

January 25, 2011  
Charleston, SC

A regular meeting of County Council of Charleston County was held on the 25<sup>th</sup> day of January, 2011 at 7:00 p.m. in Beverly T. Craven Council Chambers, Second Floor, Lonnie Hamilton, III Public Services Building, at 4045 Bridge View Drive, Charleston, South Carolina.

Present at the meeting were the following members of Council: Teddie E. Pryor, Sr., Chairman, who presided; Colleen Condon; Anna B. Johnson; Joseph K. Qualey; A. Victor Rawl; Dickie Schweers; and J. Elliott Summey. Council Member Henry E. Darby was absent and still recovering from injuries received when he was struck by a car and suffered a concussion.

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

Council Member Schweers gave the invocation. Council Member Johnson led in the pledge to the flag.

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

Mr. Summey moved approval of the minutes of County Council's meeting of January 6, 2011, seconded by Ms. Condon, and carried.

**Turner School  
of  
Construction  
Management  
Graduates  
Recognition**

The Chairman asked Barrett Tolbert, Director of Contracts and Procurement, to come forward to recognize the graduates of the 2010 Charleston Turner School of Construction Management. Mr. Tolbert recognized Ms. Tara Roberts of Turner Construction, who coordinated the classes. Ms. Roberts presented a plaque to the Chairman as a token of gratitude to the County for hosting the school. Ms. Roberts also recognized the following graduates of the 2010 Charleston Turner School of Construction Management: Fred Anthony, The Broadband Company; Giselle Baham, LowCountry Glass Block and Green Products; Beverly Birch, Birch's Heating and Air; Eric Byrd, Paragon; Ken Canty, Freeland Construction Company; Randy Christie, Christie Brothers HVAC; George Dawson, George Dawson and Associates; Evelyn DeLaine-Hart, Cg3 Associates, LLC; Keena Edwards, Ed Rush Development Firm; Stephon Edwards, II, Paragon; Bill Goodwin, The Goodwin Group; Vanessa Goodwin, The Goodwin Group; Sonia Hanchard, SURCH; Adrienne Holt, CE McKenzie and Associates, LLC; Oswaldo Hurtado, Ozzy Construction; Jennings Jackson, Jr., Highland Homes Construction; Joey Jefferson, Palmetto Civil Group; Hiawatha Johnson, Neat and Clean; Donale McCutcheon, Black Contractor Association; Margaret Rush, JGM Associates; Julian Seraphin, LowCountry Glass Block and Green Products; Richard Souffrant, Minority United Trading and Consulting; Monique Stinson, Stinson Consulting; Calvin Whitfield, CCCS International; Adrian Williams, Atlantic South Consulting Services.

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**ZREZ-9-10-  
9314, 2922  
Highway 17  
North  
Ordinance  
3<sup>rd</sup> Reading**

An Ordinance to rezone the property located at 2922 Highway 17 North was given third reading by title only.

### **AN ORDINANCE**

#### **REZONING THE REAL PROPERTY LOCATED AT 2922 HIGHWAY 17 NORTH, TAX MAP PARCEL IDENTIFICATION NUMBER 580-00-00-009, FROM THE (R-4) SINGLE FAMILY RESIDENTIAL 4 DISTRICT TO THE (CC) COMMUNITY COMMERCIAL DISTRICT.**

WHEREAS, the property identified as parcel identification number 580-00-00-009 is currently zoned (R-4) Single Family Residential 4 District; and

WHEREAS, the current owner or agent thereof requests a rezoning of the property and a complete application for rezoning the property was submitted to the Charleston County Planning Department requesting that the parcel be rezoned from (R-4) Single Family Residential District to (CC) Community Commercial District pursuant to Article 3.4 of the Charleston County Zoning and Land Development Regulations (ZLDR); and

