

COMMITTEE ON WATER AND SANITATION
(Standing Committee of Berkeley County Council)

Chairman: Mrs. Judith K. Spooner, Council Member District No. 2

A **special meeting** of the **COMMITTEE ON WATER AND SANITATION**, Standing Committee of Berkeley County Council, was held on **Monday November 28, 2005**, in the Assembly Room of the Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina, at 6:11 p.m.

PRESENT: Mrs. Judith K. Spooner, Council Member District No. 2, Chairman; Mr. Phillip Farley, Council Member District No. 1; 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; Vacant, District 6; Mr. Steve C. Davis, Council Member District No. 8; Mr. James H. Rozier, Jr., Supervisor, ex officio; Mr. D. Mark Stokes, County Attorney and Ms. Barbara B. Austin, Clerk of County Council. Mr. Caldwell Pinckney, Jr., Council Member District No. 7, was 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.

Chairman Spooner called the Committee on Water and Sanitation meeting to order and led in the Invocation and Council Member Fish led in the Pledge of Allegiance to the Flag of the United States of America.

EXECUTIVE SESSION

It was moved by Council Member Fish and seconded by Council Member Crosby to enter into Executive Session to discuss matters relating to the discussion of employment, appointment, compensation, promotion, demotion, discipline, or a person regulated by a public body, and the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim and other matters covered by the attorney/client privilege. The motion passed by unanimous voice vote of the Committee.

The Committee entered into Executive Session at 6:12 p.m., and returned to Committee Session at 7:13 p.m.

Mr. David Jennings, Berkeley County Water and Sanitation Authority Attorney, reported that the Committee entered into Executive Session for the reasons stated in the motion, and no formal action was taken.

A. Approval of an Interest Rate Risk Management Policy for Berkeley County and Berkeley County Water and Sanitation Authority.

Mr. Jennings explained to the Committee that Bank of America is offering a swap rate for interest rates to refinance the refunding bonds.

Council Member S. Davis expressed concern that exchanging a fixed rate for a swap rate was not in the best interest of Berkeley County.

Council Member Crosby requested that Bank of America make a presentation to fully explain the interest rate contracts.

It was moved by Council Member Crosby and seconded by Council Member Fish to **approve the Interest Rate Risk Management Policy.** The motion passed by a majority voice vote of the Committee. Council Member S. Davis voted "Nay".

B. Review prior to Second Reading of Bill No. 05-100, an ordinance to amend Chapter 65, Article 2, of the Berkeley County Code of Ordinances, establishing a limitation of the use or installation of public and private water services and wastewater collection and treatment systems for only those areas within Berkeley County in which property uses are in compliance with the Berkeley County Zoning and Development Standards Ordinance; and establishing certain exceptions thereto.

It was moved by Council Member Fish and seconded by Council Member C. Davis to **approve the review prior to Second Reading Bill No. 05-100.** The motion passed by unanimous voice vote of the Committee.

It was moved by Council Member Crosby and seconded by Council Member C. Davis to **adjourn** the Committee on Water and Sanitation meeting. The motion passed by unanimous voice vote of the Committee.

The meeting ended at 7:34 pm.

December 12, 2005

Date Approved

COMMITTEE ON WATER AND SANITATION
(Standing Committee of Berkeley County Council)

Chairman: Mrs. Judith K. Spooner, District No. 2

Members: Mr. Phillip Farley, District No. 1
Mr. William E. Crosby, District No. 3
Mr. Charles E. Davis, District No. 4
Mr. Dennis L. Fish, District No. 5
District No. 6 - Vacant
Mr. Caldwell Pinckney, Jr., District No. 7
Mr. Steve C. Davis, District No. 8
Mr. James H. Rozier, Jr., Supervisor, ex officio

A special meeting of the **COMMITTEE ON WATER AND SANITATION**, Standing Committee of Berkeley County Council, will be held on **Monday November 28, 2005**, in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina, at **6:00 p.m.**

AGENDA

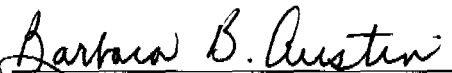
INVOCATION

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

A. Approval of an Interest Rate Risk Management Policy for Berkeley County and Berkeley County Water and Sanitation Authority.

B. Review prior to Second Reading of Bill No. 05-100, an ordinance to amend Chapter 65, Article 2, of the Berkeley County Code of Ordinances, establishing a limitation of the use or installation of public and private water services and wastewater collection and treatment systems for only those areas within Berkeley County in which property uses are in compliance with the Berkeley County Zoning and Development Standards Ordinance; and establishing certain exceptions thereto.

