

AFFIDAVIT
OF
PUBLICATION

The Post and Courier

State of South Carolina

County of Charleston

Personally appeared before me
the undersigned advertising Clerk of the
above indicated newspaper published
in the City of Charleston, County and
State aforesaid, who, being duly sworn,
says that the advertisement of

(copy attached)

appeared in the issues of said newspaper

on the following day(s):

December
30, 2004

Subscribed and sworn to

before me this 3rd day

of January

A.D. 20 05

Shelley Pulley
(Advertising clerk)

Shelley Pulley
NOTARY PUBLIC, SC

My Commission expires October 10, 2013

BERKELEY COUNTY COUNCIL MEETING NOTICE - 2005

COUNTY COUNCIL: A monthly meeting will be held at 6:00 P.M. in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, S.C., on the **FOURTH MONDAY** in the months of **JANUARY, FEBRUARY, MARCH, APRIL, MAY, JULY, SEPTEMBER, OCTOBER, NOVEMBER**, the **THIRD MONDAY** in the **MONTH OF JUNE** the **FIFTH MONDAY** in the **MONTH OF AUGUST** and the **SECOND MONDAY** in the **MONTH OF DECEMBER**.

COMMITTEES OF COUNCIL: Notices are sent as meetings are scheduled by the Committee Chairmen, and typically meet on the second Monday of each month; the Committee on Finance typically meets prior to the Regular Council Meeting.

Any other information required, please call Clerk of County Council, 719-4093, 723-3800, 567-3136, ext. 4093.

December 29, 2004

Barbara B. Austin, CCC
Clerk of County Council

C22-139650

NOTICE OF SPECIAL MEETING OF BERKELEY COUNTY COUNCIL

A **SPECIAL MEETING** of **BERKELEY COUNTY COUNCIL** will be held on **Tuesday January 4, 2005**, in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, at 5:30 P. M.

A G E N D A

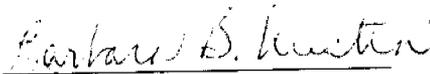
- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA**
- 4. PUBLIC DISCUSSION** - Request to be heard must be made prior to Call to Order and comments must be limited to Agenda items being considered for final action.
- 5. EXECUTIVE SESSION** to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the county; or the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the County in other adversary situations involving the assertion against the County of a claim.
- 6. REVIEW** of the Organization and Rules of Berkeley County Council.
- 7. ELECTION** of Vice-Chairman of County Council.
- 8. ELECTION** of Chairmen of Standing Committees of County Council.
- 9. ELECTION** of Representative from Council on Berkeley-Charleston-Dorchester Council of Government.

10. **ELECTION** of Representative from Council on the Charleston Area
Transportation Study (CHATS) Policy Committee.

11. **PUBLIC DISCUSSION**

12. **ADJOURNMENT**

December 29, 2004


Barbara B. Austin, CCC
Clerk of County Council

SPECIAL MEETING OF BERKELEY COUNTY COUNCIL

Chairman: Mr. James H. Rozier, Jr., Supervisor
Vice Chairman: Mr. William E. Crosby, District No. 3

A **SPECIAL MEETING OF BERKELEY COUNTY COUNCIL** was held on **Tuesday January 4, 2005** in the Assembly Room of the Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at 5:30 p.m.

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

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

During periods of discussion and/or presentations, minutes are typically condensed and paraphrased.

CALL TO ORDER

Chairman Rozier called the meeting to order. Council Member Spooner gave the Invocation, and Council Member Crosby led in the Pledge of Allegiance to the Flag of the United States of America.

Chairman Rozier stated that an account, entitled "Berkeley County Disaster Relief Fund", had been opened this day at Farmers & Merchants Bank. The purpose of this account is for the acceptance of monetary contributions from Berkeley County employees and citizens in wake of the Indian Ocean tsunami, which occurred on December 26, 2004. The death toll thus far from this disaster far exceeds the population of Berkeley County. Monies will be accepted at any branch of Farmers & Merchants Bank from now until the end of March. A committee will be formed to decide which organization the funds will be awarded to in the beginning of April.

