

October 21, 2014
Charleston, SC

A meeting of County Council of Charleston County was held on the 21st day of October, 2014, 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; Henry E. Darby; Anna Johnson; Joseph K. Qualey; A. Victor Rawl; Herbert R. Sass, III; and Dickie Schweers. Council Member Elliott Summey was absent.

Also present were Deputy County Administrator for Finance Keith Bustraen and County Attorney Joseph Dawson, III.

Rev. Robert Reid gave the invocation. Council Member Herbert Sass led in the pledge to the flag.

The Clerk of Council 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 October 7, 2014, seconded by Ms. Condon, and carried.

The Chairman announced that the next item was the Consent Agenda.

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

The Consent Agenda is as follows:

A report was read from the Finance Committee meeting of October 16, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Ninth Circuit Solicitor Scarlett Wilson regarding the receipt of funding from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program which is a direct allocation grant funding program 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 2014 is \$42,418, with the Solicitor's portion of this allocation being \$14,125, or 33%. It was shown that the Solicitor's Office is sharing the award with the Sheriff's Office whose share is \$28,293, or 66%. It was further stated that the Solicitor's Office is requesting to use the \$14,125 to fund a General Prosecutor for a limited amount of months. The number of months which will be funded will be dependent upon the salary of the chosen prosecutor and the grant period will run from October 1, 2014 until September 30, 2015. It was shown that there is 1.0 grant-funded FTE associated with this request and it is understood that at the conclusion of the grant period, the FTE will be dissolved if no further grant funding is available. It was further shown that the County will serve as the fiscal agent for the direct allocation award.

**2014 Edward
Byrne JAG
Program/Solicitor**

**Request to
Approve**

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 \$14,125, with the understanding that:

- The \$14,125 will be used to fund a General Prosecutor for a limited amount of months.
- The grant period will run from October 1, 2014 until September 30, 2015.
- The County will serve as the fiscal agent for this award.
- There is 1.0 grant-funded FTE associated with this request, and at the conclusion of the grant period, the FTE position will be dissolved if no further grant funding is available.

**Engineering
Services for
Stormwater
Management
Program**

**Award of
Contract**

A report was read from the Finance Committee under date of October 16, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Contracts and Procurement Director Barrett J. Tolbert regarding the need to award contracts for engineering services for the Stormwater Management Program. It was stated that the County requested qualifications from design/engineering firms for the purpose of providing assistance to the Stormwater Management Program and associated water quality issues for various projects on an as-needed basis and that the primary task will be in compliance with the requirements of the EPA, NPDES program, and SCDHEC's water quality programs. It was also stated that the selected firms will provide the professional engineering and related services necessary to design, permit, and provide construction administration and construction quality assurance of Stormwater Management Program projects.

It was shown that submittals were received in accordance with the terms and conditions of the Request for Qualifications (RFQ) Number 4878-15V from the following firms:

- | | |
|--------------------------------|-----------------------|
| - Bowman Consulting Group, LLC | - Davis & Floyd, Inc. |
| - Specco Environmental | - URS Corporation |
| - VERSAR, Inc. | - Woolpert, Inc. |

As per the terms of the RFQ, it is the intent of the County to identify two (2) engineering firms which will be considered for award for each special project during the course of the year and that the County will always negotiate with the firm identified as the most qualified, and if a fair and reasonable price is successfully negotiated, that firm will be awarded the project. If however, negotiations with that firm are not successful, the County will attempt to negotiate with the firm identified as the second most qualified. If negotiations fail with both firms, a solicitation for the specific project will be opened for all vendors to participate in the RFQ process.

It was also shown that an evaluation committee reviewed the qualifications for compliance with the RFQ requirements and that after evaluating the qualifications of the firms, the committee determined that the following two firms are ranked in order as being the most qualified in meeting the County's needs and recommends awarding contracts to the following firms in the order listed:

1. Woolpert, Inc.
2. URS Corporation

Committee recommended that Council authorize award of contracts for design/ engineering services for various stormwater management projects on an as-needed basis, in order of the most qualified to the following firms with the understanding that funds are available in the Public Works Budget:

1. Woolpert
2. URS Corporation

**FY15 "C" Fund
Management**

**Request to
Approve**

A report was read from the Finance Committee under date of October 16, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Transportation Development Director Steve Thigpen regarding a request from the SCDOT that Charleston County manage the Charleston County Transportation Committee "C" Fund program. It was stated that it has been the practice for many years, for County staff to administer the funds, engineering design, contracts, and performs construction management services for the CCTC and for FY 2015 the CTC has allocated \$3,251,250.00 for resurfacing various State, County, and Municipal roads and an additional \$1,000,000.00 for construction of other projects that may be selected at the discretion of the CCTC.

