

August 11, 2009
Charleston, SC

A regular meeting of County Council of Charleston County was held on the 11th day of August, 2009, at 7:00 p.m. in Council Chambers, Second Floor, Lonnie Hamilton, III Public Services Building, 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; Joe McKeown; A. Victor Rawl; J. Elliott Summey; Dickie Schweers, and Paul R. Thurmond. Council Members Henry E. Darby and Curtis B. Inabinett were absent.

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

Ms. Condon gave the invocation. County Administrator, Allen O'Neal 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. McKeown moved approval of the Minutes of July 16th and July 21st, 2009, seconded by Mr. Summey, and carried.

The Chairman announced that the next item on the agenda concerned an Award which was presented to Charleston County on August 1st at the South Carolina Association of Counties Annual Conference held in Hilton Head, SC.

Mr. Pryor requested Steve Taylor, Director of Procurement; Barrett Tolbert, SBE Program Manager; Kerry Badger, Procurement Senior Buyer; Holly Chesser, Procurement Department Administrative Assistant III; Danica Goff, Assistant Public Information Officer and Susan Hogan, Procurement Department Project Officer, together with the Assistant Administrator for Finance, Keith Bustraan, to accept the honorable mention plaque, given to counties with population in excess of 125,000, which the county won at the annual South Carolina Association meeting, as well as the appreciation of Council for a "Job Well Done".

An Ordinance to rezone property at 9073 Lottie Pope Road, Edisto Island, was given third reading by title only

AN ORDINANCE

REZONING THE PROPERTY LOCATED AT 9073 LOTTIE POPE ROAD, EDISTO ISLAND, PARCEL IDENTIFICATION NUMBER A PORTION OF 027-00-00-034, FROM A PLANNED DEVELOPMENT (PD-99) TO AN AGRICULTURAL-RESIDENTIAL (AGR) DISTRICT.

**SBE Program
J Mitchell
Graham Award**

**ZDPA 4-08-
3648, 9073
Lottie Pope
Road
Ordinance
3rd Reading**

August 6, 2009

WHEREAS, the property identified as parcel identification number 027-00-00-034 (portion of) is currently zoned Planned Development (PD-99) District; and

WHEREAS, the current owner or an agent thereof has applied for a change in the zoning district applicable to the parcel; and

WHEREAS, the application has been reviewed by the Charleston County Planning Department and has been found to be complete and in proper form; and

WHEREAS, the Charleston County Planning Commission has reviewed the application in accordance with the procedures established in state law and the County Zoning and Land Development Regulations Ordinance; and

WHEREAS, the rezoning complies in all respects with Article 3.4 of the Charleston County Zoning and Land Development Regulations; and

WHEREAS, the rezoning would conform to and implement the Charleston County Comprehensive Plan;

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

SECTION I. FINDINGS INCORPORATED

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

SECTION II. REZONING OF PROPERTY

The property identified as parcel identification number 027-00-00-034 (portion of) is hereby rezoned from the Planned Development (PD-99) District to the Agricultural/Residential (AGR) 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.

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

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

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

An Ordinance to amend Planned Development (PD 99) was given third reading by title only.

ZDPA 4-08-3649, 9073 Lottie Pope Road, 8331, 8231, 8401 Simmons Point Road Ordinance 3rd Reading

AN ORDINANCE

REZONING PROPERTIES LOCATED AT 9073 LOTTIE POPE ROAD, 8331, 8231 AND 8401 SIMMONS POND ROAD, TAX MAP PARCEL NUMBERS 027-00-00-034, 002, 004, 057 EDISTO ISLAND FROM A PLANNED DEVELOPMENT (PD-99) TO A PLANNED DEVELOPMENT AMENDMENT (PD-99A).

