

February 2, 2010
Charleston, SC

A regular meeting of County Council of Charleston County was held on the 2nd day of February, 2010, at 7:00 p.m. in Council Chambers, Second Floor, Lonnie Hamilton, III Public Services Building, 4045 Bridge View Drive, North Charleston, South Carolina.

Present at the meeting were the following members of Council: Teddie E. Pryor, Sr., Chairman, who presided; Colleen Condon; Henry E. Darby; Curtis B. Inabinett; Joe McKeown; A. Victor Rawl; J. Elliott Summey; Dickie Schweers, and Paul R. Thurmond.

Also present were: Allen O'Neal, County Administrator; County Attorney Joe Dawson; and Dan Pennick, Director of the Zoning/Planning Department.

Mr. Schweers gave the invocation. Mr. Inabinett led in the pledge to the flag.

The Deputy 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. Rawl moved approval of the Minutes of December 22, 2009; January 7, 2010; and January 12, 2010, seconded by Mr. Summey, and carried.

The Chairman recognized Messrs. Legare Clement and Bill Watson Coastal Carolina Council of the Boy Scouts of America who were in attendance to receive a resolution to proclaim February 8, 2010, as Boy Scouts of America Centennial Celebration Day in Charleston County. The Deputy Clerk read the resolution into the record.

A RESOLUTION OF CHARLESTON COUNTY COUNCIL

WHEREAS, The Boy Scouts of America celebrates its centennial on February 8, 2010; **and**,

WHEREAS, Scouting has been an integral part of life in Charleston County since the formation of the Coastal Carolina Council in 1921; **and**,

WHEREAS, The Boy Scouts of America has provided a program of character development, physical fitness, and mental awareness to over 111 million youth of the United States in the past 100 years; **and**,

WHEREAS, there are over 2.8 million youth members and 1.2 million adult volunteers in the Boy Scouts of America in more than 300 Councils throughout the United States, sponsoring service projects to address such critical issues as poverty, health, hunger, illiteracy, and the environment in their local communities; **and**,

WHEREAS, The Coastal Carolina Council, consisting of Georgetown, Charleston, Berkeley, Dorchester, Colleton, Beaufort, Jasper, Hampton, and Allendale counties, provides the Boy Scout Program for over 8,000 youth and 2,500 adult volunteers in our area; **and**,

WHEREAS, the Boy Scout Oath "I promise to do my duty, to God and my Country and to obey the Scout Law; to help other people at all times; to keep myself physically strong, mentally awake, and morally straight" inspires members to become good citizens, encourages high ethical standards, and promotes good will and service in their community.

NOW, THEREFORE, BE IT RESOLVED, that **Charleston County Council** does hereby proclaim **February 8, 2010**, as

BOY SCOUTS OF AMERICA, CENTENNIAL CELEBRATION DAY

in Charleston County, and encourages all citizens to join in recognizing the Boy Scouts of America for 100 years of service to youth in our community and throughout this great nation.

CHARLESTON COUNTY COUNCIL

Teddie E. Pryor, Chairman
January 12, 2010

The Chairman asked Council Member McKeown to present the resolution. Mr. Bill Watson, Chairman of the Centennial Celebration Committee remarked that the Boy Scouts of America is alive and well and looking forward to the next 100 years of shaping youth to become helpful citizens and leaders of tomorrow.

An Ordinance amending the Joint County Industrial Park Ordinance was given third reading by title only.

**Multi County
Park
Amendment
Ordinance 3rd
Reading**

AN ORDINANCE TO FURTHER AMEND THE AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK, BY AND BETWEEN CHARLESTON COUNTY, SOUTH CAROLINA AND COLLETON COUNTY, SOUTH CAROLINA, PROVIDING FOR THE DEVELOPMENT OF A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK, SO AS TO INCLUDE ADDITIONAL PROPERTY IN CHARLESTON COUNTY AS PART OF THE JOINT COUNTY INDUSTRIAL PARK.

WHEREAS, Charleston County, South Carolina (the "County") and Colleton County, South Carolina (jointly the "Counties") are authorized under Article VIII, Section 13 of the South Carolina Constitution to jointly develop an industrial or business park within the geographical boundaries of one or more of the member Counties; and

WHEREAS, in order to promote the economic welfare of the citizens of the Counties by providing employment and other benefits to the citizens of the Counties,

the Counties entered into an Agreement for Development for a Joint County Industrial Park effective as of September 1, 1995 (the "Original Agreement") to develop jointly an industrial and business park (the "Park"), as provided by Article VIII, Section 13 of the South Carolina Constitution and in accordance with Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended, (the "Act"); and

WHEREAS, the Original Agreement was initially approved by Charleston County Council Ordinance 972, adopted September 19, 1995; was further amended from time-to-time to add or remove property to the Park; and, in particular, was substantively amended by that First Modification to Agreement for Development for Joint County Industrial Park, effective December 31, 2006 (the "First Modification"), which First Modification was approved by Charleston County Council Ordinance 1475, adopted December 5, 2006; and by Colleton County Council Ordinance 06-R-20 adopted January 2, 2007; and

WHEREAS, the Original Agreement, as amended, is referred to herein as the "Agreement," and

WHEREAS, the Agreement contemplates the inclusion and removal of additional parcels within the Park from time to time; and

WHEREAS, the Counties desire to amend the Agreement to include certain additional parcels in order to fulfill commitments made to companies which are considering expansion or location decisions;

NOW, THEREFORE, BE IT ORDAINED BY THE CHARLESTON COUNTY COUNCIL:

SECTION 1. The Agreement is hereby amended so as to expand the Park premises located within Charleston County. Attached hereto as **Exhibit A** is the property description of the parcel to be added to the Park premises within Charleston County (the "Boeing Tract").