EXECUTIVE SESSION – not necessary

REVIEW of the Organization and Rules of Berkeley County Council

Main Motion

It was moved by Council Member Crosby and seconded by Council Member Fish to amend the Rules of Berkeley County Council, Section I: C, Clerk, and insert, "Employees of the Office of the Clerk of Council shall report directly to the Clerk. The Clerk of Council shall report directly to the Vice Chairman. All employee complaints shall proceed through this chain of command, except for those complaints that may be directed to the Human Resources Department (e.g., sexual harassment)".

Amendment to Main Motion

It was moved by Council Member Pinckney and seconded by Council Member Steve Davis to amend the main motion to include and insert under Section I: C, Clerk, "Vice Chairman to report all matters to Council Members, which pertain to the Office of the Clerk of Council".

County Attorney Mark Stokes stated that the Rules of Berkeley County Council, Section I: C, contains a clause, which reads, "Budget and personnel matters shall be reviewed by the Vice Chairman, as required, who shall report matters to Council as deemed necessary."

The amendment to the main motion failed. Council Members Spooner, Fish, Crosby and Farley voted, "Nay".

The main motion to amend the Rules of Berkeley County Council, Section I: C, Clerk, and insert, "Employees of the Office of the Clerk of Council shall report directly to the Clerk. The Clerk of Council shall report directly to the Vice Chairman. All employee complaints shall proceed through this chain of command, except for those complaints that may be directed to the Human Resources Department (e.g., sexual harassment)", was passed by majority voice vote of Council. Council Members Pinckney and Steve Davis voted, "Nay". Council Member Mims abstained from voting.

It was moved by Council Member Mims and seconded by Council Member Steve Davis to include a clause in the Rules of Berkeley County Council, wherein, documentation for proposed ordinances would be in typed form and provided to Council prior to Second Reading.

Chairman Rozier stated that such a clause would "stall economic development and Council completely".

The motion failed. Council Members Farley, Spooner, Crosby, Fish and Pinckney voted, "Nay".

It was moved by Council Member Steve Davis and seconded by Council Member Pinckney to amend the Rules of Berkeley County Council to allow for the Chairman of each Committee to change by rotation every two years. The motion failed. Council Members Farley, Spooner, Crosby and Fish voted, "Nay".

ELECTION of Vice Chairman of County Council

It was moved by Council Member Spooner and seconded by Council Member Farley to nominate Council Member Crosby to serve as Vice Chairman of Berkeley County Council. The motion passed by unanimous voice vote of Council.

ELECTION of Chairmen of Standing Committees of County Council

It was moved by Council Member Spooner and seconded by Council Member Crosby for Council to accept the following nominations of Chairmen of Standing Committees of Berkeley County Council, as follows:

<u>Chairman Phillip Farley</u>	<u>Land Use</u>
<u>Chairman Judith K. Spooner</u>	<u>Water and Sanitation</u>
<u>Chairman William E. Crosby</u>	<u>Justice and Public Safety</u>
<u>Chairman Charles E. Davis</u>	<u>Community Services</u>
<u>Chairman Dennis L. Fish</u>	<u>Finance</u>
<u>Chairman Judy Mims</u>	<u>Human Services</u>
<u>Chairman Caldwell Pinckney, Jr.</u>	<u>Public Works and Purchasing</u>
<u>Chairman Steve C. Davis</u>	<u>Planning and Development</u>

The motion passed by unanimous voice vote of Council.

ELECTION of Representative from Council on the Berkeley-Charleston-Dorchester Council of Government

It was moved by Council Member Crosby and seconded by Council Member Fish to nominate Council Member Spooner to serve as Representative from Council on the Berkeley-Charleston-Dorchester Council of Government. The motion passed by unanimous voice vote of Council.