WHEREAS, the properties located at 9073 Lottie Pope Road; 8331, 8231, and 8401 Simons Pond Road, Edisto Island, identified as parcel identification numbers 027-00-00-034, -002, -004, -057 and are currently zoned Planned Development (PD-99); and

WHEREAS, the applicant requests an amendment to the approved PD Development Plan, PD-99, and has submitted a complete application for a PD Development Plan amendment pursuant to Article 4.27 of the Charleston County Zoning and Land Development Regulations (ZLDR); and

WHEREAS, the Charleston County Planning Commission has reviewed the proposed PD Development Plan amendment and adopted a resolution, by majority vote of the entire membership, recommending that County Council approve with conditions the proposed development plan, which recommendation is based on the Approval Criteria of Section 4.27.9.C.6 of the ZLDR; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least 1 public hearing and after close of the public hearing, County Council approves with conditions the proposed PD Development Plan amendment based on the Approval Criteria of Section 4.27.9.C.6 of Article 4.27 of the ZLDR;

WHEREAS, County Council has determined the PD Development Plan and amendment meets the following criteria:

August 6, 2009

- A. The PD Development Plan and amendment comply with the standards contained in Article 4.27 of the ZLDR;
- B. The development is consistent with the intent of the Charleston County Comprehensive Plan and other adopted policy documents;
- C. The County and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed.

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

SECTION I. FINDINGS INCORPORATED

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

SECTION II. REZONING OF PROPERTIES

A. Charleston County Council rezones the properties located at 9073 Lottie Pope Road; 8331, 8231, and 8401 Simons Pond Road, Edisto Island, identified as parcel identification numbers 027-00-00-034, -002, -004, -057, to amend Planned Development (PD-99) to Planned Development (PD-99A); and

B. The PD Development Plan amendment submitted by the applicant and identified as the "Planned Development District Guidelines for PD-99A, Charleston County, South Carolina Dated April 14, 2009", including the changes and conditions approved by County Council that are attached hereto as Exhibit A and made part of this Ordinance by reference, and shall constitute the PD Development Plan for the parcels identified above; and

C. Any and all development of PD-99A must comply with the PD Development Plan, ZLDR, and all other applicable ordinances, rules, regulations, and laws; and

D. The zoning map for parcel identification numbers 027-00-00-034, -002, -004, -057 is amended to PD-99A in accordance with ZLDR Article 3.4, Section 3.4.7.

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.

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

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

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

An Ordinance amending the Zoning and Land Development Regulations Ordinance was given third reading by title only.

ZLDA Text
Change
Ordinance
3rd Reading

AN ORDINANCE

AMENDING THE ZONING AND LAND DEVELOPMENT REGULATIONS ARTICLES 1.1 (TRANSITIONAL PROVISIONS) 6.1 (USE TABLE) 6.4 (USE CONDITIONS), AND 12.1 (TERMS AND USES DEFINED).

WHEREAS, Sections 6-29-310 et seq. and Sections 6-29-710 et seq. South Carolina Code of Laws, as amended, authorize the County to enact or amend Zoning and Land Development Regulations to guide development in accordance with existing and future needs and in order to protect, promote and improve the public health, safety, and general welfare; and

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

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

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

- A. The proposed amendment corrects and error or inconsistency or meets the challenge of a changing condition;

August 6, 2009

- B. The proposed amendment is consistent with the adopted Charleston County *Comprehensive Plan* and goals as stated in Article 1.5; and
- C. The proposed amendment is to further the public welfare in any other regard specified by County Council.

NOW, THEREFORE, be ordained it by 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. AMENDMENT OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE

The Charleston County Zoning and Land Development Regulations Ordinance is hereby amended to include the text amendments as attached hereto as Exhibit A and made part of this Ordinance by reference.

SECTION III. SEVERABILITY

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

SECTION IV. EFFECTIVE DATE

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

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

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

The vote being five (5) ayes, two (2) nays and two (2) absent, the Chairman declared the Ordinance to have received third reading approval.

August 6, 2009

Mount
Pleasant
Elections
Ordinance
3rd Reading

An Ordinance accepting the transfer of Authority to the Board of Election and Voter Registration was given third reading by title only.