SECTION 2. (a) Pursuant to the provisions of Section 9 of the Agreement, the County hereby provides for the distribution of Revenues generated by the Park through the payment of fees in lieu of ad valorem property taxes as follows: Beginning with Fiscal Year 2011, 7.5% of Revenues collected in each Fiscal Year from all Revenues generated and collected pursuant to the Agreement shall be appropriated to the Charleston County Economic Development Fund for such uses as provided in the County's annual budget for such Fiscal Years.

(b) After making provision for the appropriations provided in paragraph (a) above, all net Revenues generated by the Park shall be distributed to the Charleston Participating Taxing Entities in accordance with an ordinance subsequently to be adopted by County Council.

SECTION 3. All resolutions, ordinances, or parts thereof in conflict herewith are, to the extent of such conflict hereby repealed.

SECTION 4. This amendment to the Agreement shall become effective on the date of upon adoption of this Ordinance by the County, after third and final reading and public hearing. The City of North Charleston gave its approval to the amendment by resolution adopted on December 10, 2009. Colleton County Council gave its approval to the amendment by resolution adopted on November 3, 2009.

SECTION 5. Should any part of this Agreement be determined by a court of competent jurisdiction to be invalid, illegal, or against public policy, said offending section shall be void and of no effect and shall not render any other section herein, nor this Agreement as a whole, invalid. Any terms which, by their nature, should survive the suspension, termination or expiration hereof shall be deemed to survive.

CHARLESTON COUNTY, SOUTH CAROLINA

EXHIBIT A

PROPERTY DESCRIPTION CHARLESTON COUNTY ADDITIONAL PARCELS

PROPERTY DESCRIPTION FOR EACH PARCEL ADDED TO THE PARK BY THIS AMENDMENT AND INITIAL TAX YEAR (FOR TAXES WHICH WILL BE LEVIED ON PROPERTY OWNED ON DECEMBER 31 OF THE PRIOR CALENDAR YEAR).

<u>Parcels to be Added</u>	<u>Legal Description</u>	<u>Initial Tax Year</u>
Owned by the Charleston County Aviation Authority and leased to The Boeing Company	Tract A and Tract B (being approximately 239.98 acres), as more particularly described in Schedule 1 attached hereto (located in City of North Charleston)	2009

(Property Description)

All that certain piece parcel or lot of land with the improvements thereon, situate, lying and being on the western side of Interstate 526, City of North Charleston, County of Charleston, State of South Carolina, being more particularly shown and designated as Tracts A and B, containing a total of approximately 239.98 acres on a plat prepared for South Carolina Railway Authority by Hussey, Gay, Bell & Deyoung, Inc., dated February 15, 2006, and recorded in the Office of the Register of Deeds for Charleston County in Book _____, page _____, and being more particularly described as follows:

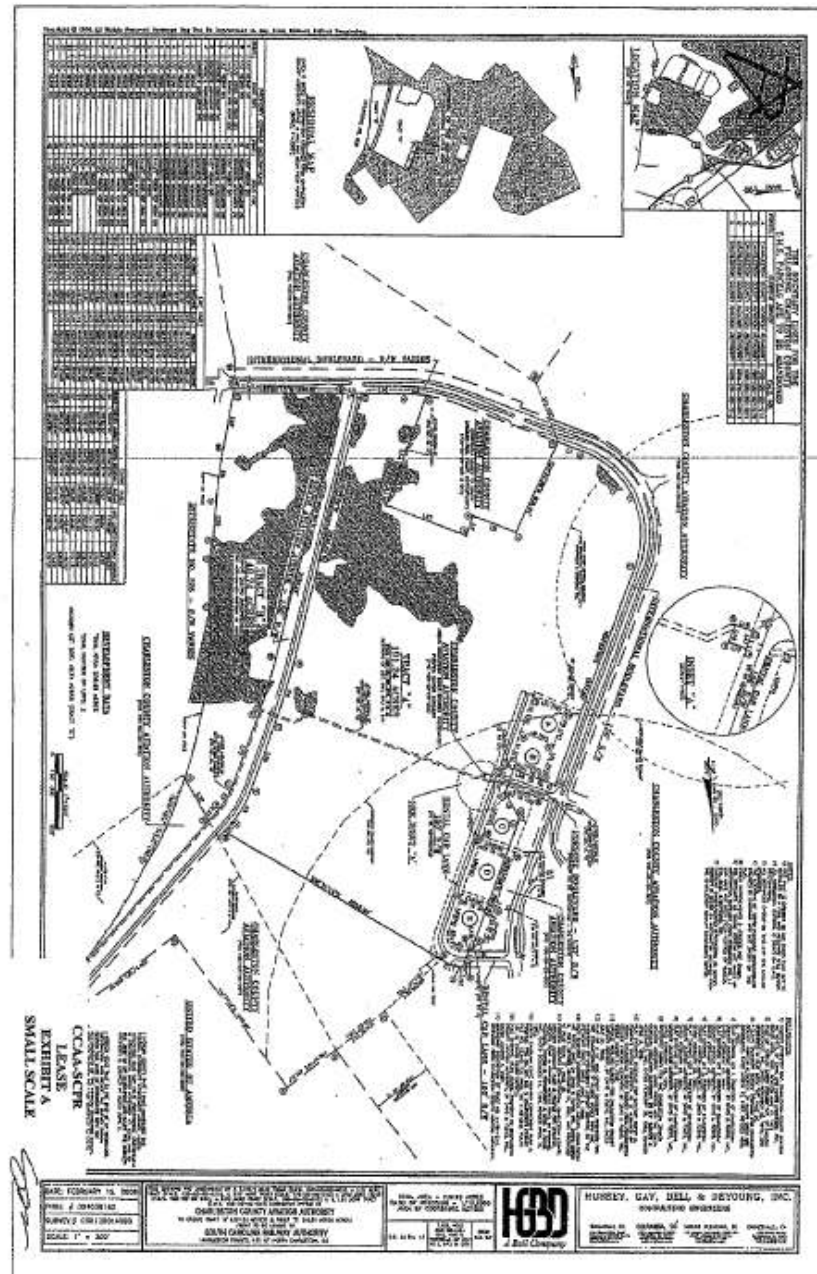
TRACT A

Commencing at a 1/4 inch rebar (N) on the northwestern corner of the intersection of International Boulevard and South Aviation Avenue, THE POINT OF BEGINNING; thence continuing along the northern boundary of International Boulevard N 86°06'15" W for 342.92 feet to a 1/4 inch rebar (N); thence along a curve to the right with a radius of 1318.00 feet, an arc length of 179.26, and a chord bearing and distance of N 82°12'28" W for 179.12 feet to a 1/4 inch rebar (N); thence along lands of Charleston County Aviation Authority N 23°49'24" E for 776.66 feet to a 5/8 inch rebar (O); thence N 23°48'50" E for 164.99 feet to a 5/8 inch rebar (O); thence N 66°10'58" W for 692.33 feet to a 5/8 inch rebar (O); thence S 23°46'52" W for 165.04 feet to a 5/8 inch rebar (O); thence N 66°09'27" W for 371.25 feet to a 5/8 inch rebar (O); thence S 28°52'38" W for 806.02 feet to a 5/8 inch rebar (O) on the northern boundary of International Boulevard; thence continuing along International Boulevard N 66°06'41" W for 209.91 feet to a 1/4 rebar (N); thence along a curve to the right with a radius of 725 feet, an arc length of 1,138.95 feet, and a chord bearing and distance of N 21°06'22" W for 1,025.39 feet to a 1/4 inch rebar (N); thence N 23°53'56" E for 1,877.60 feet to a 1/4 rebar (N); thence along the southern boundary of Porsche Boulevard S 65°54'39" E for 361.80 feet to a 1/4 rebar (N); thence across Porsche Boulevard and running parallel to International Boulevard N 24°09'20" W for 197.38 feet to a 1/4 rebar (N); thence N 25°58'38" W for 204.03 feet to a 1/4 rebar (N); thence along a curve to the right with a radius of 75 feet, and arc length of 65.29 feet, a chord bearing and distance of N 01°02'21" W for 63.25 feet to a 1/4 inch rebar (N); thence N 23°53'56" E for 1,092.83 feet to a 1/4 inch rebar (N); thence along the southern boundary of Rental Car Lane S 85°57'38" E for 21.26 feet to a 1/4 inch rebar (N); thence across Rental Car Lane N 23°53'56" E for 138.22 feet to a 1/4 rebar (N) on the northern boundary of Rental Car Lane; thence continuing along the northern boundary of Rental Car Lane S 85°57'38" E for 29.11 feet to a 1/4 rebar (N); thence along a curve to the right with a radius of 212.50 feet, an arc length of 166.77 feet, a chord bearing and distance of S 63°28'38" E for 162.53 feet to a 1/4 rebar (N); thence along lands N/F of Charleston County Aviation Authority S 56°31'15" E for 2,039.04 feet to a 1-1/4 pinch top iron (O); thence along the western boundary of Aviation Avenue S 44°52'17" W for 85.30 feet to a 1/4 inch rebar (N); thence along a curve to the right with a radius of 875.00 feet, an arc length of 320.57 feet, a chord bearing and distance of S 34°22'33" W for 318.78 feet to a 1/4 rebar (N); thence S 23°52'49" W for 565.36 feet to a 1/4 inch rebar (N); thence along a curve to the right with a radius of 5,075.00 feet, an arc length of 511.77

feet, a chord bearing and distance of S 20°59'29" W for 511.56 feet to a ½ inch rebar (N); thence S 18°06'09" W for 2,236.26 feet to THE POINT OF BEGINNING.