ELECTION of Representative from Council on the Charleston Area Transportation Study (CHATS) Policy Committee

It was moved by Council Member Spooner and seconded by Council Member Fish to nominate Council Member Crosby to serve as Representative from Council on the Charleston Area Transportation Study Policy Committee. The motion was passed by unanimous voice vote of Council.

Council Member Crosby informed Council that all Council meeting agendas are posted on the Berkeley County Website (www.co.berkeley.sc.us) on Friday prior to all scheduled meetings. In addition, all minutes of Council meetings are posted on this website the day following approval of those minutes.

Council Member Mims requested that Council be provided new Berkeley County Government Telephone Books.

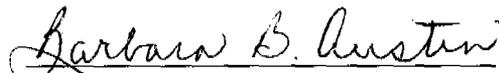
Council Member Spooner requested that Council be provided e-mail addresses in addition to telephone numbers.

PUBLIC DISCUSSION – none

ADJOURNMENT

It was moved by Council Member Crosby and seconded by Council Member Spooner to adjourn the Special Meeting of County Council. The motion was passed by unanimous voice vote of Council.

Meeting adjourned at 6:08 p.m.


Barbara B. Austin, CCC
Clerk of County Council

February 28, 2005
Date Approved

REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL is scheduled to be held on **Monday January 24, 2005**, to begin immediately following Public Hearings, and the meeting of the Committee on Finance at **6:00 P.M.**, in the **ASSEMBLY ROOM, BERKELEY COUNTY OFFICE BUILDING, 223 NORTH LIVE OAK DRIVE, MONCKS CORNER, S. C.**

CALL TO ORDER

APPROVAL OF MINUTES:

Public Hearings, Bills Numbered: 04-68, 04-84, 04-85, 04-87, 04-89	December 13, 2004
Public Hearing, Bill Numbered: 04-86 (Lanxess)	December 13, 2004
Public Hearing, Bill Numbered; 04-90 (Dorlastan Fibers, LLC)	December 13, 2004
Public Hearing, Bill Numbered, 04-91 (JM Steel)	December 13, 2004
Regular Council Meeting	December 13, 2004

PUBLIC DISCUSSION - Request to be heard must be made prior to Call to Order and comments must be limited to Agenda items being considered for final action.

EXECUTIVE SESSION to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the county; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claim, or the position of the County in other adversary situations involving the assertion against the County of a claim.

CHAIRMAN OF COUNTY COUNCIL

THIRD READING:

- 1. Bill No. 04-48**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Rutha L. Kinlock**, 1025 Charity Church Road, Huger, TMS #248-00-02-004, (1 lot), **from R-2, Manufactured Residential District, to RNC, Rural and Neighborhood Commercial District**. Council District No. 8.
[Recommended by Committee on Land Use]
- 2. Bill No. 04-79**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Andrew Cohen**, Old Highway 6, Cross, TMS #042-00-01-035, (5 acres portion of 16.83 acres total), **from F-1, Agricultural District, to RNC, Rural Neighborhood Commercial District**. Council District No. 7.
[Recommended by Committee on Land Use]
- 3. Bill No. 04-92**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Jason Southard** for J. K. Austin,

Jr., corner of Rose Drive and Turtle Pond Road, TMS #221-00-00-089, **from R-1, Single Family Residential to GC, General Commercial.** Council District No. 4.
[Recommended by Committee on Land Use]

Berkeley County Council Rules allows all bills to be given second reading by one motion as a collective group. Any member may object to a particular bill and it shall be separated from the collective group and handled by a separate motion.