AN ORDINANCE

ACCEPTING THE TRANSFER OF CERTAIN FURTHER AUTHORITY TO THE BOARD OF ELECTIONS AND VOTER REGISTRATION OF CHARLESTON COUNTY TO CONDUCT MUNICIPAL ELECTIONS FOR THE TOWN OF MOUNT PLEASANT.

WHEREAS, Section 5-15-145 of the South Carolina Code of Laws (1976), as amended, allows for the transfer of some or all authority to conduct municipal elections to a county election commission; and

WHEREAS, in 2008 pursuant to Ordinance No. 08027, the Town of Mount Pleasant (Town) transferred certain of its authority for conducting Mount Pleasant Municipal Elections to the Charleston County Board of Elections and Voter Registration (Board); and

WHEREAS, in 2008 pursuant to Ordinance No. 1561, Charleston County Council accepted the referenced authority on behalf of the Charleston County Board of Elections and Voter Registration; and

WHEREAS, by adoption of Ordinance No. 09028, (attached hereto as Exhibit "A"), the Town Council of the Town of Mount Pleasant has determined it to be in the best interests of the community to transfer certain further authority attendant to the conduct of Town elections; and

WHEREAS, the Charleston County Board of Elections and Voter Registration has agreed to accept the specified further authority to conduct municipal elections in the Town of Mount Pleasant as set forth hereafter; and

WHEREAS, Section 5-15-145 of the South Carolina Code of Laws (1976), as amended, authorizes such a transfer of all or some authority for conducting municipal elections to the County Election Commission, pursuant to an Agreement between the between the governing bodies of Charleston County and the Town of Mount Pleasant and enactment of separate ordinances by the governing bodies embodying the terms of the same, and this Ordinance with the terms stated herein shall evidence the Agreement; and

WHEREAS, Charleston County Council desires to enact an ordinance approving the transfer of certain further authority to the Charleston County Board of Elections and Voter Registration to conduct elections in the Town as set forth hereafter.

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

August 6, 2009

SECTION 1. The above recitals and findings are incorporated herein by reference and made a part of this Ordinance, and any and all previous Charleston County Ordinances shall be amended to reflect the changes identified herein.

SECTION 2. In accordance with the authority devolved by S.C. Code Ann. § 5-15-145, as amended, Charleston County Council hereby accepts the transfer to the Board of Elections and Voter Registration of Charleston County (the "Board") of the certain further authority to conduct elections for the Town of Mount Pleasant.

The certain specific further authority transferred to the Charleston County Board of Elections and Voter Registration includes the following:

1. Review of and decisions on challenges from candidates;
2. Review of and decisions on challenged ballots;
3. Protest filed or litigation commenced, in connection with the conduct of a municipal election, shall be heard by the Charleston County Board of Elections and Voter Registration and defended by its attorney, with the Town being responsible for all fees, costs and expenses incurred in such protest or litigation;
4. Supervision of the polls on election day;
5. Certification of Results to the Mount Pleasant Town Council;
6. Statements of candidacies and fees therewith, shall be filed with the Charleston County Board of Elections and Voter Registration;
7. Any and all other authority necessary to conduct a municipal election, not specifically excluded herein;

All elections so conducted by the Charleston County Board of Elections and Voter Registration shall be in accordance with Title 7 of the South Carolina Code, as the same may be modified by Title 5 of the South Carolina Code.

SECTION 3. It is expressly understood that certain specific authority is excluded from this transfer of authority and will be maintained by the Town of Mount Pleasant and the Mount Pleasant Election Commission.

The certain specific authority that will be maintained by the Town of Mount Pleasant and the Mount Pleasant Election Commission and excluded and not granted to the Charleston County Board of Elections and Voter Registration includes the following:

1. Authority to call special elections and set the date of same pursuant to the requirements of the South Carolina Code of Laws, if applicable, in addition to drafting, proposing and finalizing referendum questions for the voters, shall remain with the Mount Pleasant Town Council;
2. Authority to cancel/revoke this transfer of authority by Ordinance at anytime;
3. Expenses for Mount Pleasant municipal elections will be borne by the Town and, as such, Charleston County will be reimbursed for any such expenses incurred.