It was shown that "C" Funds are derived from 2.66 cents per gallon of the state gasoline user fee which is deposited in the County Transportation Fund to be allocated to all counties within the state. "C" Funds are apportioned to each County in the following manner:

1. one-third based on the ratio of the land area of the county to the land area of the state,
2. one-third based on the ratio of county population to state population as determined by the latest ten year census, and
3. one-third based on the ratio of rural road mileage in the county to rural road mileage in the state.

Committee recommended that Council authorize County staff to enter into necessary agreement(s) with the South Carolina Department of Transportation and others to enable County staff to carry out project design, contract administration, and construction management for the CCTC's FY 2015 "C" Fund Road Improvement Program.

**SCAC Local
Government
Fund
Resolution**

**Request to
Adopt**

A report was read from the Finance Committee under date of October 16, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Executive Director of the SC Association of Counties Mike Cone regarding a resolution to express Charleston County's request that the South Carolina General Assembly increase the allocation to the Local Government Fund to both provide property taxpayers with the relief they have been promised and allow county government the ability to provide the state and local government services required under state law. It was stated that the SC Association of Counties had requested that each county in South Carolina

Committee recommended that Council adopt the resolution as amended by the County Attorney.

COUNTY OF CHARLESTON)
STATE OF SOUTH CAROLINA)

A RESOLUTION TO EXPRESS CHARLESTON COUNTY'S REQUEST THAT THE SOUTH CAROLINA GENERAL ASSEMBLY INCREASE THE ALLOCATION TO THE LOCAL GOVERNMENT FUND TO BOTH PROVIDE PROPERTY TAXPAYERS WITH THE RELIEF STATUTORILY IMPOSED AND ALLOW COUNTY GOVERNMENT THE ABILITY TO PROVIDE THE STATE AND LOCAL GOVERNMENT SERVICES REQUIRED UNDER STATE LAW

WHEREAS, The South Carolina General Assembly enacted the Home Rule Act, Act No. 283 of 1975, granting certain, but limited, powers to the Local Government bodies across the State; and

WHEREAS, the State, in addition to the powers and obligations enumerated the Home Rule Act, has chosen to utilize Counties as an administrative arm of the state of South Carolina and as an additional funding source for state agencies; and

WHEREAS, the legislature proposed and passed the State Aid to Subdivisions Act in the FY 1991-92 budget; and

WHEREAS, this Act requires that the State appropriate 4.5% of general fund revenues of the most recently completed fiscal year to the Local Government Fund; and

WHEREAS, in FY 2009-10, 2010-11, FY 2011-12, FY 2013-14 and FY 2014-15 the General Assembly suspended the provisions of §6-27-30 and §6-27-50 in the budget and failed to fund the LGF at the statutorily mandated formula; and

WHEREAS, for FY 2014-15 the General Assembly funded the LGF at \$187.6 million in recurring dollars and \$25 million in non-recurring money. This amount represents \$75 million in lost tax relief to county taxpayers; and

WHEREAS, in 1999 the General Assembly passed §12-37-2735, the Personal Property Tax Relief Fund, to provide an additional \$20 million allocation to counties for property tax relief; and

WHEREAS, since FY 2001-02 the General Assembly has suspended the provisions of §12-37-2735 in the budget and failed to fund the Personal Property Tax Relief Fund at the statutorily mandated level; and

WHEREAS, state-shared revenue assists in the burden placed upon property taxpayers to fund both state and local services,

WHEREAS, despite refusing to increase monies to the Local Government Fund, the General Assembly persists in statutorily requiring counties to assume the State's administrative and financial responsibilities; and

WHEREAS, the State further impacts county taxpayers by withholding additional revenue for a county's failure to assume the state's obligations; and

WHEREAS, this shift of financial responsibility forces local governments to raise taxes; and

WHEREAS, the General Assembly has further restricted county government's ability to generate revenue, thereby preventing the counties from being able to pay for legitimate functions of county government and from mitigating the expected shortfalls resulting from the State's failure to meet its statutory obligations; and