WHEREAS, the Charleston County Planning Commission reviewed the application for rezoning and adopted a resolution, by majority vote of the entire membership, recommending that Charleston County Council (the "County Council") approve the application for rezoning based on the procedures established in State law and the Approval Criteria of Article 3.4 of the ZLDR; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, the County Council held at least 1 public hearing and after close of the public hearing, the County Council has determined the rezoning meets the following criteria of Section 3.4.6 of Article 3.4 of the ZLDR:

- A. The proposed amendment is consistent with the Comprehensive Plan and the stated purposes of this ordinance;
- B. The proposed amendment will allow development that is compatible with existing uses and zoning of nearby property;
- C. The County and other service providers will be able to provide adequate water and sewer supply, storm water facilities, waste disposal and other public facilities, and services to the subject property, while maintaining adequate levels of service to existing development;
- D. The applicant documentation that the proposed amendment will not result in significant adverse impacts on other property in the vicinity of the subject tract or on the environment, including air, water, noise, storm water management, wildlife and natural resources; and

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- E. The subject property is suitable for proposed zoning classification considering such things as parcel size, parcel configuration, road access, and the presence of natural resources and amenities.

NOW, THEREFORE, be ordained it by the Charleston County Council, 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. REZONING OF PROPERTY

The property identified as parcel identification number 580-00-00-009 is hereby rezoned from the (R-4) Single Family Residential District to the (CC) Community Commercial District. The zoning map of Charleston County is hereby amended to conform to this change. Any development on the site must conform to all requirements of the Charleston County Zoning and Land Development Regulations and other applicable laws, rules and regulations.

#### 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 25th day of January, 2011

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

The vote being seven (7) ayes and one (1) absent, the Chairman declared the Ordinance to have received third reading approval.

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**St. Paul's Fire  
District Bonds  
Ordinance  
3<sup>rd</sup> Reading**

An Ordinance approving the issuing of General Obligation Bonds for St. Paul's Fire District was given third reading by title only.

**AN ORDINANCE****FINDING THAT THE ST. PAUL'S FIRE DISTRICT, SOUTH CAROLINA MAY ISSUE NOT EXCEEDING \$325,000 GENERAL OBLIGATION BONDS AND TO PROVIDE FOR THE PUBLICATION OF NOTICE OF THE SAID FINDING AND AUTHORIZATION.**

**WHEREAS**, on October 12, 2010, the St. Paul's Fire District, South Carolina (the "***District***"), issued its \$3,000,000 General Obligation Bonds, Series 2010 (the "***Prior Bonds***") to provide funds to defray (A) costs related to all or a substantial portion of the following items related to the operation of the District: (i) construction and equipping of a new fire station, (ii) construction of a drill tower, (iii) acquisition and installation of a new computer network system for the District, (iv) purchasing of fire apparatus, together with equipment therefor, (v) purchasing of a heavy rescue truck and an auxiliary truck, (vi) purchasing and installation of a truck lift, (vii) purchasing of maintenance tools, (viii) purchasing of bunker gear, and (ix) purchasing and equipping of various testing and communication equipment, mechanic-related tools and equipment, and miscellaneous items and furnishings for the District (collectively, the "***Project***"), and (B) costs of issuance of the Prior Bonds. The Prior Bonds have been issued, and the proceeds therefrom are currently being applied to defray the costs of the Project.

**WHEREAS**, the St. Paul's Fire District Commission (the "***Commission***"), the governing body of the District, has determined that the best interests of the District will be served through the purchasing of additional fire apparatus, the construction of certain fire station improvements, and the acquisition of certain real property (the "***Expanded Project***") that, together, the Commission estimates will not exceed \$325,000.

**WHEREAS**, the debt service on the Prior Bonds, due to favorable market conditions in the form of historically low interest rates, will not exhaust the revenues produced by the 3.5 mills levied in anticipation of the District's issuance of the Prior Bonds. Accordingly, the Commission intends that any debt service obligation undertaken in furtherance of the Expanded Project will in no event have any effect on the existing debt service millage rate of 3.5 mills levied on behalf of the District.