SECTION 4. The Town shall reimburse the Board for all costs incurred in providing ballots, advertising elections, printing costs, poll managers' compensation and other additional expenses incurred in, or arising from, its conduct of municipal elections in the Town. Poll managers will be paid at the standard rate set by the South Carolina State Election Commission for all other elections.

SECTION 5. In the event a protest is filed or litigation is commenced in connection with the conduct of municipal elections and Charleston County and/or the Charleston County Board of Elections and Voter Registration Board is named as a party to the action, the Town shall pay all fees, costs, and expenses incurred in such protest or litigation, including, but not limited to, fees, costs and expenses of the Board, its officers, agents and employees, and the officers, agents and employees of the County. Notwithstanding the preceding, the Town will not be responsible for attorney's fees for separate counsel retained by any party to such protest or litigation.

SECTION 6. The Board shall provide invoices and/or other documentation to the Town of all costs and expenses incurred in the conduct of municipal elections, protests, certification of results, litigation or other costs which may be incurred and reimbursed which are not specifically mentioned in this ordinance.

SECTION 7. If any provision of this Ordinance or its application to any circumstance is held by a court of competent jurisdiction to be invalid for any reason, this holding does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are severable.

SECTION 8. This Ordinance shall take effect upon successful completion of the following necessary actions prerequisite under federal and state law to effect the changes called for hereunder:

- (A) Adoption of this Ordinance accepting the authority being transferred hereunder, and
- (B) Submission to the United States Justice Department and subsequent receipt of pre-clearance for the transfer of authority for conducting municipal elections which would be affected hereunder.

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

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

Mr. Pryor - aye

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

**Detention
Center
Water
Easement
Ordinance
2nd Reading**

An Ordinance regarding a right of way easement on the Charleston County Detention Center addition was given second reading by title only.

AN ORDINANCE

APPROVING AND AUTHORIZING THE OPERATION AND MAINTENANCE OF THE WATER SYSTEM AND GRANTING A RIGHT OF WAY EASEMENT TO CHARLESTON WATER SYSTEM ON A PORTION OF COUNTY PROPERTY KNOWN AS THE CHARLESTON COUNTY DETENTION CENTER ADDITION.

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

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

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

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

**Vought/
Boeing
Incentives
Request
Resolution**

A report was read from the Finance Committee under date of August 6, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and Steve Dykes, Economic Development Director, regarding a request from Vought Aircraft Industries that the County assign the fee-in-lieu-of-taxes incentives which were awarded to the company in 2006 to The Boeing Company. It was stated that in July 2009 The Boeing Company announced that it would acquire the business assets of the Vought Aircraft Industries, Incorporated, associated with the Boeing 787 Fuselage Fabrication and Integration Complex at the Charleston International Airport.

Committee recommended that Council adopt a resolution authorizing the execution of an Assignment and Assumption Agreement assigning fee-in-lieu-of-taxes and other related financial incentives first approved by Charleston County Council in 2006 for Vought Aircraft Industries, Incorporated for assumption by The Boeing Company.

Mr. McKeown moved approval of Committee recommendation, seconded by Mr.

Summey, and carried.

The Resolution is as follows:

RESOLUTION

WHEREAS, Charleston County, South Carolina (the "County") and Vought Aircraft Industries, Inc. ("Vought") and The Boeing Company ("Boeing") are parties to that certain Fee Agreement, dated as of December 19, 2006 (the "Fee Agreement"), whereby Vought and Boeing are obligated to make fee in lieu of ad valorem tax ("FILOT") payments to the County with respect to hangars, equipment, buildings, and autoclave for the purpose of manufacturing, assembling, integrating, and testing composite components and related shipping facilities for the aeronautics industry (the "Project"), and whereby, in consideration of the investment and employment created within the County by the Project, the County agreed to accept negotiated FILOT payments with respect thereto; to grant special source credits against such FILOT payments in order to reimburse Vought and Boeing for the cost of certain infrastructure, land, and real property improvements; and to designate the Project site as a multi-county business park; and

