South Carolina, 1976, as amended, authorizes the County of Charleston to enact or amend its zoning and land development regulations to guide development in accordance with existing and future needs and in order to protect, promote and improve the public health, safety, and general welfare; and,

WHEREAS, the Charleston County Planning Commission has reviewed the proposed text and map amendments of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) in accordance with the procedures established in State law and the ZLDR, and has recommended that the Charleston County Council adopt the proposed text amendments of the ZLDR as set forth herein; and,

WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least 1 public hearing and after close of the public hearing, County Council approves the proposed text amendments based on the Approval Criteria of Section 3.3.6 of Article 3.3 of the ZLDR; and,

WHEREAS, County Council has determined the proposed text and map amendments meet the following criteria:

- A. The proposed amendments correct an error or inconsistency or meet the challenge of a changing condition; and
- B. The proposed amendments are consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5; and
- C. The proposed amendments are to further the public welfare in any other regard specified by County Council.

NOW, THEREFORE, BE IT ORDAINED by County Council of Charleston County, South Carolina, in meeting duly assembled, finds as follows:

SECTION I. FINDINGS INCORPORATED

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

SECTION II. TEXT AMENDMENTS OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE

The Charleston County Zoning and Land Development Regulations Ordinance is hereby amended to include the text amendments incorporating Chapter 7, Form-Based Zoning District, which are attached hereto as Exhibit "A" and made a part of this Ordinance by reference.

SECTION III. SEVERABILITY

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

SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective immediately following third reading by the County Council.

ADOPTED and APPROVED in meeting duly assembled this 8th day of May, 2012.

CHARLESTON COUNTY, SOUTH CAROLINA

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

ATTEST:
Beverly T. Craven
Clerk to Charleston County Council

First Reading: March 27, 2012
Second Reading April 10, 2012
Third Reading: May 8, 2012

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

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

The vote being seven (7) ayes and two (2) absent, the Chairman declared the Ordinance to have received third reading approval.

An Ordinance amending Charleston County ZLDR Ordinance was given third reading by title only.

AN ORDINANCE No.: 1724

AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS AMENDED, CHAPTER 3, DEVELOPMENT REVIEW PROCEDURES, AND CHAPTER 12, DEFINITIONS.

WHEREAS, the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Sections 6-29-310, et seq., 6-29-510 et seq., 6-29-710 et seq. and 6-29-110 et seq., of the Code of Laws of South Carolina, 1976, as amended, authorizes the County of Charleston to enact or amend its zoning and land development regulations to guide development in accordance with existing and future needs and in order to protect, promote and improve the public health, safety, and general welfare; and,

WHEREAS, the Charleston County Planning Commission has reviewed the proposed text and map amendments of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) in accordance with the procedures established in State law and the ZLDR, and has recommended that the Charleston County Council adopt the proposed text amendments of the ZLDR as set forth herein; and,

WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least 1 public hearing and after close of the public hearing, County Council approves the proposed text amendments based on the Approval Criteria of Section 3.3.6 of Article 3.3 of the ZLDR; and,

WHEREAS, County Council has determined the proposed text and map amendments meet the following criteria:

- A. The proposed amendments correct an error or inconsistency or meet the challenge of a changing condition; and
- B. The proposed amendments are consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5; and
- C. The proposed amendments are to further the public welfare in any other regard specified by County Council.

NOW, THEREFORE, BE IT ORDAINED by County Council of Charleston County, South Carolina, in meeting duly assembled, finds as follows:

SECTION I. FINDINGS INCORPORATED

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

SECTION II. TEXT AMENDMENTS OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE

The Charleston County Zoning and Land Development Regulations Ordinance is hereby amended to include the text amendments of Chapter 3, Development Review Procedures, and Chapter 12, Definitions, which are attached hereto as Exhibit "A" and made a part of this Ordinance by reference.

SECTION III. SEVERABILITY

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

SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective immediately following third reading by the County Council.

ADOPTED and APPROVED in meeting duly assembled this 8th day of May, 2012.

CHARLESTON COUNTY, SOUTH CAROLINA

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

ATTEST:

Beverly T. Craven, Clerk
Charleston County Council

First Reading: February 7, 2012
Second Reading: February 23, 2012
Third Reading May 8, 2012

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

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

The vote being seven (7) ayes and two (2) absent, the Chairman declared the Ordinance to have received third reading approval.

An Ordinance regarding the issuance of St. Paul's Fire District bonds was given third reading by title only.

St. Paul's Fire
District GO
Bonds
Ordinance 3rd
Reading

AN ORDINANCE

No.: 1725

**FINDING THAT THE ST. PAUL'S FIRE DISTRICT, SOUTH CAROLINA MAY
ISSUE NOT EXCEEDING \$700,000 OF GENERAL OBLIGATION BONDS AND TO**

PROVIDE FOR THE PUBLICATION OF NOTICE OF THE SAID FINDING AND AUTHORIZATION.