**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 \$325,000 general obligation bonds of the District (the "***Bonds***") be held in the Charleston County Council Chambers in the Lonnie Hamilton III Public Service Building, located at 4045 Bridge View Drive, 2<sup>nd</sup> Floor, North Charleston, South Carolina 29045, on the 11th day of January, 2011 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

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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 January 11, 2011, it is found and determined that the Commission should be authorized to issue the Bonds.

**Section 3.** The County Council finds that the Commission should issue the Bonds in the amount of not exceeding \$325,000 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 \$325,000 as a single issue or from time to time as several separate issues, as the Commission shall determine, for the purpose of defraying the costs related to the Expanded Project. The Commission estimates that the cost of the Expanded Project, together with the cost of issuance of the Bonds will not exceed \$325,000. 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 \$325,000.

DONE AT CHARLESTON, SOUTH CAROLINA, this 25<sup>th</sup> day of January, 2011.

**CHARLESTON COUNTY COUNCIL**

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

The vote being seven (7) ayes and one (1) absent, the Chairman declared the Ordinance to have received third reading approval.

**Antler Drive  
Extension and  
Dickens Street  
Sidewalks  
Award of  
Contract**

A report was read from the Finance Committee under date of January 20, 2011, that it considered the information furnished by Allen O'Neal, County Administrator, and Barrett J. Tolbert, Director of Procurement, regarding bills received for construction of two new Sidewalk projects, one along Antler Drive Extension in the City of North Charleston and the Dickens Street project along Dickens Street in the City of Charleston. It was stated that nine bids had been received on this project.

Committee recommended that Council authorize award of a contract for Antler Drive Extension and Dickens Street sidewalks to O.L. Thompson Construction Company, Inc., the lowest responsive and responsible bidder satisfying all specifications, in the amount of \$206,149.29. Funding is available through the Transportation Sales Tax.

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

**Cross County  
Road at  
Dorchester  
Road Turn Lane  
Award of  
Contract**

A report was read from the Finance Committee under date of January 20, 2011, that it considered the information furnished by Allen O'Neal, County Administrator, and Barrett J. Tolbert, Director of Procurement, regarding bids received for the Cross County Road Dorchester Road turn lane. It was stated that the work includes paving, grading, drainage, traffic loops, curb and gutter, concrete pavement, sidewalk construction and associated appurtenances. It was shown that this project is funded by the CTC FY 2010 funds, and is subject to a staff recommended budget transfer of \$65,000,000.

Committee recommended that Council, as an agent for the Charleston County Transportation Committee, authorize award of a contract for the Cross County Road at Dorchester Turn Lane to Truluck Construction Company, the lowest responsive and responsible bidder satisfying all specifications, in the amount of \$187,145.50. Funding is available through the State "C" Fund for road improvements.

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

**CARTA Bus  
Stop Shelter  
License  
Agreements  
Request to  
Approve**

A report was read from the Finance Committee under date of January 25, 2011, that it considered the information furnished by Allen O'Neal, County Administrator, and Daniel

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Chandler, Director of Facilities, regarding CARTA Bus Stop Shelters. It was stated that on October 18, 2005, Council authorized the Chairman to grant a license agreement to the Charleston Area Regional Transportation Authority (CARTA) for the purpose of providing bus stop shelters on the Otranto Library property and the Sheriff Department's Pinehaven property. It was shown that the license agreements were for five years and began on March 1, 2006, and could be extended by mutual agreement of the parties. It was further shown that CARTA has requested to renew these licenses for a period of five years.

Committee recommended that Council:

1. Authorize the Chairman of County Council to execute license agreements to Charleston Area Regional Transportation Authority for the purpose of providing bus stop shelters on the Otranto Library property located at 2261 Otranto Road and the Sheriff's Department property located at 3505 Pinehaven Drive, with the understanding that CARTA will be responsible for any and all expenses associated with the shelters, and that all documents will be reviewed by the Legal Department.
2. Authorize the County Administrator to approve the exercise of future options and all other matters related thereto.