SECOND READING:

1. **Bill No. 04-93**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Dwayne Nowicki**, 117 Godfrey Lanes, Moncks Corner, TMS #210-00-00-057, (5.78 acres), **from R2, Manufactured Residential District to R3, Mobile Home Park District.** Council District No. 6.
[Recommended by Committee on Land Use]

2. **Bill No. 04-94**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Butler Ware**, TMS #196-00-00-043, US Hwy. 17-A, Moncks Corner (across from Windwood Lane), (16.56 acres), **from R2, Manufactured Residential District to PDMU, Planned Development – Mixed Use District.** Council District No. 6.
[Recommended by Committee on Land Use]

3. **Bill No. 04-95**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Foxbank Ventures, LLC**, Cypress Gardens Road (near intersection with US Hwy. 52), Moncks Corner, (3.34 acres), TMS #211-00-02-001, **from F1, Agricultural District to GC, General Commercial District.** Council District No. 3.
[Recommended by Committee on Land Use]

4. **Bill No. 04-96**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Seamon Whiteside and Associates, for Foxbank Ventures, LLC and Miroc, LLC L/P**, (intersection of US Hwy. 52), Moncks Corner, TMS #197-00-01-019 (405.53 acres) & -008 (289.96 acres), (695.49 acres total), **from F1, Agricultural District, GC, General Commercial District and R5, Multi Family – Large Scale District to PDMU, Planned Development – Mixed Use District, and approval of Proposed Development Plan.** Council District No. 3.
[Recommended by Committee on Land Use]

FIRST READING:

1. **Bill No. 05-01**, an ordinance to amend Article 18, **Sign Control**, of the Zoning Ordinance No. 01-8-35 as amended by Ordinance Nos. 02-08-33, 02-12-58 and 04-11-68.
[Recommended by Committee on Land Use]

2. **Bill No. 05-02**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Kelly Lewis**, US Hwy. 17-A, adjacent

to Trident Technical College, Moncks Corner, TMS #161-00-02-145, (11.95 acres), from PDMU, Planned Development – Mixed Use District to R2, Manufactured Residential District (10.7 acres) and GC, General Commercial District (1.25 acres along US Hwy. 17-A). Council District No. 6.

[Recommended by Committee on Land Use]

3. **Bill No. 05-03**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Gene W. Sanders**, 2168 S. Live Oak Drive, Moncks Corner, TMS #180-14-01-048, (5.62 acres), from **R2, Manufactured Residential District and GC, General Commercial District to all acreage to be GC, General Commercial District**. Council District No. 6.

[Recommended by Committee on Land Use]

4. **Bill No. 05-04**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **BMG, III, LLC**, US Hwy. 176, TMS #195-00-00-043 (950.48 acres) and **-044** (1100.66 acres), from **F1, Agricultural District to PDMU, Planned Development – Mixed Use District, and approval of Proposed Development Plan**. Council District No. 7.

[Recommended by Committee on Land Use]

RESOLUTIONS:

1. **RESOLUTION** providing for the Transfer of Funds in the 2004-2005 Berkeley County Budget for County purposes other than as specified in said Budget.

[Recommended by Committee on Finance]

2. **RESOLUTION** supporting Berkeley Citizens' application for funds under the Federal Transit Administration and the State Mass Transit Fund program.

[Recommended by Committee on Human Services]

3. **RESOLUTION** authorizing the County Supervisor to execute a lease agreement between **South Carolina Federal Credit Union** and Berkeley County for premises located at 1003 Highway 52, Moncks Corner, South Carolina, (TMS #142-12-03-038).

REPORTS FROM STANDING COMMITTEES:

1. **Committee on Finance.**
Councilmember, Mr. Dennis L. Fish, Chairman.

2. **Committee on Land Use.**
Concilmember, Mr. Phillip Farley, Chairman

Recommendations:

Withdrawal of Bills Numbered: 04-72 (Pappadakes)
04-77 (Henry Yaschik Dynasty Trust)
Request by Centex Homes

To Deny:

Request by Kathleen Whipple, 375 Winding Road, Moncks Corner, TMS #195-00-01-006, (5.23 acres), from R2, Manufactured Residential District to F1, Agricultural District. Council District No. 6.

3. Committee on Public Works and Purchasing.

Councilmember, Mr. Caldwell Pinckney, Jr., Chairman.