TRACT B

Commencing at a ½ inch rebar (N) on the northeastern corner of the intersection of International Boulevard and South Aviation Avenue, THE POINT OF BEGINNING; thence continuing along the eastern boundary of South Aviation Avenue N 18°06'09" E for 2,198.29 feet to a ½ rebar (N); thence along a curve to the right with a radius 4,925.00 feet, an arc length of 496.65 feet, and a chord bearing and distance of N 20°59'29" E for 496.44 feet to a ½ inch rebar (N); thence N 23°52'49" E for 565.36 feet to a ½ inch rebar (N); thence along a curve to the right with a radius of 725.00 feet, an arc length of 265.61 feet, and a chord bearing and distance of N 34°22'33" E for 264.13 feet to a ½ rebar (N); thence N 44°52'17" E for 102.11 feet to a ½ inch rebar (N); thence along the lands N/F Charleston County Aviation Authority S 25°58'40" E for 390.54 feet to a ½ inch rebar (N); thence along the western right of way for US Interstate Highway 526 along a curve to the right with a radius of 4,472.19 feet, an arc length of 1,405.80 feet, and a chord bearing and distance of S 12°43'45" W for 1,400.02 feet to a concrete monument (O); thence S 03°47'47" W for 393.65 feet to a concrete monument (O); thence S 08°03'24" W for 142.58 feet to a ½ rebar (N); thence S 07°46'11" W for 309.18 feet to a concrete monument (O); thence along a curve to the right with a radius of 3,709.71 feet, an arc length of 438.91 feet, and a chord bearing and distance of S 11°09'10" W for 438.66 feet to a concrete monument (O); thence S 14°31'32" W for 447.76 feet to a ½ rebar (N); thence along the northern boundary of International Boulevard N 86°06'15" W for 890.57 feet to THE POINT OF BEGINNING.



Prior to the vote being taken, the County Attorney advised Council of a typographical error in Section 2(a) and stated that the section should read "Beginning with Fiscal Year 2011, 7.5% of Revenues collected in each Fiscal Year..."

Mr. Schweers asked if Council had previously approved the increase in the contribution to the Charleston County Economic Development Fund from 5% to 7.5%. Attorney Dawson advised that Council had not previously approved that increase, but that Council had voted to give itself the authority to amend this ordinance on third reading.

Mr. Schweers moved that the question of the increase to the Charleston County Economic Development Fund be voted on prior to third reading. The motion was seconded by Mr. Thurmond.

The Chairman called for a roll call vote on the motion. The roll was called and votes recorded as follows:

Ms. Condon	- aye
Mr. Darby	- aye
Mr. Inabinett	- nay
Mr. McKeown	- aye
Mr. Rawl	- nay
Mr. Schweers	- aye
Mr. Summey	- nay
Mr. Thurmond	- aye
Mr. Pryor	- nay

The vote being five (5) ayes and four (4) nays, the Chairman declared that the motion had passed.

Mr. Summey moved that Council approve an amendment to the ordinance that Section 2 (a) read as follows:

"Pursuant to the provisions of Section 9 of the Agreement, the County hereby provides for the distributions of Revenues generated by the Park through the payment of fees in lieu of ad valorem property taxes beginning with FY 2011, 7.5% of Revenues collected in each Fiscal Year from all Revenues generated and collected pursuant to the Agreement shall be appropriated to the Charleston County Economic Development Fund for such uses as provided in the County's annual budget for such Fiscal Years."

The motion was seconded by Mr. Rawl. The Chairman called for a roll call vote on the motion. The roll was called and votes recorded as follows:

Ms. Condon	- aye
Mr. Darby	- aye
Mr. Inabinett	- aye
Mr. McKeown	- nay
Mr. Rawl	- aye
Mr. Schweers	- nay

Mr. Summey	- aye
Mr. Thurmond	- nay
Mr. Pryor	- aye

The vote being six (6) ayes and three (3) nays, the Chairman declared that the motion had passed.

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

Ms. Condon	- aye
Mr. Darby	- aye
Mr. Inabinett	- aye
Mr. McKeown	- aye
Mr. Rawl	- aye
Mr. Schweers	- aye
Mr. Summey	- aye
Mr. Thurmond	- aye
Mr. Pryor	- aye

The vote being nine (9) ayes, the Chairman declared the Ordinance to have received third reading approval.

**Construction
Board of
Adjustment
and Appeals
Appointments
(2)**

A report was read from the Administration Policy and Rules Committee under date of January 28, 2010, that it considered the information provided by Kristen Salisbury, Deputy Clerk to Council, regarding the need to make two appointments to the Construction Board of Adjustment and Appeals. It was stated that each seat on this board has eligibility requirements and the seats that are currently vacant are a General Contractor seat and a Registered Architect seat.

Applications for appointment were received from the following:

General Contractor (term to expire 7/13)

Chris L. Biggers

Architect (term to expire 7/12)

Janette Alexander

Andrew L. Wilson

The Construction Board of Adjustment and Appeals is charged with determining grounds for revocation and reissuance of general contracting licenses, hearing charges and making decisions on those charges, determining probationary offenses, and reviewing responsibilities of Code updates. The eleven member board shall be composed of two architects, two civil engineers, one structural engineer, general contractor, one mechanical or plumbing contractor, one electrical contractor, one residential homebuilder, one mechanical engineer, and one resident state fire marshal. Initial member terms are staggered and subsequent terms are for four years.

Committee recommended that Council appoint Chris L. Biggers to the General Contractor seat for a term to expire in July 2013 and Andrew L. Wilson to the Architect seat for a term to expire in July 2012.

Ms. Condon moved approval of the committee recommendation, seconded by Mr. Inabinett, and carried.

**Firemen's
Insurance
and
Inspection
Fund**

**Appointment
(1)**

A report was read from the Administration Policy and Rules Committee under date of January 28, 2010, that it considered the information provided by Kristen Salisbury, Deputy Clerk to Council regarding vacancies on the Charleston County Firemen's Insurance and Inspection Fund. It was stated that an application for appointment was received from Charles Linnen to fill a seat representing the St. Pauls Fire District. Following this appointment, there will remain one vacancy representing the St. Andrews PSD. Mr. Linnen has also applied to serve on the Housing and Redevelopment Authority.