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

**JAG Drug and  
Violent Crimes  
Grant  
Request to  
Apply**

A report was read from the Finance Committee under date of January 20, 2011, that it considered the information furnished by Allen O'Neal, County Administrator, and Scarlett Wilson, Solicitor of the Ninth Judicial Circuit, regarding permission for the Solicitor's Office to apply for a federal pass-through Justice Assistance Grant Program (JAG) grant for 4 specialized prosecutors for drug crimes and violent crimes, and one legal assistant to assist all 4 attorneys. It was shown that this grant has been awarded to the Solicitor's Office for the past two fiscal years.

Committee recommended that Council approve an application to the SC Department of Public Safety's Office of Justice Programs for a Justice Assistance Grant Program grant in the amount of approximately \$358,215 with the understanding that the cash match of approximately \$39,802 will be paid from the Solicitor's State Appropriations Account. There are five grant-funded FTEs associated with this request and it is understood that at the conclusion of the grant period that FTEs positions will be dissolved if no further grant or other funding is available, and the grant period will run from July 1, 2011 through June 30, 2012.

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

**Mt. Pleasant  
Water Works  
Center Street  
Project  
Request  
Resolution**

A report was read from the Finance Committee under date of January 25, 2011, that it considered the information furnished by Allen O'Neal, County Administrator, and the request from the Chairman of the Mount Pleasant Waterworks Commission (MPWW)



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that County Council consider approving a Resolution in support of MPWW's request for \$8.8 million in federal funding to assist in a \$17.8 million project to rehabilitate the Center Street Wastewater Treatment Plant.

Committee recommended that Council approve a resolution in support of the Mount Pleasant Waterworks Commission's request for \$8.8 million federal appropriation to assist in funding its Center Street Wastewater Treatment Plant rehabilitation project.

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

A report was read from the Finance Committee under date of January 25, 2011, that it considered the information furnished by Allen O'Neal, County Administrator, and the Members of Charleston County Council elected in the 2010 General Election regarding their recommended appointments to the Charleston County Planning Commission.

Committee recommended that Council make the following appointments to the Planning Commission for terms to expire December 31, 2014:

1. George Freeman, as Chairman Pryor's recommendation.
2. Noel Thorn, as Council Member Schweers' recommendation.
3. Sussan Chavis, as Council Member Johnson's recommendation.
4. Amy Fabri, as Council Member Qualey's recommendation.

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

**Board of  
Zoning Appeals  
Appointments  
(4)**

A report was read from the Finance Committee under date of January 25, 2011, that it considered the information furnished by Allen O'Neal, County Administrator, and the Members of Charleston County Council elected in the 2010 General Election regarding their recommended appointments to the Charleston County Board of Zoning Appeals.

Committee recommended that Council make the following appointments to the Board of Zoning Appeals for terms to expire December 31, 2014:

1. Bob Pickard, as Chairman Pryor's recommendation.
2. John Hope, as Council Member Schweers' recommendation.
3. Clyde Jerome Smalls, Sr., as Council Member Johnson's recommendation.
4. James Lynwood Balliet, as Council Member Qualey's recommendation.

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

**Greenbelt  
Advisory Board  
Appointments  
(5)**

A report was read from the Finance Committee under date of January 25, 2011, that it considered the information furnished by Allen O'Neal, County Administrator, and the Members of Charleston County Council elected in the 2010 General Election regarding their recommended appointments to the Charleston County Greenbelt

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Advisory Board.

Committee recommended that Council make the following appointments to the Greenbelt Advisory Board:

1. Charles Bennett for a term to run co-terminus with the term of Chairman Pryor.
2. Louise Maybank for a term to run co-terminus with the term of Council Member Schweers.
3. George Freeman, as the Chairman's Rural North appointee, for a term to expire in January 2013.
4. Jacquetta Jones, as the Chairman's Rural South appointee, for a term to expire in January 2013.