WHEREAS, by action previously taken, the County Council of Charleston County, South Carolina which is the governing body of Charleston County, South Carolina (hereinafter called the "**County Council**"), ordered that a public hearing on the question of the issuance of not exceeding \$700,000 general obligation bonds (the "**Bonds**") of the St. Paul's Fire District, South Carolina (the "**District**") be held in the Charleston County Council Chambers in the Lonnie Hamilton III Public Service Building, located at 4045 Bridge View Drive, 2nd Floor, North Charleston, South Carolina 29045, on the 8th day of May, 2012 at 6:55 p.m., and notice of such hearing has been duly published once a week for three successive weeks in The Post and Courier, a newspaper of general circulation in Charleston County; and

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

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

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

Section 2. On the basis of the facts adduced at the public hearing held on May 8, 2012, it is found and determined that the St. Paul's Fire District Commission, the governing body of the District (the "**Commission**") should be authorized to issue the Bonds.

Section 3. The County Council finds that the Commission should issue the Bonds in an amount not exceeding \$700,000 as a single issue or from time to time as several separate issues, as the District shall determine.

Section 4. The County Council hereby authorizes the Commission to issue the Bonds of the District in the aggregate principal amount of not exceeding \$700,000 for the purpose of (A) defraying the costs of (i) purchasing and rehabilitating equipment and apparatuses used or useful in furtherance of the operation of the District, (ii) acquiring computer networks and related equipment, (iii) acquiring real property, together with associated costs, and (iv) constructing, rehabilitating, repurposing, demolishing, improving, equipping and furnishing structures of the District (collectively, the "**Project**"); and (B) paying the costs of issuance of such general obligation bonds (the "**Bonds**"). The Commission estimates that the cost of the Project, together with the costs of issuance of the Bonds will not

exceed \$700,000. For the payment of the principal of and interest on the Bonds as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the District shall be irrevocably pledged, and there shall be levied annually a tax without limit on all taxable property within the area of the District sufficient to pay such principal of and interest on the Bonds as they respectively mature, and to create such sinking fund.

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

Section 6. A certified copy of this Ordinance shall forthwith be transmitted to the Commission to advise it of the action taken by the County Council, whereby the Commission has been authorized to issue, pursuant to the provisions of the Enabling Act, the Bonds in the aggregate principal amount of not exceeding \$700,000.

Done at Charleston, South Carolina this 8th day of May, 2012

CHARLESTON COUNTY COUNCIL

Teddie E. Pryor, Sr., Chairman

Attest

Beverly T. Craven,
Clerk of Council

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

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

The vote being seven (7) ayes and two (2) absent, the Chairman declared the Ordinance to have received third reading approval.

First Reading: April 10, 2012
Public Hearing: May 8, 2012
Second Reading: April 24, 2012
Third Reading: May 8, 2012

An Ordinance authorizing an agreement for land to be used as a library in Mount Pleasant was given third reading by title only.

Mount Pleasant
Library Land
Swap Offer
Ordinance 3rd
Reading

AN ORDINANCE NO.: 1726

**AUTHORIZING AN AGREEMENT BETWEEN CHARLESTON COUNTY
AND CDM OF CHARLESTON, LLC**

WHEREAS, Charleston County, South Carolina (the "County") acting by and through the Charleston County Council ("County Council") is empowered pursuant to the South Carolina Local Government Development Agreement Act, Title 6, Chapter 31, Code of Laws of South Carolina, 1976, as amended (the "Development Agreement Act"), to enter into development agreements relating to property within the County; and

WHEREAS, on October 16, 2003, County Council adopted Ordinance Number 1268, finding that on October 24, 2003, Charleston County, South Carolina and CDM of Charleston, LLC ("CDM") and Carolina Park Associates, LLC ("Carolina Park Associates") entered into and executed a Development Agreement (the "Development Agreement") that complied with the Development Agreement Act, the Charleston County Comprehensive Plan, and the Charleston County Zoning and Land Development Regulations. County Council approved the terms of the Development Agreement in accordance with the Development Agreement Act, the Charleston County Comprehensive Plan, and the Charleston County Zoning and Land Development Regulations. The Development Agreement was recorded On October 27, 2003, in Book F-473, Page 145 in the Office of the Register of Mesne Conveyance for Charleston County; and

WHEREAS, on September 28, 2004, the Town of Mount Pleasant Town (the "Town") annexed the property that is the subject to the Development Agreement (the "Property") into the Town; and

WHEREAS, on November 30, 2004, County Council adopted Ordinance Number 1352 finding that CDM and Carolina Park Associates negotiated the annexation of the Property into the Town, that CDM and Carolina Park Associates agreed with the Town upon certain amendments to the Development Agreement, that the Development Agreement be amended to add the Town as a party, and approving the amendments agreed upon by CDM, Carolina Park Associates and the Town; and

WHEREAS, on or about December 20, 2004, CDM, Carolina Park Associates, and the County entered into an Amendment to Development Agreement (the "First Amendment") with the Town pursuant to Section 6-31-10 et seq., Code of Laws of South Carolina, 1976, as amended, relating to annexation of the Property by the Town which, among other things, grants to CDM, Carolina Park Associates and the Town the sole right to make further amendments to the Development Agreement provided that any further amendments relating to specific provisions regarding Commitments for Community Service Organizations, the