WHEREAS, Vought has now agreed with Boeing to transfer and assign to Boeing all of its right, title, and interest in and to the Project and its interests under the Fee Agreement; and

WHEREAS, Boeing has agreed to assume the commitments made by Vought in the Fee Agreement; and

WHEREAS, the County, pursuant to this Resolution, has consented to the terms and provisions of the Agreement as to Assignment and Assumption of Fee Agreement (the "Agreement"), including the assignment of rights with respect to the Project and interests under the Fee Agreement as set forth in the Agreement to Boeing; and WHEREAS, it appears that the Agreement now before this meeting is in appropriate form and is an appropriate instrument to be executed and delivered by the County for the purposes intended;

NOW, THEREFORE, BE IT RESOLVED, by the Council as follows:

Section 1. The provisions, terms, and conditions of the Agreement presented to this meeting and filed with the Clerk to County Council are hereby approved, and all of the provisions, terms, and conditions thereof are hereby incorporated herein by reference as if the Agreement were set out in this Resolution in its entirety. The Chairman of the County Council is hereby authorized, empowered, and directed to execute the Agreement in the name and on behalf of the County; the Clerk to County Council is hereby authorized, empowered and directed to attest the same; and the Chairman of the County Council is further authorized, empowered, and directed to deliver the Agreement to Vought and Boeing. The Agreement is to be in substantially the form now before this meeting and hereby approved, or with such changes therein as shall not materially adversely affect the rights of the County thereunder and as shall be approved by the officials of the County executing the same upon the advice

August 6, 2009

of the County Attorney, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of the Agreement now before this meeting.

Section 2. The Chairman of the County Council, Members of the County Council, the County Administrator, and the Clerk to County Council, for and on behalf of the County, are hereby each authorized, empowered, and directed to do any and all things necessary or proper to effect the execution and delivery of the Agreement and the performance of all obligations of the County under and pursuant to the Agreement.

Section 3. All resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed. This Resolution shall take effect and be in full force upon approval by the Council.

Approved in meeting duly assembled on August 11, 2009.

CHARLESTON COUNTY COUNCIL
Teddie E. Pryor, Sr., Chairman

Attest:
Beverly T. Craven, Clerk to Council

**Solicitor
Grant
Requests
A) Violence
Against
Women
B) Drug
Crime
Prosecutor
City of
Charleston
Request to
Apply**

A report was read from the Finance Committee under date of August 6, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and Ninth Circuit Solicitor Scarlett Wilson, regarding an application to be submitted for the Violence Against Women Grant through the South Carolina Department of Public Safety. It was stated that the Solicitor's request includes four FTEs consisting of a prosecutor, investigator, victim advocate, and legal assistant and funding in the amount of \$210,636 and requires a cash match in the amount of \$70,213, which will be funded by other Solicitor's Office funds including the \$100,000 allocated by Council in the FY 2010 Solicitor's Budget.

Committee recommended that Council approve the submission of the Solicitor's Office application for the Violence Against Women grant to the South Carolina Department of Public Safety for \$210,636 with a cash match of \$70,213 to come from Solicitor's Office existing funds and with the understanding that the grant period is October 1, 2009 through September 30, 2010 and that at the end of the grant period the County is under no obligation for the continuation of services nor for the continued employment of the four FTEs associated with this grant.

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

A report was read from the Finance Committee under date of August 6, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and Ninth Circuit Solicitor Scarlett Wilson, regarding a Memorandum of Agreement with the City of Charleston to accept \$50,000 for the partial funding of a drug crime prosecutor who will handle drug crimes in the City of Charleston. The balance of the funding will come from

the Solicitor's budget.

Committee recommended that Council approve the memorandum of understanding for the Solicitor's Office to enter into an agreement with the City of Charleston to create an FTE for one prosecutor who will handle drug crimes for the City of Charleston with the understanding that the City of Charleston will contribute \$50,000 toward the FTE, that the Solicitor's Office will be responsible for the balance of the funding, and that the County of Charleston will not contribute any additional funds towards this project at this time and will not be responsible for any future costs unless otherwise decided in the future.