WHEREAS, despite the fact that the state general fund saw a 20.3% increase from FY 2010 to 2013, the General Assembly fails to provide even a negligible increase for property tax relief, much less fund in accordance with state statutes, and

WHEREAS, this tax policy is unsustainable without substantial tax increases and service reductions; and

WHEREAS, a failure to fund the Local Government Fund requires taxpayers to pay twice for the same services they were receiving prior to the reductions in the Local Government Fund,

NOW, THEREFORE, BE IT RESOLVED on this 21st day of October, 2014, that Charleston County urges the General Assembly reestablish accountability by restoring State funding of State agencies and desist in the current policy which forces counties to levy property taxes to fund these agencies; and

BE IT FURTHER RESOLVED that Charleston County urges the General Assembly increase the allocation to the Local Government Fund to both provide property taxpayers with the relief statutorily imposed and allow county

government the ability to provide the State and Local Government services required under State Law.

CHARLESTON COUNTY COUNCIL

Teddie E. Pryor, Sr.
Chairman

ATTEST:

Beverly T. Craven
Clerk

**CRDA Funding
Recommendation**

A report was read from the Finance Committee meeting under date of October 16, 2014, that it considered the information received in Executive Session from Chairman Teddie E. Pryor, Sr. regarding the ongoing negotiations with the Charleston Regional Development Alliance.

Committee recommended that Council authorize funding in the amount of \$50,000 for the Charleston Regional Development Alliance, which was approved in the FY 2015 budget, and authorize the Chairman to continue negotiations with the CRDA.

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

**Council Members
Salary
Recommendation**

A report was read from the Special Finance Committee meeting of October 21, 2014, that it considered the information furnished by County Administrator Kurt Taylor, Human Resources Director Fagan Stackhouse, and the comments of the Members of Council regarding Council Members' salaries. It was stated that based on a survey of County Council/Commissioner pay as of June 2014 conducted by Evergreen Solutions of counties in North and South Carolina of similar size and facing similar issues as Charleston County Council, it was recommended that Council increase the salary for Council Members to \$20,738 and for the Council Chairman to \$26,142. It was shown that these figures represented the mean salary for Council Members in Cumberland County, NC; Guilford County, NC; Mecklenburg County, NC; Wake County, NC; Greenville County, SC; Horry County, SC; and Lexington County, SC.

Committee recommended that Council increase the salary for County Council Members to \$20,738.00 and for the Council Chairman to \$26,142.

Ms. Condon moved approval of committee recommendation, seconded by Ms. Johnson and carried. Messrs. Qualey and Rawl voted nay, and Mr. Schweers abstained. Mr. Summey was absent.

County Attorney Joe Dawson stated that Council would have to adopt an ordinance in order to make the salary change official and that if Council scheduled a Special Council

meeting on Thursday, October 30, 2014, to give the ordinance first reading, his staff would prepare the ordinance. Chairman Pryor instructed the Clerk to schedule a Special Council meeting on October 30 to give the ordinance first reading.

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

Mr. Rawl stated that instead of a salary increase he wished that Council would have reinstated the CPI formula. He added that a salary increase does not necessarily equate higher caliber candidates.

**Council
Member
Comments**

Mr. Schweers stated that Old Georgetown Road in McClellanville had been added to the National Historic Register. He thanked Public Works Engineering Supervisor Frank Pandullo for attending the event and added that smart choices had been made regarding preserving that road.

Ms. Johnson stated that Council is the only body who can approve raises for Council Members and that it had been 23 years since Council had received a pay raise and that she believed Charleston County should keep up with similar counties in the region. She added that she was disappointed that some people did not agree.

Ms. Condon said that it was important to consider the amount of salary for the amount of time people should and do devote to their "Council Job". She stated that she believed the only reason this was a tough decision was because they were talking about their own salary and that she considered what she believed the other 8 Council Members deserved, not just herself. She also advised Council that there would be a public meeting regarding the Highway 61 Overlay District at the Salvation Army at 6:00 PM on Thursday, October 23, 2014.

Mr. Pryor stated that he would sign the contract to purchase the Palmetto Commerce Park MRF property the next day. He also thanked those who supported the salary study recommendations and stated that it is not always easy to do the right thing.

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

Beverly T. Craven
Clerk of Council