Recommendations:

1. Airport Consultant.
2. St. Stephen Senior Center.

Berkeley County Water and Sanitation Department:

3. C & D repair from Gaston.
4. Purchase of TMS #180-00-01-017.
5. Deny all bids for Central Berkeley WWTP.

4. Committee on Justice and Public Safety.

Councilmember, Mr. William E. Crosby, Chairman.

Recommendation:

Approval of application for Byrne Grant for Magistrates Department.

5. Committee on Water and Sanitation.

Councilmember, Mrs. Judith K. Spooner, Chairman.

Recommendation:

Approval of service area agreement with Mt. Pleasant for Berkeley County Water and Sanitation Department.

6. Committee on Planning and Development.

Councilmember, Mr. Steve C. Davis, Chairman.

7. Committee on Community Services.

Councilmember, Mr. Charles E. Davis, Chairman.

8. Committee on Human Services.

Councilmember, Mrs. Judy C. Mims, Chairman.

NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.

ACCOMMODATIONS TAX ADVISORY COMMITTEE
BERKELEY COUNTY AERONAUTICS COMMISSION
BERKELEY-CHARLESTON-DORCHESTER COUNCIL OF GOVERNMENTS
BERKELEY COUNTY LIBRARY BOARD
BERKELEY COUNTY PLANNING COMMISSION

Mr. Woody Day – District No. 1

Mrs. Patricia Baxley – District No. 2

Mr. L. G. ("Bill") Elrod – District No. 3

BERKELEY-CHARLESTON-DORCHESTER RTMA
BERKELEY-CHARLESTON-DORCHESTER – CHATS

Supervisor James H. Rozier, Jr.

BERKELEY COUNTY WATER AND SANITATION APPEALS BOARD

BERKELEY COUNTY BOARD OF ZONING APPEALS

Mr. Mike Tucker, District No. 1

Mr. Richard W. Smith, District No. 2.

Mr. Roland A. Dordal, District No. 3.

CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

GOOSE CREEK RECREATION COMMISSION

HOUSING BOARD OF ADJUSTMENTS AND APPEALS

MENTAL HEALTH BOARD

PIMLICO SPECIAL TAX DISTRICT ADVISORY COMMISSION

SPIERS LANDING COMMISSION

TAX ASSESSMENT REVIEW BOARD

WORKFORCE INVESTMENT BOARD

CORRESPONDENCE

UNFINISHED BUSINESS

NEW BUSINESS

RESOLUTION approving the acceptance of a new voting system pursuant to South Carolina Code of Laws Section 7-13-1660.

ANNOUNCEMENTS

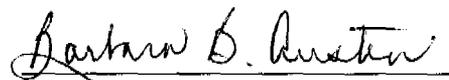
The **February 2005, Regular Meeting of Berkeley County Council** will be held on **MONDAY FEBRUARY 28, 2005**, IMMEDIATELY FOLLOWING PUBLIC HEARINGS AND THE MEETING OF THE COMMITTEE ON FINANCE AT **6:00 PM**, in **THE ASSEMBLY ROOM**, 223 NORTH LIVE OAK DRIVE, MONCKS CORNER, S. C.

ADJOURNMENT

EXECUTION OF DOCUMENTS BY COUNCIL

PUBLIC DISCUSSION

January 19, 2005


Barbara B. Austin, CCC
Clerk of County Council

REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL
January 24, 2005

The **REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL** was held on Monday **January 24, 2005** at 6:15 p.m. in the Assembly Room of the Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina.

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

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

During periods of discussion and/or presentations, minutes are typically condensed and paraphrased.

CALL TO ORDER

Vice Chairman Crosby called the meeting to order.

APPROVAL OF MINUTES

Vice Chairman Crosby asked for approval of minutes from: Public Hearings held December 13, 2004, for Bills Numbered 04-68, 04-84, 04-85, 04-87, 04-89, 04-86, 04-90, and 04-91; and Regular Meeting of Council held December 13, 2004.

It was moved by Council Member Fish and seconded by Council Member Mims to approve the minutes as presented. The motion was passed by unanimous voice vote of Council.