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

**EPA Climate
Showcase
Communities
Grant
Request to
Apply**

A report was read from the Finance Committee under date of August 6, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and Facilities Director Dan Chandler regarding an application to be submitted to the Environmental Protection Agency for funding under the EPA "Climate Showcase Communities" grant program. It was stated that the Facilities Department proposes to apply for funding for two projects under this opportunity, jointly titled the Charleston County "Give it the 'Green' Light" Project.

It was shown that Project 1 in the amount of \$166,561 would be to retrofit and replace outdated lights in County facilities with new energy efficient fluorescent tubes and electronic ballasts and replace incandescent light bulbs with new compact fluorescent bulbs. It was shown that Project 2 in the amount of \$10,410 would be to provide an opportunity for residents to exchange an incandescent light bulb for a compact fluorescent bulb at expos and other public outreach activities attended by staff.

Committee recommended that Council approve submission of the grant application to the Environmental Protection Agency for funding under the EPA "Climate Showcase Communities" grant program in the total amount of \$176,971 with the understanding that the grant period is January 1, 2010 through December 31, 2011, that there are no FTEs associated with this request, that the required 50% in-kind match will be covered by the salaries and fringe benefits of the Facilities Department staff who will accomplish the lighting retrofit project, and that if awarded there is no ongoing commitment associated with this grant.

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

**Incumbent
Worker
Training
Grant
Request to
Accept**

A report was read from the Finance Committee under date of August 6, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and Grants Administrator Christine DuRant regarding the awarding of Incumbent Worker Training Funds for Program Year 2009 (Fiscal Year 2010) to the Trident One Stop Career System. It was stated that the total award for Incumbent Worker Training is \$181,036 and that no match or additional FTEs are required.

August 6, 2009

Committee recommended that Council, as the administering agency of the Workforce Investment Act, approve acceptance of \$181,036 Incumbent Worker Training dollars from the US Department of Labor through the South Carolina Department of Commerce to provide training for employed workers and resources for businesses to remain competitive in the Tri-County area with the understanding that no match or additional FTEs are required for this grant and that the grant period is from July 1, 2009 through June 30, 2010.

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

**Assistance
to
Firefighters
Grant
Request to
Accept**

A report was read from the Finance Committee under date of August 6, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and Emergency Management Director Jason Patno regarding an application the Awendaw District Fire Department has submitted through the American Recovery and Reinvestment Act of 2009 Assistance to Firefighters grant program administered by the Federal Emergency Management Agency. It was stated that grants are awarded to fire departments to enhance their ability to protect the public and fire service personnel from fire and related hazards.

It was shown that the first project request by ADFD includes the programming and design of a fire station, the demolition and removal of an existing fire station, the rental of a temporary facility to house department personnel and the design, and construction of a new facility that would consist of a location to store firefighting apparatus, a training room, as well as berthing for department personnel. The total project cost estimate for the first project is \$1,523,593. It was also shown that the second project is the renovation of Awendaw Fire Station #1 at an estimated cost of \$83,942 for the addition of an equipment bay to store firefighting apparatus, as well as an expanded sleeping area for department personnel. It was stated that matching funds on behalf of the fire department are not required, but the grant guidelines state that "applicants that contribute toward the project receive a higher consideration than applicants who are relying entirely on the grant funding for their project" so the Awendaw District Fire Department is prepared to contribute funding in an amount not to exceed \$100,000 from the department's existing fund balance.

Committee recommended that Council approve the receipt of \$1,607,534 in funding from FEMA to construct a new fire station and renovate another within the Awendaw Fire District with the understanding that, if awarded, the Awendaw District Fire Department would contribute an amount not to exceed \$100,000 from the department's existing fund balance and with the further understanding that there are no FTEs or vehicles associated with the acceptance of this grant.