School Campus Site and Library and Police, Fire and Emergency Medical Services Sites must be approved by the County. The First Amendment was recorded on December 20, 2004, in Book X-519, Page 649 in the Office of the Register of Mesne Conveyance for Charleston County; and

WHEREAS, on June 6, 2006, Carolina Park Associates and the Town entered into a Second Amendment to Development Agreement (the "Second Amendment") which, among other things, addresses certain issues concerning the development of the Property. The Second Amendment was recorded on June 8, 2006, in Book A-587, Page 332 in the Office of the Register of Mesne Conveyance for Charleston County; and

WHEREAS, on or about June 10, 2008, Carolina Park Associates and the Town entered into a Third Amendment to Development Agreement (the "Third Amendment") which, among other things, amends certain access and egress connections with U.S. Highway 17. The Third Amendment was recorded on June 13, 2006, in Book H-662, Page 846 in the Office of the Register of Mesne Conveyance for Charleston County; and

WHEREAS, on September 2, 2010, CDM conveyed four (4) acres of property identified as tax map parcel identification number 598-03-00-114 in the Property of Carolina Park development to the County for the Library Site by Limited Warranty Deed dated September 2, 2010, and recorded February 9, 2011, in Book 0171, Page 035 in the Office of the Register of Mesne Conveyance for Charleston County, South Carolina. Subsequently, the Charleston County Library Board has determined the Library Site is inadequate to build a 4,000 square foot library facility with parking and future expansion; and

WHEREAS, on or about January 26, 2011, CDM and the Town entered into a Fourth Amendment to Development Agreement (the "Fourth Amendment") which, among other things, amends certain access, ingress and egress connections between the Property and Darrell Creek Trail. The Fourth Amendment was recorded on January 26, 2011, in Book 0168, Page 457 in the Office of the Register of Mesne Conveyance for Charleston County; and

WHEREAS, on April 4, 2011, the Town and CDM entered into a Termination of Development Agreement whereby the Town having assumed all of the rights and obligations of the County under the Development Agreement, the Town and CDM terminated the Development Agreement and enter into a new development agreement. The Termination of Development Agreement was recorded on April 5, 2012, in Book 0243, Page 768 in the Office of the Register of Mesne Conveyance for Charleston County, South Carolina.

WHEREAS, CDM has offered a six (6) acres in the Property of the Carolina Park development in exchange for the four (4) acres previously contributed, and in addition, CDM, the owner of the Carolina Park development, will contribute \$1,200,000, in lieu of other financial contributions previously required of CDM, to be paid in equal payments over a seven (7) year period to the County for construction, furnishings, operation costs, debt service payments for a new library facility, and

further terms and conditions as agreed upon by the County and CDM, and the County has agreed to accept, which shall be designated as the Agreement Between the County of Charleston, South Carolina and CDM of Charleston, LLC (the "Agreement").

NOW, THEREFORE, be ordained it by Charleston County Council, in meeting duly assembled, as followed:

SECTION I. FINDINGS INCORPORATED

In addition to the recitals set forth above, which Charleston County Council hereby adopts as findings of fact, Charleston County Council specifically finds that the Agreement Between the County of Charleston, South Carolina and CDM of Charleston, LLC memorializes an agreement between the County and CDM whereby CDM will exchange (6) acres in the Property of the Carolina Park development for the four (4) acres previously contributed, and in addition, CDM will contribute \$1,200,000 to be paid in equal payments over a seven (7) year period to the County for construction, furnishings, operation costs, debt service payments for a new library facility, and further terms and conditions as agreed upon by the County and CDM.

SECTION II. AUTHORITY TO EXECUTE DOCUMENTS

A. The Chairman of Charleston County Council is authorized to execute and deliver the Ordinance on behalf of the County, and any other necessary documents or instruments incidental to the approval of this Ordinance.

B. The Charleston County Attorney shall approve the terms and provisions of the Agreement, and the Charleston County Administrator shall be authorized to execute and deliver the Agreement and any other necessary documents or instruments incidental to the approval of this Agreement on behalf of the County.

SECTION III. SEVERABILITY

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

SECTION IV. EFFECTIVE DATE

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

ADOPTED and APPROVED in meeting duly assembled this 8th day of May, 2012.

CHARLESTON COUNTY, SOUTH CAROLINA

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

ATTEST:

Beverly T. Craven
Clerk to Charleston County Council

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

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

The vote being seven (7) ayes and two (2) absent, the Chairman declared the Ordinance to have received third reading approval.

A proposed Ordinance authoring the sale of real property was given third reading by title only.

Sale of Property
164 Maple Street
Ordinance 3rd
Reading

AN ORDINANCE

#1727

APPROVING AND AUTHORIZING THE SALE AND CONVEYANCE OF REAL PROPERTY OWNED BY CHARLESTON COUNTY KNOWN AS THE MAPLE STREET MANOR PROPERTY IDENTIFIED AS TAX MAP PARCEL IDENTIFICATION NUMBER 463-11-01-084.