PUBLIC DISCUSSION – None

EXECUTIVE SESSION – Not necessary

THIRD READING

“BILL NO. 04-48, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #248-00-02-004.”

(Rutha L. Kinlock)

It was moved by Council Member Steve Davis and seconded by Council Member Pinckney to approve **Bill No. 04-48** for Third Reading. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-01-01 is attached to these minutes.)

“BILL NO. 04-79, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #042-00-01-035.”

(Andrew Cohen)

It was moved by Council Member Pinckney and seconded by Council Member Farley to approve **Bill No. 04-79** for Third Reading. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-01-02 is attached to these minutes.)

“BILL NO. 04-92, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #221-00-00-089.”

(Jason Southard for J. K. Austin, Jr.)

It was moved by Council Member Fish and seconded by Council Member Mims to approve **Bill No. 04-92** for Third Reading. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-01-03 is attached to these minutes.)

Berkeley County Council Rules allow all Bills to be given Second Reading by one motion as a collective group. Any member may object to a particular Bill, and it shall be separated from the collective group and handled by a separate motion.

SECOND READING

It was moved by Council Member Fish and seconded by Council Member Farley to allow **Bills Numbered 04-93, 04-94, 04-95 and 04-96** to be given Second Reading by one motion as a collective group. The motion passed by unanimous voice vote of Council.

“BILL NO. 04-93, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #210-00-00-057.”
(Dwayne Nowicki)

“BILL NO. 04-94, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO APPROVED USES OF TMS #196-00-00-043.”
(Butler Ware)

“BILL NO. 04-95, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO APPROVED USES OF TMS #211-00-02-001.”
(Foxbank Ventures, LLC)

“BILL NO. 04-96, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #197-00-01-019 AND 008, AND APPROVAL OF A PROPOSED DEVELOPMENT PLAN.”
(Seamon Whiteside and Associates for Foxbank Ventures, LLC and Miroc, LLC L/P)

It was moved by Council Member Mims and seconded by Council Member Pinckney to approve **Bills Numbered 04-93, 04-94, 04-95 and 04-96** for Second Reading. The motion passed by unanimous voice vote of Council.

Council Member Fish stated for the record that he did not object to the motion. Although, in regard to the County’s intent for changes to the planning and zoning requirements, he objected strenuously to any 6 – 7 foot setbacks on side requirements. He indicated that the distance in setback was not appropriate in meeting the intent of the County.

Vice Chairman Crosby concurred with Council Member Fish.

FIRST READING

Vice Chairman Crosby stated there were four Bills for First Reading. Bills for First Reading are not discussed or voted upon. The Bills are read into the record by title only and, thereafter, sent to the proper Committee for further consideration.

“BILL NO. 05-01, AN ORDINANCE TO AMEND ARTICLE 18, SIGN CONTROL, OF THE ZONING ORDINANCE NO. 01-8-35 AS AMENDED BY ORDINANCE NOS. 02-08-33, 02-12-58 AND 04-11-68.”

“BILL NO. 05-02, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #161-00-02-145.”
(Kelly Lewis)

“BILL NO. 05-03, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #180-14-01-048.”
(Gene W. Sanders)

“BILL NO. 05-04, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #195-00-00-043.”
(BMG, III, LLC)

RESOLUTIONS

“RESOLUTION PROVIDING FOR THE TRANSFER OF FUNDS IN THE 2004-2005 BERKELEY COUNTY BUDGET FOR COUNTY PURPOSES OTHER THAN AS SPECIFIED IN SAID BUDGET.”

It was moved by Council Member Fish and seconded by Council Member Pinckney to approve the Resolution for the transfer of funds. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. 05-01 is attached to these minutes.)

“RESOLUTION SUPPORTING BERKELEY CITIZENS’ APPLICATION FOR FUNDS UNDER THE FEDERAL TRANSIT ADMINISTRATION AND THE STATE MASS TRANSIT FUND PROGRAM.”