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

**Hazmat
Emergency
Preparedness
Grant
Request to
Apply**

A report was read from the Finance Committee under date of August 6, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and Emergency Management Director Jason Patno regarding an application in the amount of \$42,400 to be submitted through the US Department of Transportation's Hazardous

August 6, 2009

Materials Emergency Preparedness grant program to enhance local emergency planning and training capabilities. It was stated that, if awarded, grant funding would be used to provide training to emergency services personnel including personnel from fire, law, and emergency medical services throughout Charleston County on how to properly respond to clandestine methamphetamine laboratories. It was also stated that grant funding would also provide for the advertisement of Local Emergency Planning Committee meetings, the purchase of hazardous substance reference materials for emergency responders, as well as the purchase of hazardous materials related informational handouts.

Committee recommended that Council approve the Hazardous Material Division's application for grant funding in the amount of \$42,400 through the US Department of Transportation's Hazardous Materials Emergency Preparedness grant program with the understanding that the required in-kind match would be satisfied by the salaries of division personnel associated with the completion of projects identified in the grant scope of work, that the grant performance period is October 1, 2009 through September 31, 2010, and that there are no FTEs or vehicles associated with the acceptance of this grant.

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

**Schroder
School
Library
Community
Center
Request
Resolution**

The Chairman said that the last item on Council's agenda was a request for a Resolution by Council Member Rawl concerning Council authorizing County Staff to conduct a feasibility and costs study on expanding and relocating the St. Pauls Branch Library in Hollywood, South Carolina.

Mr. Rawl stated that the former Schroder Middle School is not currently being used by the Charleston County School District.

Mr. Summey moved to allow the addition of this item to Council's agenda, and to approve the requested Resolution.

This motion was seconded by Mr. Pryor and unanimously carried.

The Resolution is as follows:

A RESOLUTION

DIRECTING CHARLESTON COUNTY STAFF TO CONDUCT A FEASIBILITY AND COSTS STUDY ON RELOCATING AND EXPANDING THE ST. PAUL'S BRANCH LIBRARY IN HOLLYWOOD, SOUTH CAROLINA, INTO THE FORMER SCHRODER MIDDLE SCHOOL LIBRARY .

WHEREAS, the Charleston County School District closed the R.D. Schroder Middle School in Hollywood, South Carolina; and

WHEREAS the Town of Hollywood has requested that the Charleston County St. Paul's Branch Library be relocated from 5151 HWY 165 to the vacant Schroder Middle School Facility; and

August 6, 2009

WHEREAS, Charleston County Council desires to investigate the feasibility and costs of relocating and expanding St. Paul's Branch Library to the Schroder Middle School Facility; and

WHEREAS, Council believes that such study will be in the best interests and endures to consider the health, safety and welfare of the citizens of Charleston County;

NOW, THEREFORE, BE IT RESOLVED, in Council assembled, that the Charleston County Council directs Charleston County Staff to investigate the feasibility of expanding the St. Paul's Library in Hollywood, S.C., by relocating it to the Schroder Middle School Facility.

CHARLESTON COUNTY COUNCIL
August 6, 2009

**Public
Forum**

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

Mr. Gary Milligan of James Island, SC, spoke of his displeasure with the Harbor View Road "Roadwise" project.

Mr. David Coe furnished information to Council regarding tax funds being lost due to allowing boat owners to remain in Charleston Waters for 180 days at a time..

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

Mr. Schweers stated that the Mount Pleasant Memorial Park was a wonderful place to visit.

Mr. Summey thanked Mr. Rawl for bringing forth the possibility of utilizing the vacant Schroder Middle School for use by the Hollywood Community.

Mr. Summey stated that the North Charleston Park was a great place to visit.

Mr. Thurmond said if you wanted a "good time" come to the Folly Beach Pier.

Mr. Pryor said that he and Staff Members had signed the bond papers on Monday, and again expressed his appreciation to Staff for all they had done to maintain the County's excellent credit rating and said it really showed the importance of such a rating when it came time to sell the bonds.

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

Beverly T. Craven
Clerk of County Council