November 23, 2005


Barbara B. Austin, CCC
Clerk of County Council

COMMITTEE ON WATER AND SANITATION
(Standing Committee of Berkeley County Council)

Chairman: Mrs. Judith K. Spooner, Council Member District No. 2

A meeting of the **COMMITTEE ON WATER AND SANITATION**, Standing Committee of Berkeley County Council, was held on **Monday November 14, 2005**, in the Assembly Room of the Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina, at 6:56 p.m.

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

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.

Chairman Spooner called the meeting to order and asked for approval of minutes from the Committee on Water and Sanitation Meeting held October 10, 2005.

APPROVAL OF MINUTES

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

A. Mark R. Schlievert, Deputy Director of Solid Waste, Re: Solid Waste Management Plan Amendment

Mr. Schlievert stated that the Department of Health and Environmental Control (DHEC) requires Berkeley County to periodically update its Solid Waste Management Plan, with the last update being June 2004. Some amendments were made since that time, to include the adoption of new ordinances, which will be included in the plan's update. In addition, another amendment has been made to Section VII, C, entitled, "Determining Consistency with County Solid Waste Management Plan" (Page 35). The

amendment in this section pertains to application requests for any establishment of additional landfills within Berkeley County to assure that guidelines for consistency determinations are met.

It was moved by Council Member Crosby and seconded by Council Member Farley to **approve** the Berkeley County **Solid Waste Management Plan Update** dated October 2005. The motion passed by unanimous voice vote of the Committee.

B. Review prior to Second Reading of Bill No. 05-98, the Third Supplemental Ordinance providing for the issuance and sale of Berkeley County, South Carolina, **Water and Sewer System Refunding Revenue Bonds, Series 2005-B**, in the principal amount of not exceeding \$50,000,000; prescribing the form and details of such bonds; delegating certain matters to the County Supervisor; and other matters relating thereto.

Supervisor Rozier informed the Committee that this bill pertained to the refinancing of bonds at a lower interest rate, thus generating a considerable savings.

It was moved by Council Member Pinckney and seconded by Council Member Farley to **approve review**, prior to **Second Reading**, of **Bill No. 05-98**. The motion passed by unanimous voice vote of the Committee.

Without objection from the Committee, Chairman Spooner addressed an item regarding requests from developers to grandfather development projects in the system prior to enactment of Berkeley County Water and Sanitation Authority's (BCWSA) fee schedule increase. Chairman Spooner indicated that the County completed a study, which reflected the number of projects and the financial impact upon the BCWSA system. Twelve projects were in the system process at the time the new fee schedule was enacted, of which developers from four of those projects have already paid the new fees. If grandfathering were allowed in this situation, loss of revenue to Berkeley County would be approximately \$346,608,000.00. In light of this study, the Committee agreed not to reconsider the grandfathering requests of two developers. No formal action of the Committee was necessary.

It was moved by Council Member Crosby and seconded by Council Member Pinckney to **adjourn** the Committee on Water and Sanitation Meeting. The motion passed by unanimous voice vote of the Committee.

Meeting adjourned at 7:04 p.m.

December 12, 2005

Date Approved

COMMITTEE ON WATER AND SANITATION
(Standing Committee of Berkeley County Council)

Chairman: Mrs. Judith K. Spooner, District No. 2

Members: Mr. Phillip Farley, District No. 1
Mr. William E. Crosby, District No. 3
Mr. Charles E. Davis, District No. 4
Mr. Dennis L. Fish, District No. 5
District No. 6 - Vacant
Mr. Caldwell Pinckney, Jr., District No. 7
Mr. Steve C. Davis, District No. 8
Mr. James H. Rozier, Jr., Supervisor, ex officio

A meeting of the **COMMITTEE ON WATER AND SANITATION**, Standing Committee of Berkeley County Council, will be held on **Monday November 14, 2005**, following the meeting of the Committee on Community Services, and the Committee on Justice and Public Safety in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina, at **6:00 p.m.**

AGENDA

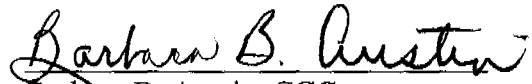
APPROVAL OF MINUTES

OCTOBER 10, 2005

A. Mark R. Schlievert, Deputy Director of Solid Waste, Re: Solid Waste Management Plan amendment.

B. Review prior to Second Reading of Bill No. 05-98, the Third Supplemental Ordinance providing for the issuance and sale of Berkeley County, South Carolina, Water and Sewer System Refunding Revenue Bonds, Series 2005-B, in the principal amount of not exceeding \$50,000,000; prescribing the form and details of such bonds; delegating certain matters to the County Supervisor; and other matters relating thereto.

November 9, 2005


Barbara B. Austin, CCC
Clerk of County Council