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

A report was read from the Finance Committee under date of January 25, 2011, that it considered the information furnished by Allen O'Neal, County Administrator, and the Members of Charleston County Council elected in the 2010 General Election regarding their recommended appointments to the Charleston County Transportation Advisory Board.

**Transportation  
Advisory Board  
Appointments  
(5)**

Committee recommended that Council direct staff to bring recommendations for revising the role of the Transportation Advisory Board to a committee meeting in March and make the following appointments to the Transportation Advisory Board:

1. Darrold Heyward for a term to run co-terminus with the term of Chairman Pryor.
2. John Knott for a term to run co-terminus with the term of Council Member Schweers.
3. Allen Mitchell for a term to run co-terminus with the term of Council Member Johnson.
4. Pearl Ascue, as the Chairman's Rural North appointee, for a term to expire in January 2013.
5. Jacquetta Jones, as the Chairman's Rural South appointee, for a term to expire in January 2013.

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

**Sale of County  
Properties  
A) Request to  
Approve  
B) Ordinances  
1<sup>st</sup> reading**

A report was read from the Finance Committee under date of January 20, 2011, that it considered the information furnished by Allen O'Neal, County Administrator, and Walt Smalls, Assistant Administrator for General Services, regarding County property offered for sale. It was stated that on October 19, 2010 Council authorized Staff to obtain certified appraisals for three County Owned properties, and to publicly bid their sale. The three properties are: 9886 & 9888 Randall Road, McClellanville; 164 Maple Street, Charleston and Fickling Hill Road, Johns Island.

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Committee recommended that Council:

1. Approve and give first reading to an ordinance authorizing the Chairman of Council to execute a contract for the sale of 9886 & 9888 Randall Road, McClellanville, TMS 745-00-00-012, to James and Terri Yergin in the amount of \$76,000.
2. Approve and give first reading to an ordinance authorizing the Chairman of Council to execute a contract for the sale of the Fickling Hill Road property, Johns Island, TMS 280-00-00-014, to Thomas Readon in the amount of \$30,000.
3. Not authorize the sale of 164 Maple Street, Charleston, TMS 463-11-01-084 at this time.

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

The ordinances were given first reading by title only.

#### **AN ORDINANCE**

**APPROVING AND AUTHORIZING THE SALE AND CONVEYANCE OF CHARLESTON COUNTY OWNED REAL PROPERTY LOCATED AT 9886 AND 9888 RANDALL ROAD, MCCLELLANVILLE, SOUTH CAROLINA, TAX MAP PARCEL IDENTIFICATION NUMBER 745-00-00-012.**

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

#### **AN ORDINANCE**

**APPROVING AND AUTHORIZING THE SALE AND CONVEYANCE OF CHARLESTON COUNTY OWNED REAL PROPERTY KNOWN AS THE FICKLING HILL ROAD PROPERTY, JOHNS ISLAND, SOUTH CAROLINA, TAX MAP PARCEL IDENTIFICATION NUMBER 280-00-00-014.**

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

**Town of  
LincolInville  
Elections  
A) Request to  
Approve  
B) Ordinance  
1<sup>st</sup> reading**

A report was read from the Finance Committee under date of January 20, 2011, that it considered the information furnished by Allen O'Neal, County Administrator, and the Town of LincolInville, regarding the Town's desire for the Charleston County Board of Elections and Voter Registration to conduct their Municipal elections. It was stated that if the Town's request is approved by County Council, an Ordinance accepting the transfer of certain authority to the Board of Elections and Voter Registration need to be given first reading at Tuesday, January 25<sup>th</sup> meeting.

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Mr. Summey moved approval of the Consent Agenda, seconded by Ms. Condon, and carried.

The ordinance was given first reading by title only.