It was moved by Council Member Pinckney and seconded by Council Member Steve Davis to approve the Resolution supporting the Berkeley Citizens’ application for funds. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. 05-02 is attached to these minutes.)

“RESOLUTION AUTHORIZING THE COUNTY SUPERVISOR TO EXECUTE A LEASE AGREEMENT BETWEEN SOUTH CAROLINA FEDERAL CREDIT UNION AND BERKELEY COUNTY FOR PREMISES LOCATED AT 1003 HIGHWAY 52, MONCKS CORNER, SOUTH CAROLINA (TMS #142-12-03-038).”

It was moved by Council Member Fish and seconded by Council Member Pinckney to approve the Resolution authorizing the execution of a lease agreement between the South Carolina Federal Credit Union and Berkeley County. The motion

was passed by unanimous voice vote of Council. (*A copy of Resolution No. 05-03 is attached to these minutes.*)

REPORTS FROM STANDING COMMITTEES:

COMMITTEE ON FINANCE, Mr. Dennis L. Fish, Chairman

Chairman Fish reported that the Committee on Finance met earlier this night. All matters before the Committee were addressed on this night's agenda. (That concluded Chairman Fish's report.)

COMMITTEE ON LAND USE, Mr. Phillip Farley, Chairman

Chairman Farley reported the Committee on Land Use met on January 10, 2005. Bills numbered 04-72 (**Pappadakes**), and 04-77 (**Henry Yaschik Dynasty Trust**), along with a request by **Centex Homes**, were **withdrawn** at the requests of the respective landowners.

On recommendation of the Committee, Chairman Farley moved to **deny** the request by **Kathleen Whipple**, 375 Winding Road, Moncks Corner, TMS #195-00-01-006, (5.23 acres), from R-2, Manufactured Residential District to F-1, Agricultural District. Council District No. 6. (*No second required.*)

The motion passed by unanimous voice vote of Council. (That concluded Chairman Farley's report.)

COMMITTEE ON PUBLIC WORKS AND PURCHASING, Mr. Caldwell Pinckney, Jr., Chairman

Chairman Pinckney reported that the Committee on Public Works and Purchasing met on January 10, 2005.

1. Airport Consultant

On recommendation of the Committee, Chairman Pinckney moved to award the contract for the **Airport Consultant** to W.K. Dickson. (*No second required.*)

The motion passed by unanimous voice vote of Council.

2. St. Stephen Senior Center

On recommendation of the Committee, Chairman Pinckney moved to award the contract for the **St. Stephen Senior Center** to All Quality Construction in the amount of \$93,000.00. (*No second required.*)

3. C&D repair from Storm Gaston

On recommendation of the Committee, Chairman Pinckney moved to award the contract for the Berkeley County Water and Sanitation Department's C&D repair from Gaston to Colony Construction in the amount of \$439,000.00. (No second required.)

The motion passed by unanimous voice vote of Council.

4. Purchase of TMS #180-00-01-017

On recommendation of the Committee, Chairman Pinckney moved to approve the purchase of 1.36 acres (TMS #180-00-01-017) adjacent to the Landfill for \$16,000.00. (No second required.)

The motion passed by unanimous voice vote of Council.

5. Deny all bids for Central Berkeley WWTP

Chairman Pinckney reported that all bids submitted to the Berkeley County Water and Sanitation Authority for the Central Berkeley Wastewater Treatment Plant were denied, because all were over budget. (That concluded Chairman Pinckney's report.)

COMMITTEE ON JUSTICE AND PUBLIC SAFETY, Mr. William E. Crosby, Chairman

Council Member Farley, reporting for Chairman Crosby, indicated that the Committee on Justice and Public Safety met on January 10, 2005.

On recommendation of the Committee, Council Member Farley moved to approve the application of a Byrne Grant for the Magistrates' Department. (No second required.)

The motion passed by unanimous voice vote of Council. (That concluded Chairman Crosby's report.)