WHEREAS, Charleston County, South Carolina (the "County") owns real property located on 164 Maple Street, Charleston, South Carolina known as the Maple Street Manor Home identified as tax map parcel number 463-11-01-084 (the "Property"); and

WHEREAS, the County solicited proposals from interested parties after an appraisal of the Property was conducted; and

WHEREAS, Landrise Development, Inc. submitted a proposal most advantageous to the County for the purchase of the Property, and Charleston County Council finds that selling and conveying the Property is in the best interests of the County and its citizens; and

WHEREAS, Charleston County Council desires to sell and convey the Property to Landrise Development, Inc.; and

WHEREAS, a public hearing on the proposed sale of the Property from the County to Landrise Development, Inc. for the sum of Four Hundred Fifty Thousand and 00/100 Dollars (\$450,000) should be held prior to third reading of this Ordinance pursuant to Section 4-9-130, Code of Laws of South Carolina, 1976, as amended; and

NOW, THEREFORE, be it ordained, by the Charleston County Council in a meeting duly assembled, as followed:

SECTION I. FINDINGS INCORPORATED

In addition to the recitals set forth above, which Charleston County Council hereby adopts as findings of fact, Council specifically finds that:

The County of Charleston owns the property known as Maple Manor, located at 164 Maple Street, in Charleston, South Carolina by virtue of that Title to Real Estate by a Corporation to the County of Charleston from Palmetto Pathway Homes, Inc. dated June 26, 1980 and recorded September 4, 1981 in Book M-126, Page 396 in the Office of the Register of Mesne Conveyance of Charleston County, South Carolina.

The County solicited proposals from interested parties after an appraisal of the Property was conducted.

The County of Charleston received a proposal from Landrise Development, Inc. that is comparable to the appraised value of the Property and advantageous to the County.

The sale and conveyance of the Property is in the best interests of the County and its citizens.

A public hearing on the proposed sale of the Property from the County of Charleston to Landrise Development, Inc., for the sum of Four Hundred Fifty Thousand (\$450,000) Dollars was held prior to third reading of this Ordinance, pursuant to Section 4-9-130, Code of Laws of South Carolina, 1976, as amended.

SECTION II. APPROVAL OF CONVEYANCE OF REAL PROPERTY AND AUTHORITY TO EXECUTE DOCUMENTS FOR CONVEYANCE OF REAL PROPERTY

1. Charleston County Council authorizes the sale of the Property located at 164 Maple Street, Charleston, South Carolina identified as tax map parcel number 463-11-01-084 to Landrise Development, Inc.
2. Charleston County Council authorizes its legal department to prepare a limited warranty deed for the conveyance of the Property.

3. The Chairman of Charleston County Council is authorized to execute and deliver any and all documents and instruments necessary for the sale and conveyance of the Property.

SECTION III. SEVERABILITY

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

SECTION IV. EFFECTIVE

This Ordinance shall become effective immediately upon approval following third reading by the Charleston County Council.

ADOPTED and APPROVED in meeting duly assembled this 8th day of May, 2012.

CHARLESTON COUNTY, SOUTH CAROLINA
Teddie E. Pryor, Sr., Chairman
Charleston County Council

ATTEST:
Beverly T. Craven
Clerk to Charleston County Council

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

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

The vote being seven (7) ayes and two (2) absent, the Chairman declared the Ordinance to have received third reading approval.

Fee Ordinance
Amendment
Radio User Fee
Ordinance 3rd
Reading

An Ordinance increasing fees in the Radio Communications Department was given third reading by title only.

AN ORDINANCE # 1728

AMENDING CHARLESTON COUNTY ORDINANCE NUMBER

**1405 TO INCREASE FEES IN THE RADIO COMMUNICATIONS
DEPARTMENT FOR USERS OF CHARLESTON COUNTY'S
ASTRO-25 DIGITAL RADIO SYSTEM**

WHEREAS, Charleston County Council adopted the Code of Ordinances on July 12, 2005, which was codified through Ordinance Number 1405 and,

WHEREAS, Article V of the Code deals with portions of the County's finances, and Section 2-137 sets certain fees within the County, including fees for the various users of the County's 800 MHz Digital Radio Communications System; and,

WHEREAS, Charleston County Radio Communications Department has reviewed the current costs of supplying the various services and determined that fees need to be increased in order to reflect a portion of the actual cost of providing the services, therefore, it requests that it be allowed to increase its fees for the users of radios on Charleston County's Astro-25 Digital Radio System; and,

WHEREAS, Charleston County Council finds that amending this Ordinance to increase the monthly fees per user per radio of Charleston County's Astro-25 Digital Radio System is in the best interests of Charleston County; and,

WHEREAS, Charleston County Council will have three readings of this Ordinance prior to the new fee's effective date but this new fee shall not be effective for users of the radios on Charleston County's Astro-25 Digital Radio System until January 1, 2013; and,

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

SECTION I. FINDINGS INCORPORATED

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

SECTION II. TEXT CHANGE

Charleston County Council amends Ordinance Number 1405 and authorizes the fees for the users of the 800 MHz digital radio communication system to be as follows:

\$38.00 per radio per month for primary use of Charleston County's Astro-25 Digital Radio System

SECTION III. SEVERABILITY

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

SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective on January 1, 2013.