The Firemen's Insurance and Inspection Fund (1 percent Commission) is comprised of 21 members: the County Treasurer and 4 representatives from each of the five fire districts in the County (Awendaw, St. John's, St. Paul's, St. Andrews PSD, and James Island PSD). Members are appointed by the Treasurer upon recommendation of County Council for four year terms.

Committee recommended that Council recommend that the Treasurer appoint Charles Linnen to the Firemen's Insurance and Inspection Fund representing St. Paul's Fire District for a term to expire in March 2012.

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

**St. Johns Fire
District
Commission**

Appointments

A report was read from the Administration Policy and Rules Committee under date of January 28, 2010, that it considered the information provided by Kristen Salisbury, Deputy Clerk to Council regarding vacancies on the Saint Johns Fire District Commission was made at the October 1, 2009, meeting of the Administration Policy/Rules Committee. Terms of John Barry Hart, Wanda Louise Ford, and Thomas Kulick expired in December 2009. The members of this board have residency requirements and two of the vacant seats represent Johns Island and one represents Kiawah Island.

Applications for Appointment were received from the following:

Johns Island seat (2 vacancies)

Wanda Ford
John Barry Hart
James Heyward, Jr.
Robert Mazzell, Jr.
Albert Thompson, Jr.

Kiawah Island seat (1 vacancy)

Thomas Kulick

The St. John's Fire District Commission Board consists of seven members, appointed by the Governor upon recommendation by Charleston County Council, responsible for the oversight of all administrative and operational aspects of the St. John's Fire District special purpose district. The board has the authority to purchase, establish, enlarge, maintain, conduct, and operate the special purpose district as deemed necessary. The board meets to review operational, financial, and administrative activity reports.

Committee recommended that Council recommend that the Governor appoint John Barry Hart and Albert Thompson to the Johns Island seats and Thomas Kulick to the Kiawah Island seat of the St. Johns Fire District Commission for terms to expire in December 2013.

The Chairman stated that it had come to his attention that Mr. Albert Thompson was also a member of the Board of Directors of the Saint Johns Water Company and that his service on the Water Company Board may present a conflict of interest on various matters that may come before both boards.

Mr. Rawl moved to defer action on this item, seconded by Mr. Summey. Mr. Thurmond asked if Council could move forward with the other two appointments on this Commission. Mr. Rawl withdrew his motion.

Mr. Thurmond moved that Council recommend that the Governor reappoint John Barry Hart and Thomas Kulick to the Saint Johns Fire District Commission for terms to expire in December 2013, seconded by Mr. Summey, and carried. The Chairman requested that the Legal Department look into the potential for conflict of interest issues regarding the Saint Johns Fire District Commission and the Saint Johns Water Company Board of Directors and report back to Council.

A report was read from the Administration Policy and Rules Committee under date of January 28, 2010, that it considered the information provided by Kristen Salisbury, Deputy Clerk to Council regarding two vacancies on the Library Board of Trustees was made at the October 1, 2009, Administration Policy/Rules Committee. Terms of Betty Ann Chambers and Henry Ravenel expired in December 2009.

**Library Board
of Trustees**

**Appointments
(2)**

Applications for appointment were received from the following:

Bettye Anne Chambers, Henry Ravenel, Anthony Bassett, Lillian DeGuire, Martha Derrick, Doug Fakkema, Henry Frampton, Donna Gueldner, Maya Hollinshead, Ben Legare, Michael McCurdy, Burnet Mendelsohn, Rosemary Michaud, Robert Reilly, Sandra Whitman, and Charles Wyrick.

The Library Board of Trustees is an 11 member Board that is charged by State Statute to control and manage the County Public Library System. Members are appointed by County Council for terms of four years. Members shall be appointed from all geographical areas of the County. Library Board meetings are held on the fourth Tuesday of each month at 5:15 p.m.

Committee recommended that Council appoint Bettye Anne Chambers and Maya Hollinshead to the Library Board of Trustees for terms to expire in December 2013.

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

A report was read from the Administration Policy and Rules Committee under date of January 28, 2010, that it considered the information provided by Kristen Salisbury, Deputy

**Greenbelt
Bank Board****Appointments
(3)**

Clerk to Council regarding three vacancies on the Greenbelt Bank Board was made at the October 1, 2009, meeting of the Administration Policy/Rules Committee. Terms of John Templeton, Charles Salmonsens, and Wilbur Johnson expired in October 2009. The initial terms on the Greenbelt Bank Board were staggered and the term for these seats was three years, but the subsequent term will be four years. The vacant seats are for a property owner in the real estate business; an appraiser of forestland, farmland, and/or conservation easements; and a board member of a historic preservation group.

Applications for appointment were received from the following:

Real Estate

John Templeton
Terrence Ansley
Beth Huntley
Kristopher King
Jack Owens
Tim Rogers
James Sears

Historic Preservation

Wilbur Johnson
Kristopher King

Appraiser

Charles Salmonsens

The Charleston County Greenbelt Bank Board is a 9 member board. All appointed board members must have a demonstrated background, experience, and interest in the conservation of natural or historical resources. Terms of board members are for four years and until their successors are appointed and qualify, except that the initial terms of the members must be staggered with the initial term noted on the appointment. Members shall serve without compensation, but may receive the mileage and per diem as may be authorized and appropriated by Charleston County Council.