### **AN ORDINANCE**

#### **ACCEPTING THE TRANSFER OF CERTAIN AUTHORITY TO THE BOARD OF ELECTIONS AND VOTER REGISTRATION OF CHARLESTON COUNTY TO CONDUCT MUNICIPAL ELECTIONS FOR THE TOWN OF LINCOLNVILLE.**

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

#### **Ten Mile Community Association Rural Greenbelt Project Recommendation**

A report was read from the Finance Committee under date of January 20, 2011, that it considered the information furnished by Allen O'Neal, County Administrator, and Cathy Ruff, Director of Greenbelt projects regarding the Ten Mile Community Association's Rural Greenbelt Project. It was stated that the Ten Mile Neighborhood's Heritage Farm project is being recommended for disapproval due to its location in the urban unincorporated area and the high cost of the land. In 2009, the Bank Board awarded rural funds to the Ten Mile Neighborhood Association to purchase land in the urban area due the unusual circumstances described below.

- In 2007 the Ten Mile Neighborhood was awarded \$230,000 in urban unincorporated funds to purchase a 1 acre parcel adjacent to their mini-park on Seafood Lane in Mount Pleasant. Following Council's approval, the landowner decided not to sell the property forcing the Neighborhood Association to withdraw the project.
- In 2009 the landowner decided to sell the property. However all urban unincorporated funds had been allocated, so the Neighborhood Association submitted an application to the Greenbelt Bank Board requesting rural funding. Due to these special circumstances, the Bank Board and subsequently County Council approved \$220,000 in rural funds to purchase the 1 acre parcel in the urban area.

The Community Association is now requesting additional rural funds to purchase this 7 acre parcel (Heritage Farm) located near their other park property.

The board is recommending disapproval of the project due to concerns that awarding additional rural funds for a project in the urban area contradicted the Comprehensive Greenbelt Plan's allocation formula for the urban and rural greenbelt funds.

Committee recommended that Council disapprove the Ten Mile Community Association's Heritage Farm application for Rural Greenbelt funds due to the project's location within the urban area.

Mr. Schweers moved approval of Committee recommendation to disapprove the Ten

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Mile Community Association's Heritage Farm application, seconded by Mr. Summey, and carried.

**Public Forum**

The Chairman asked if any member of the audience wished to bring a matter before Council.

Letitia Lynn, of the Center for Heirs Property stated that these comments should be recorded as part of the Urban Entitlement Public Hearing, that the Center for Heirs Property encourages community development activities in Charleston County and supports the Consolidated Plan Goals and Annual Action Plan activities.

Jenny Welch, Rod Welch, and Jonathan Brown, all of James Island, spoke regarding the Mark Clark project and their desire for Council to discuss the project in open session and not in Executive Session. Rod Welch also encouraged Council to change its policy to allow public comments at the beginning of the meeting in order to provide citizens an opportunity to address items on the agenda prior to a vote being taken. The Chairman stated that when Council goes into Executive Session there are no votes taken and no decisions are made; that Council is only permitted to enter into Executive Session for the purpose of receiving counsel from their attorney, to discuss contract negotiations, or to discuss personnel matters and that any information being circulated in the public otherwise is false.

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

Mr. Rawl thanked staff for their hard work and assistance given to him on various issues this week.

Ms. Condon and Mr. Schweers both stated that Council had, in fact, discussed contract negotiations with the Department of Transportation regarding the Mark Clark project and had been told Council would be meeting in Executive Session tonight to discuss the same.

Ms. Johnson thanked the constituents for coming to tonight's meeting.

Mr. O'Neal reminded Council of the Employee Recognition Program on Thursday, January 27 at the North Charleston-American LaFrance Fire Museum and stated that at this event the County recognizes employees who retired in the previous year, employees who had worked for the County for longer than 20 years, Employees of the Quarter, and the Employee of the Year.

The Chairman moved to go into Executive Session to discuss legal and contractual matters related to the County's contractual relationship with the South Carolina Department of Transportation. Mr. Summey seconded the motion, and the motion carried.

When Council returned from Executive Session, the Chairman stated that no action had been taken in Executive Session.

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

Beverly T. Craven  
Clerk of Council