ADOPTED and APPROVED in meeting duly assembled this 8th day of May, 2012.

CHARLESTON COUNTY, SOUTH CAROLINA

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

ATTEST:

Beverly T. Craven
Clerk to Charleston County Council

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

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

The vote being seven (7) ayes, and two (2) absent, the Chairman declared the Ordinance to have received third reading approval.

An Ordinance amending the Charleston County Comprehensive Plan was given second reading by title only.

AN ORDINANCE

AMENDING THE CHARLESTON COUNTY COMPREHENSIVE PLAN AT THE FOLLOWING DOCUMENT LOCATIONS: MAP 3.1.4, FUTURE LAND USE, AND MAP 3.1.5, URBAN/SUBURAN FUTURE LAND USE DETAIL, TO SHOW A FUTURE LAND USE DESIGNATION OF COMMERCIAL FOR PARCEL IDENTIFICATION NUMBER 343-03-00-208

The Ordinance in its entirety will appear in the minutes of Charleston County Council 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 - absent at time of voting
- Mr. Rawl - aye
- Mr. Sass - aye
- Mr. Schweers - aye
- Mr. Summey - aye
- Mr. Pryor - aye

The vote being seven (7) ayes and 2 absent, the Chairman declared the Ordinance to have received second reading approval.

1985 Maybank Highway
A) ACP-12-11-12727
B) ZREZ-12-11-12728
Ordinances 2nd Reading

An Ordinance rezoning real property located at 1985 Maybank Highway was given second reading by title only.

AN ORDINANCE

REZONG THE REAL PROPERTY LOCATED AT 1985 MAYBANK HIGHWAY, PARCEL IDENTIFICATION NUMBER 343-03-00-208 FROM THE PLANNED DEVELOPMENT (PD) DISTRICT TO THE COMMUNITY COMMERCIAL (CC) DISTRICT.

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

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

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

The vote being four (9) ayes, three (3) nays and two (2) absent, the Chairman declared the Ordinance to have received second reading approval.

900 Main Road
ZREZ-12-11-12929
Ordinance
2nd Reading

An Ordinance requesting a zoning change from Industrial (I) to Community Commercial was given second reading by title only.

AN ORDINANCE

REZONING THE REAL PROPERTY LOCATED AT 900 MAIN ROAD,
PARCEL IDENTIFICATION NUMBER 250-00-00-174, FROM THE
INDUSTRIAL (I) DISTRICT TO THE COMMUNITY COMMERCIAL
(CC) DISTRICT

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

The Chairman called for 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	- absent at time of voting
Mr. Rawl	- aye
Mr. Sass	- aye
Mr. Schweers	- aye
Mr. Summey	- aye
Mr. Pryor	- aye

The vote being seven (7) ayes and 2 absent, the Chairman declared the Ordinance to have received second reading approval.

An Ordinance rezoning property at 1235 Camp Road was given second reading by title only.

1235 Camp
Road
ZREZ 1-12-1236
Ordinance 2nd
Reading

AN ORDINANCE

REZONING THE REAL PROPERTY LOCATED AT 1235 CAMP ROAD, PARCEL IDENTIFICATION NUMBER 425-16-00-124 FROM THE NEIGHBORHOOD COMMERCIAL (CN) DISTRICT TO THE COMMUNITY COMMERCIAL (CC) DISTRICT.

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

The Chairman called for 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	- absent at time of voting
Mr. Rawl	- aye
Mr. Sass	- aye
Mr. Schweers	- aye
Mr. Summey	- aye
Mr. Pryor	- aye

The vote being seven (7) ayes and 2 absent, the Chairman declared the Ordinance to have received second reading approval.

1237 Camp
Road ZREZ 1-
12-12950
Ordinance 2nd
Reading

An Ordinance rezoning property located at 1237 Camp Road was given second reading by title only.

AN ORDINANCE

REZONING THE REAL PROPERTY LOCATED AT 1237 CAMP ROAD, PARCEL IDENTIFICATION NUMBER 425-16-00-152 FROM THE NEIGHBORHOOD COMMERCIAL (CN) DISTRICT TO THE COMMUNITY COMMERCIAL (CC) DISTRICT.

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

The Chairman called for 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 - absent at time of voting
- Mr. Rawl - aye
- Mr. Sass - aye
- Mr. Schweers - aye
- Mr. Summey - aye
- Mr. Pryor - aye

The vote being seven (7) ayes and 2 absent, the Chairman declared the Ordinance to have received second reading approval.

Awendaw
Consolidated
Fire District
Appointment 1

A report was read from the Administration Policy/Rules Committee under date of May 3, 2012 that it considered the information furnished by County Administrator Kurt Taylor and Deputy Clerk to County Council Kristen Salisbury regarding the need to confirm the Town of Awendaw's appointment to the Awendaw Consolidated Fire District Advisory Board. It was stated that the Town of Awendaw has advised that it would like to appoint Mayor Samuel Robinson to the Awendaw Consolidated Fire District Advisory Board.

Committee recommended that Council confirm the Town of Awendaw's appointment of Mayor Samuel Robinson to the Awendaw Consolidated Fire District Advisory Board.