Committee recommended that Council reappoint John Templeton, Charles Salmonsens, and Wilbur Johnson to the Greenbelt Bank Board for terms to expire in October 2013.

Mr. Summey moved approval of the committee recommendation, seconded by Mr. Rawl, and carried.

**Housing and
Redevelopment
Authority****Appointments
(2)**

A report was read from the Administration Policy and Rules Committee under date of January 28, 2010, that it considered the information provided by Kristen Salisbury, Deputy Clerk to Council regarding vacancies on the Charleston County Housing and Redevelopment Authority due to the resignation of Hank Tisdale and Angela Bell from the Board.

Applications for appointment were received from Jennet Robinson Alterman, Charles Linnen, Tim Rogers, and Thomas Wojslawowicz

Mr. Linnen also applied to serve on the Firemen's Insurance and Inspection Fund. Mr. Rogers also applied to serve on the Greenbelt Bank Board.

The Charleston County Housing Authority and Redevelopment Authority is a public housing agency, receiving Federal Funds, charged with providing the County with adequate and safe low income housing and making same available to qualified persons and families at rentals they can afford. The Authority is composed of seven members,

two of whom must be receiving assistance. Terms are for five year terms.

Committee recommended that Council appoint:

1. Jennet Robinson Alterman to replace Hank Tisdale on the Housing and Redevelopment Authority for a term to expire in July 2015.
2. Tim Rogers to replace Angela Bell on the Housing and Redevelopment Authority for a term to expire in July 2013.

Mr. Schweers stated that he would also like to nominate Mr. Thomas Wojslawowicz for the seat to expire in July 2013.

The Chairman called for a roll call vote on the 2013 seat. The roll was called and votes recorded as follows:

Ms. Condon	- Wojslawowicz
Mr. Darby	- Rogers
Mr. Inabinett	- Rogers
Mr. McKeown	- Wojslawowicz
Mr. Rawl	- Rogers
Mr. Schweers	- Wojslawowicz
Mr. Summey	- Rogers
Mr. Thurmond	- Wojslawowicz
Mr. Pryor	- Rogers

The votes being Rogers five (5) and Wojslawowicz four (4), the Chairman declared that Council would appoint Mr. Rogers to the Housing Authority for a term to expire in July 2013.

Mr. Schweers moved for committee recommendation of Jennet Robinson Alterman to fill the July 2015 seat on the Housing Authority, seconded by Ms. Condon, and carried.

**ZPDA-10-09-5860, 6775 Bears Bluff Rd.
A) Request to Approve
B) Ordinance
1st Reading**

A report was read from the Planning/Public Works Committee under date of January 28, 2010, that it considered the information furnished by Allen O'Neal, County Administrator, and Dan Pennick, Director of Zoning and Planning, regarding a request received to change zoning for case number ZPDA-10-09-5860, 6775 Bears Bluff Road, Wadmalaw Island.

Committee recommended that Council approve the requested change.

Mr. Rawl moved approval of the requested change, seconded by Mr. Summey and carried.

An Ordinance to amend Zoning Ordinance 1202 was given first reading by title only.

AN ORDINANCE REZONING PROPERTY LOCATED AT 6775 BEARS BLUFF ROAD, PARCEL IDENTIFICATION NUMBER 133-00-00-041, FROM THE PLANNED DEVELOPMENT DISTRICT (PD-94A) TO THE PLANNED DEVELOPMENT DISTRICT (PD-94B)

ZREZ-11-09-6128, 2380 Otranto Road

Request to Approve

A report was read from the Planning/Public Works Committee under date of January 28, 2010, that it considered the information furnished by Allen O'Neal, County Administrator, and Dan Pennick, Director of Zoning and Planning, regarding a request received to change zoning for case number ZREZ-11-09-6128, 2380 Otranto Road, North Area.

Committee recommended that Council disapprove the requested change.

Mr. Summey moved disapproval of the requested change, seconded by Mr. McKeown and carried.

Drainage Easement Abandonment and Relocation

Request to Approve

A report was read from the Planning/Public Works Committee under date of January 28, 2010, that it considered the information furnished by Allen O'Neal, County Administrator, and Dan Pennick, Director of Zoning and Planning, regarding a request received to abandon an existing drainage easement. It was stated that the owners of a 4.36 acre lot are proposing to dedicate and construct a relocated new 43' drainage easement, and the newly constructed and dedicated drainage easement will tie into the existing drainage system.

Committee recommended that Council approve the abandonment and relocation of the publicly dedicated drainage easement on Subdivision #3218, Lands of Robert M. and Renae E. Buck.

Mr. McKeown moved committee recommendation, seconded by Mr. Summey, and carried.

The Chairman announced that the next item on Council's agenda was the Consent Agenda.

Ms. Condon moved approval of Committee recommendations of the Consent agenda, seconded by Mr. Summey, and carried.