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

Trident
Workforce
Investment
Board
Appointment 1

A report was read from the Administration Policy/Rues Committee that it considered the information furnished by County Administrator Kurt Taylor and the letter from the Council of Governments' Director Ron Mitchum regarding the need to make an appointment to a private sector seat on the Trident Workforce Investment Board. It was stated that the Charleston Metro Chamber of Commerce nominated Gil Leatherwood of Leatherwood Electronics to fill the seat.

Committee recommended that Council appoint Gil Leatherwood of Leatherwood Electronics to a private sector seat on the Trident Workforce Investment Board for a term to expire in June 2013

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

Consent Agenda
A) 2012 Edward
Byrne Grant
Solicitor North
Charleston
B) 2012 Edward
Byrne Justice
Assistance
Solicitor
C) Violence
against Women
D) Coverdell
Forensic
Improvement

A report was read from the Finance Committee under date of May 3, 2012 that it considered the information furnished by County Administrator W. Kurt Taylor and Ninth Circuit Solicitor Scarlett Wilson regarding the Edward Byrne Memorial Justice Assistance Grant (JAG) Program which is a direct allocation grant funding program that must be used only for criminal justice initiatives. It was stated that the Bureau of Justice Statistics (BJS) calculates the yearly award amount based on a formula of crime statistics and population. The award for North Charleston for 2012 is \$79,491 and North Charleston has allotted \$20,000 of this direct award to the Solicitor's Office to partially fund a General Prosecutor to prosecute North Charleston cases. It was shown that the Solicitor's Office is requesting 1.0 grant funded FTE who will act as a General Prosecutor for a limited amount of months, depending on the salary of the chosen prosecutor,

Committee recommended that Council:

- Allow the Solicitor's Office to accept a portion of North Charleston's direct allocation from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program in the amount of \$20,000.
- Stipulate that the \$20,000 will be used to fund a General Prosecutor to prosecute North Charleston cases for a limited amount of months and the City of North Charleston will serve as the fiscal agent for this award.
- Authorize a 1.0 grant-funded FTE position to be associated with this request and it is understood that at the conclusion of the grant period, the FTE position will be dissolved if no further grant funding is available.
- Acknowledge that the grant period will run from October 1, 2012 until September 30, 2013.

The Chairman said that the next matter on the agenda was the Consent Agenda, which was composed of four items.

Ms. Condon moved approval of items A, B, C and D, seconded by Mr. Summey, and carried.

The four consent items are as follows:

A report was read from the Finance Committee that it considered the information furnished by County Administrator W. Kurt Taylor and Ninth Circuit Solicitor Scarlett Wilson regarding the Edward Byrne Memorial Justice Assistance Grant (JAG) Program which is a direct allocation grant funding program which must be used only for criminal justice initiatives. It was stated that the Bureau of Justice Statistics (BJS) calculates the yearly award amount based on a formula of crime statistics and population, and the award for Charleston County for 2012 is \$50,289 with the Solicitor's portion of this allocation being \$17,601, or 35% and the Sheriff's office receiving \$32,688, or 65%. It was shown that the Solicitor's Office is requesting to use the \$17,601 to fund one FTE, General Prosecutor, for a limited amount of months, with the number of months being dependent upon the salary of the chosen prosecutor and with the understanding that at the conclusion of the grant period, the FTE position will be dissolved if no further grant funding is available.

Committee recommended that Council:

- Allow the Solicitor's Office to accept a portion of Charleston County's direct allocation from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program in the amount of \$17,601.
- Authorize the \$17,601 to be used to fund one FTE, General Prosecutor, for a limited amount of months, with the understanding that at the conclusion of the grant period the FTE position will be dissolved, if no further grant funding is available...
- Acknowledge that the City of North Charleston will serve as the fiscal agent for this award.
- Recognize that the grant period will run from October 1, 2012 until September 30, 2013.

A report was read from the Finance Committee under date of May 3, 2012 that it considered the information furnished by County Administrator W. Kurt Taylor and Ninth Circuit Solicitor Scarlett Wilson regarding the Violence Against Women Act (VAWA) Grant Program. It was stated that this a competitive grant awarded by the South Carolina Department of Public Safety with U.S. Department of Justice funds. It was shown that the Solicitor's Office has been awarded this grant for the past three years (\$147,636 in FY09, \$150,000 in FY10, \$101,041 in FY11). This award of \$167,715 is a continuation (fourth year) of a previously awarded grant. It was further stated that the Solicitor's Office is requesting to use the \$167,715 award to fund a prosecutorial team consisting of a Prosecutor, Investigator and Victim Advocate, and these three grant-funded positions will be paid from these funds and the required cash match of \$55,905, which will come from the Victim Witness State Appropriation Funds It was further shown that the grant period will run from October 1, 2012 until September 30, 2013.

Committee recommended that Council:

- Allow the Solicitor's Office to apply for the Violence Against Women Act (VAWA) Program Grant from the South Carolina Department of Public Safety in the amount of \$167,715.
- Authorize the necessary cash match of \$55,905 to come from the Victim Witness State Appropriation fund.
- Acknowledge that there are three (3) grant-funded FTEs associated with this request and it is understood that at the conclusion of the grant period, the FTE positions will be dissolved if no further grant funding is available.
- Recognize that the grant period will run from October 1, 2012 until September 30, 2013.