Consent Agenda
A) Firefighter Support Team Training Grant
B) Ashley River Road/Tobias Gadson Turn Lane
C) US 17/ Davidson Road Intersection Improvements

A report was read from the Finance Committee under date of January 28, 2010, that it considered the information furnished by Allen O'Neal, County Administrator, and Mark Cowell, Director of the Charleston County Department of Alcohol and Other Drug Abuse Services regarding mental health services for firefighters. It was shown that the Charleston/Dorchester Mental Health Center has presented Charleston Center with a contract to fund a series of trainings for the Firefighter Peer Support Team on alcohol and drug addition prevention, symptom recognition, intervention and treatment, as well as consultation on individual cases on a fee-for-service basis. It was further shown that the contract has been reviewed and approved by Charleston Center and the Legal Department and that this collaboration will provide needed revenue to the Charleston Center and will provide expertise and assistance to the Firefighter Peer Support Team and to the firefighters of Charleston.

Committee recommended that Council approve signing a contract with Charleston Dorchester Mental Health Center for fee-for-service trainings and individual consultations up to the amount of \$30,000, with funding to come from a grant from the National Fallen Firefighters Foundation, which will enable Charleston center to assist the Charleston/Dorchester Mental Health Center's Firefighter Support Team.

A report was read from the Finance Committee under date of January 28, 2010, that it considered the information furnished by Allen O'Neal, County Administrator, and Steven Taylor, Director of Procurement regarding bids received for construction of a dedicated right hand turn lane from Highway 61 to Tobias Gadson Boulevard. It was stated that the work would include traffic control, asphalt surfacing, sub-grade preparation, storm drainage improvements, traffic signal modification, pavement marking, roadway signing, the installation of concrete curb and gutter, sidewalks and driveways.

Committee recommended that Council authorize award of a contract for Ashley River Road (SC61) and Tobias Gadson Boulevard to Truluck Construction Company in the amount of \$135,744.37, with funding to come through the Transportation Sales Tax annual allocations.

A report was read from the Finance Committee under date of January 28, 2010, that it considered the information furnished by Allen O'Neal, County Administrator, and E. Steven Taylor, Director of Procurement, regarding bids received for the US 17 and Davidson Road intersection. It was stated that this work will be the construction of a scissor intersection and will include traffic control, site layout, grading, drainage improvements, paving, and associated appurtenances.

Committee recommended that Council, acting as agent for the Charleston County Transportation Committee (CCT) authorize award of a contract for the US 17 and Davidson Road Intersection to the lowest responsive and responsible bidder meeting specifications, Sanders Brothers Construction Co., Inc. in the amount of \$254,286.37, with funding to come from the State "C" Fund for road improvements.

**Economic
Development
Department
Restructuring**

**Request to
Approve**

A report was read from the Finance Committee under date of January 28, 2010, that it considered the information furnished by Allen O'Neal, County Administrator, and J. Steven Dykes, Director of Charleston County Economic Development, regarding restructuring of the Economic Development Department. It was stated that the Economic Development Department desires to relocate the Charleston County Economic Development Office from the Lonnie Hamilton, III Public Service Building into a location more conducive to the economic development mission. It was further stated existing revenues within the Economic Development Special Revenue Fund will be the funding source for these one time increased annual operating expenditures.

Committee recommended that Council:

1. Approve an increase of \$300,000 to the FY10 Multi-County Parks Budget to finance the Economic Development Department Restructuring Plan.
2. Authorize the Chairman of Council to execute a seven and one-half year lease

from Faber Centre/Charleston, LLC for 4000 Faber Place Drive, Suite 140, North Charleston, SC, 29405.

3. 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. Messrs. McKeown, Schweers, and Thurmond voted against the motion.

**2010
Justice
Assistance
Grant/
Sheriff's
Department

Request to
Approve**

A report was read from the Finance Committee under date of January 28, 2010, that it considered the information furnished by Allen O'Neal, County Administrator, and Charleston County Sheriff Al Cannon, regarding a grant opportunity designed to assist agencies with initiatives to improve officer safety, increase technology capabilities, and enhance effectiveness. It was stated that under this application the Sheriff would purchase equipment which would allow continuation of the current software replacement project, and would provide deputies with mobile data reporting capabilities. It was further stated that under this grant application the Sheriff was requesting computers, printers and associated hardware, software licenses and data cards for a total amount request of \$4,058,433, and that the grant would run from July 1, 2010 until June 30, 2011, and that a 5% cash match is required. It was shown that no additional FTEs would be required.

Committee recommended that Council approve the Sheriff's Department application for the Justice Assistance Grant with the understanding that if the grant is awarded this matter will be brought back to Council to allocate matching funds and/or grant acceptance.

Ms. Condon moved approval of Committee recommendation, seconded by Mr. Inabinett, and carried. Messrs. McKeown and Rawl voted against the motion.

**Tea Farm
Creek
Greenbelt
Bank
Application

Request to
Approve**

A report was read from the Finance Committee under date of August 27, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and Cathy Ruff, Director of Greenbelt Programs. It was stated that the Tea Farm Creek Project has been reviewed by the Greenbelt Bank Board and is being recommended to Charleston County Council for funding.

Committee recommended that Council:

1. Approve funding for the following rural greenbelt project provided that upon approval, a grant agreement will be executed between the County and appropriate parties.

<u>Applicant</u>	<u>Project Name</u>	<u>Acres</u>	<u>Funding Amount</u>
Town of Ravenel	Tea Farm Creek	394	\$1,450,000

Conditions:

- A) The Charleston County Park and Recreation Commission (CCPRC) contribute \$250,000 in matching funds.