A report was read from the Finance Committee under date of May 3, 2012 that it considered the information furnished by County Administrator W. Kurt Taylor and Charleston County Coroner Rae Wooten regarding the Charleston County Coroner's Office's request to apply for the continuation of a SC Department of Public Safety, Office of Justice Programs, Paul Coverdell Forensic Science Improvement Grant which they were awarded for FY 2011. It was stated that this grant program provides funding to improve the quality and timeliness of forensic services and medical examiner services. It was shown that the Coroner's Office is requesting \$45,000 from the SC Department of Public Safety to fund a one-year, part-time Paralegal and a one-year full time Forensic Data Entry Assistant and to fund supplies which will assist those individual in their daily duties. It was further shown that there is no match associated with this request, and that the two grant funded positions, the Paralegal, who will continue to assist the Coroner with numerous legal request that are received daily and the Forensic Data Entry Assistant will continue to assist with forensic data entry in order to decrease the number of backlogged cases.

Committee recommended that Council:

- Approve the Coroner's Office request to apply to the SC Department of Public Safety, Office of Justice Programs, Paul Coverdell Forensic Science Improvement Grant Program in the amount of \$45,000 to employ a one-year grant funded FTE and a one-year grant-funded PTE position, with the understanding that the County is under no obligation to support the costs associated with this FTE or PTE at the end of the grant period, and that there is no ongoing commitment for the County associated with this request.
- Acknowledge that there is no match associated with this grant and that the grant period is October 1, 2012 through September 30, 2013.

**Urban
Entitlement
Funds Grant
Request to
Approve**

A report was read from the Finance Committee under date of May 3, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator, and Christine DuRant, Assistant Deputy for Community Services, regarding the recommendation of the Community Development Advisory Board which was established by Charleston County Council to make recommendations to Council on the expenditure of funds received by Charleston County Government from the U.S. Department of Housing and Urban Development (HUD). It was stated that this funding is received on behalf of Charleston County, City of North Charleston and nine

other participating jurisdictions with f members representing each Participating Jurisdiction as well as seats appointed by Charleston County Council. It was shown that the purpose of the Board is to review all incoming requests for funding submitted to the Community Services Department's Urban Entitlement Program and make recommendations to County Council on the award of contracts following the Request for Application process, with the Community Services staff provides the Board with guidance on HUD's regulations regarding the allowable activities of this funding source, the community process associated with this funding, a scoring assessment of all applications, and the project priority rankings. It was further shown that these project-related priorities are determined through an extensive public process which is mandated by HUD and is the essence of the County's 2011-2016 Consolidated Plan. The tables below summarize the recommended investment of HUD funding for Fiscal Year (FY) 2013 by priority area.

PRIORITY RANKING	RECOMMENDATION	FUNDING
Infrastructure (5 projects)	\$429,470	CDBG
Rehabilitation & Preservation (5	\$198,982	CDBG & HOME
Affordable Housing (3 projects)	\$139,510	CDBG & HOME
Public Services (3 projects)	\$56,963	CDBG

It was further stated that the total fund amount will be allocated between the County of Charleston and the City of North Charleston based on a previously established Local Elected Officials (LEO) Agreement that specifies the funding distribution. It is estimated that the County will receive \$935,516 and the City of North Charleston will receive \$1,188,478, with the final, actual allocation to the City of North Charleston being determined by HUD and funds subsequently transferred.

Committee recommended that Council:

- Allocate to the City of North Charleston FY2013 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 will be determined by HUD.
- CDBG Funding: Direct staff in the Community Services Department to administer \$678,124 in PY 2012 funds and \$50,000 in unallocated PY2010 funds with the understanding that no more than \$101,719 may be awarded for public service activities per HUD regulations.
- HOME Funding: Direct staff in the Community Services Department to administer \$257,392 in HOME Investment Partnership Program funding.
- Authorize the use of all recaptured CDBG funds for the County's Well and Septic Upgrade program.
- Complete the public process by reviewing and, if approved, authorizing the FY2013 Annual Action Plan as recommended by the Community Development Advisory Board.

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

**Town of Ravenel
Rural Greenbelt
Project
Consider Project**

A report was read from the Finance Committee under date of May 3, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator, and Cathy Ruff, Director of Greenbelt Project, as well as the remarks made by Opal Baldwin, Mayor of the Town of Ravenel, regarding Ravenel’s request for Greenbelt funding. It was stated that In accordance with Section 5.6.1 of the Charleston County Comprehensive Greenbelt Plan the rural greenbelt project listed below has been reviewed by the Greenbelt Bank Board and the Greenbelt Bank Board is recommending disapproval of this project, as explained below

Applicant	Project Name	Acres	Funding
Town of Ravenel	Little Lake Family Park	6	\$860,000

It was shown that the Town submitted this project in August of 2011, requesting \$1 million for the land purchase. When the Greenbelt Bank Board gave initial consideration to the project they voted to defer and requested the Town have an appraisal conducted. Hartnett Realty Co., Inc. appraised the property at a value of \$860,000. The project was presented to the Greenbelt Bank Board in February 2012 for reconsideration with an amended request of \$860,000. The board voted unanimously to recommend disapproval.