- B) The Town of Ravenel and CCPRC develop a use agreement, acceptable to both parties.
2. Authorize the County Administrator to require the execution and delivery of proper agreements and instruments to implement the conditions of the approval of the grant funds, and to effectuate the goals of the Greenbelt Program ordinances and policies.
 3. Approve the use of \$1,290,845 from the 2007 General Obligation Bonds and \$159,155 from the Greenbelts contingency for the Greenbelt project. Authorize \$159,155 in future savings from other Greenbelt projects paid from the 2007 GO Bonds to fund the remaining \$159,155 and replenish the Greenbelts contingency.

Mr. Rawl moved approval of Committee recommendation, seconded by Mr. Summey.

Mr. Thurmond requested that Ms. Alston, a representative of Cultural and Life Enrichment Complex, Inc., of Ravenel be allowed to address Council. The Chairman allowed Ms. Alston five minutes to address Council regarding her project and her desire to submit a competing application to purchase the same piece of property.

Following her presentation, the Chairman called for a vote on the motion on the floor, which was to approve the Committee recommendation. The motion carried. Mr. Thurmond abstained citing a need for more information.

**Tea Farm
Creek PRC
Purchase**

**Request to
Approve**

A report was read from the Finance Committee under date of January 28, 2010, that it considered the information furnished by Allen O'Neal, County Administrator, Cathy Ruff, Director of Greenbelt Programs and Lisa King, Chairman of the Charleston County Park and Recreation Commission, regarding the PRC's plan for the Tea Farm Creek Greenbelt Project.

Committee recommended that Council approve the Charleston County Park and Recreation Commission (CCPRC) acquisition of a 394 acre parcel of land known as Tea Farm Creek, which is adjacent to Caw Caw Interpretive Center, with the understanding that the purchase price of the property is \$1,700,000 of which \$1,450,000 would be funded through the Greenbelt Bank Board and \$250,000 would be funded by the CCPRC Regional Parkland Greenbelt funding.

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

The Chairman asked if any Member of the Audience wished to address Council.

**Public
Forum**

Mr. David Coe, a resident of James Island, addressed Council regarding issues with the Auditor's Office and taxation of boats. Mr. Coe distributed written remarks and other data he had collected to Council.

Mr. Sam Brownlee, a resident of Johns Island, addressed Council regarding the decision tonight to postpone a vote on one of the appointments to the Saint Johns Fire District Commission. Mr. Brownlee pointed out that he is also a member of both the Saint Johns Water Company Board of Directors and the Saint Johns Fire District Commission and that the State Ethics Commission had previously found that there is

no conflict of interest in serving on both boards.

Rev. Glover, a resident of the Parkers Ferry area of Charleston County, addressed Council regarding a drainage issue along Penny Creek Road. He asked if it would be possible for the County staff that is preparing to do sidewalk work along Parkers Ferry Road be allowed to also complete drainage work along Penny Creek River simultaneously. The Chairman asked Deputy Administrator Kurt Taylor to connect with Rev. Glover after the meeting.

Mr. Darby asked Rev. Glover about the recreation issue Rev. Glover had previously brought to Council's attention. Rev. Glover stated that there is a lack of recreation facilities in the Parkers Ferry area. Several members of Council suggested that Rev. Glover should approach the Park and Recreation Commission, but Rev. Glover indicated that he had spoken with the PRC previously and that the issue has been dropped. The Chairman stated that he would speak with PRC Chair Lisa King regarding this issue.

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

Mr. Thurmond said that the Economic Development restructure was a challenging vote; that Steve Dykes and his staff do a phenomenal job attracting business to Charleston County, but that in the current economic climate staff all employees are asked to do more with less and that was the reason for his vote against the plan.

Ms. Condon said she, too, struggled with the Economic Development vote and that her vote was swung in favor of the move because of the expected revenue generation to come from the restructure.

Mr. Rawl thanked staff for their hard work.

Mr. McKeown apologized to Mr. O'Neal for venting his frustrations toward the Administrator earlier in the meeting. Mr. McKeown also remarked that he hoped Steve Dykes knows that Council knows what a great job he does.

Mr. Summey commented about recent newspaper articles regarding the balance of power on County Council as it regards the City of North Charleston. Mr. Summey stated that five members of his family have served this County in various capacities since 1960 and that the service is by no means about power, it is about giving up their time for the community in order to make a difference. Mr. Summey also stated that he took exception with the inferences recent Post and Courier articles had made regarding the Chairman's new position with the City of North Charleston.

Mr. Darby thanked the Legal staff for their recent work on various issues.

Ms. Condon shared that Mr. Summey's comments made her recall a recent basketball game when her son was upset about a call and said it wasn't fair. Several other parents had remarked that she should tell him life's not always fair, but that instead she said that she wanted to teach him that if you see something that is not fair you have to

stand up and make it right.

Mr. Inabinett remarked that over his years of service he wished that he could have delivered on every request made of him and that he admired Rev. Glover's passion regarding the issues facing his community.

Chairman Pryor thanked Mr. Summey for his comments. He also told Ms. Alston not to lose her passion for helping her community. He told her not to give up if she sees a need to keep working until the need is met.

Mr. O'Neal advised Council that the annual Employee Recognition Program is scheduled for Tuesday, February 23, 2010, at 6:00 PM at the North Charleston and American LaFrance Fire Museum and Educational Center and that the facility was being provided free of charge.

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

Kristen L. Salisbury
Deputy Clerk of Council