It was further shown that during the Bank Board’s discussion of the project, they noted that the cost per acre (\$143,333) is much higher than what the board has historically approved for other projects. The current average cost per acre for rural fee simple projects is \$7,226 per acre. The board expressed concern with spending this amount of money on a 6 acre parcel considering the remaining rural greenbelt funds are dwindling and the Greenbelt goals have not been met and the Board observed that the appraisal cited comparables that were 3 – 5 years old and made no adjustments for time. There was concern expressed because land currently for sale near the subject property is being offered at \$30,000 to \$50,000 less per acre. Board members discussed a recent sale of commercial land in the area that was sold for \$20,000 per acre. The board stated that this project is one of the more expensive projects that has been submitted and inquired if the Town could offer any matching funds for the purchase. Due to other projects, such as an extensive sewer project the Town is currently involved in, they could not commit any funds beyond the amount offered (\$22,300) for closing and minor improvements.

Following the Bank Board’s action, the Town requested that the board’s recommendation for disapproval be delayed in proceeding to County Council to allow the Town time to try and secure matching funds. To date the Town has been unable to acquire any match for the purchase so they are now requesting the project proceed for Council’s consideration.

It was shown that the Town intends to use the property as a passive park/community gathering area for the annual St. Paul’s Music Festival and other town events.

Committee recommended that Council disapprove the Town of Ravenel's Little Lake Family Park rural greenbelt project.

Mr. Schweers moved approval of Committee recommendation of disapproval, seconded by Ms. Condon, and carried. Messrs. Rawl and Summey voted nay.

**Station Alerting
System
Award of
Contract**

A report was read from the Finance Committee meeting under date of May 3, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator, and Barrett Tolbert, Director of Procurement, regarding opportunities for the Consolidated 9-1-1 Center and the Consolidated Dispatch Board to maximize operational efficiencies and cost benefits resulting from the standardization of hardware and software solutions. It was stated that the safety of employees was the paramount concern to the Board and the multiple emergency response agencies is the safety of employees followed by providing the fastest possible emergency response to the citizenry of Charleston County. It was shown that in September, 2011 a request for Proposal was issued to procure a Station Alerting System to be used by the Consolidated 9-1-1 Center for dispatching to EMS and participating fire/rescue agencies. On November 10th, sealed proposals were received from the following offerors:

Offeror
US Digital Designs, Inc. Tempe, AZ Principal: Dominic Magnoni
PURVIS Systems, Inc. Middletown, RI Principal: John Desposito
Motorola Solutions Lawrenceville, GA Principal: Gregory Brown
APS Firehouse Alerting* Manchester, MD Principal: Mark Hare

*This vendor was deemed non-responsive due to its failure to meet the specifications.

It was further shown that the evaluation committee members individually evaluated and scored the proposals, with US Digital Designs being the highest ranked firm.

Committee recommended that Council authorize staff to negotiate and enter into a contract with US Digital Designs for a Station Alerting System to be used by EMS and the multiple fire/rescue agencies that are currently or are planned to be dispatched by the Charleston County Consolidated 9-1-1 Center.

Ms. Condon moved to defer this matter until Budget time, seconded by Mr. Schweers.

The Chairman called for a roll call vote on Ms. Condon's motion, and votes were recorded as follows:

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

The vote being two (2) ayes, five (5) nays and 2 absent, the Chairman declared the motion to have failed.

After a lengthy discussion among Members of Council and receiving information from Staff, Mr. Summey moved approval of Committee recommendation with the addition of a monetary consideration. The motion was seconded by Mr. Rawl. The motion is as follows:

That Council authorized staff to negotiate and enter into a contract with US Digital Designs in an amount not to exceed \$2,270,000 for a Station Alerting System to be used by EMS and the multiple fire/rescue agencies that are currently or are planned to be dispatched by the Charleston County Consolidated 9-1-1 Center.

The Chairman called for a roll call vote on Ms. Condon's motion, and votes were recorded as follows:

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

The vote being five (2) ayes, two (2) nays and 2 absent, the Chairman declared the motion to have passed.

Committee recommended that the County Administrator be authorized to enter into discussion and proposed contractual negotiations regarding the building discussed in Executive Session for a potential West Ashley Senior Center and requested that the City of Charleston split the costs of such contract.

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

**Council
Comments**

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

Mr. Rawl thanked Staff for all that they do for Council and the Citizens of Charleston County.

Ms. Johnson said that she wanted to thank the Citizens of Woodland Shores Road and stated that she admired their tenacity to come out and fight for their community.

County Attorney Joseph Dawson requested that Council add an agenda item to its next meeting. He said that Council needed to give itself permission to travel to inspect several facilities handling recycling materials and that according to the rules of Council, Council is presently only authorized to attend functions sponsored by the South Carolina or the National Association of Counties, without prior consent.

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

Beverly T. Craven
Clerk of Council