COMMITTEE ON WATER AND SANITATION, Mrs. Judith K. Spooner, Chairman

Council Member Fish, reporting for Chairman Spooner, indicated the Committee on Water and Sanitation met on January 10, 2005.

On recommendation of the Committee, Council Member Fish moved to approve a Service Area Agreement with Mt. Pleasant for the expansion of a water and sewer area into Mt. Pleasant. (No second required.)

The motion was passed by unanimous voice vote of Council. (That concluded Chairman Spooner's report.)

COMMITTEE ON PLANNING AND DEVELOPMENT, Mr. Steve C. Davis, Chairman – no report

COMMITTEE ON COMMUNITY SERVICES, Mr. Charles E. Davis, Chairman

Council Member Steve Davis, reporting for Chairman Charles Davis, indicated that the Committee on Community Services met on January 10, 2005.

On recommendation of the Committee, Council Member Steve Davis moved to approve the purchase of a computer, printer and software for Veterans Affairs in the amount of \$9,593.54, with funds to come from Contingency. (No second required.)

The motion passed by unanimous voice vote of Council. (That concluded Chairman Charles Davis' report.)

COMMITTEE ON HUMAN SERVICES, Ms. Judy C. Mims, Chairman

Chairman Mims reported that the Committee on Human Services met on January 10th. All matters before the Committee were addressed on this night's agenda. (That concluded Chairman Mims' report.)

NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.

Council Member Fish nominated Mr. Darryl Gregory and John Stewart for appointments to serve on the Special Fire Tax District Advisory Commission, replacing Kim Dorman and George Sweatman, respectively.

Council Member Farley nominated Mr. Kenneth Day for re-appointment to serve on the Planning Commission.

Council Member Farley nominated Mr. Mike Tucker for re-appointment to serve on the Board of Zoning Appeals.

Vice Chairman Crosby nominated Mr. Billy Elrod for re-appointment to serve on the Planning Commission.

The nominations to the Special Fire Tax District Advisory Commission, Planning Commission and Board of Zoning Appeals passed by unanimous voice vote of Council.

CORRESPONDENCE – None

UNFINISHED BUSINESS – None

NEW BUSINESS

“RESOLUTION APPROVING THE ACCEPTANCE OF A NEW VOTING SYSTEM PURSUANT TO SOUTH CAROLINA CODE OF LAWS SECTION 7-13-1660.”

Council Member Fish asked if it would be a correct statement that there would be no expense to the County to implement this system.

Mr. Orval Mills, Chairman of the Berkeley County Election Commission, responded that to be correct. This is a new system instituted and accepted for all counties in the State of South Carolina. The system, an electronic, touch-type machine, is user friendly for physically challenged and hearing impaired citizens. The machines are small, the approximate size of a briefcase, and meet all of the newest requirements for voting in the state.

Council Member Pinckney asked if training was needed to operate the new system.

Mr. Mills responded that there would be continued training on the operation of the machines for individuals working at the polls. Mr. Mills concluded by inviting Council Members to visit Voter Registration in order to view the new system.

Council Member Pinckney asked if training would be limited to take place in the Voter Registration Office or if it would extend out to the communities.

Mrs. Wanda Farley, Voter Registration Director, responded that the state’s Voter Election Commission would provide training by using a bus containing a number of voting machines. The bus will travel from county to county to train citizens in its operation. In addition, the Voter Registration Office has a system on display for any citizen interested in viewing it.

Council Member Fish asked when Berkeley County would have a public session to air complaints on voting irregularities.

Mr. Mills responded that a session is held at the conclusion of each election for citizens to appear before the Commission. There were no complaints of any irregularities for elections in 2004.

It was moved by Council Member Fish and seconded by Council Member Mims to approve the Resolution approving acceptance of a new voting system. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. 05-04 is attached to these minutes.)

ANNOUNCEMENTS

The February 2005 **Regular Meeting of Berkeley County Council** will be held on Monday **February 28, 2005** immediately following the Committee on Finance and Public Hearings at 6:00 p.m., in the Assembly Room, 223 North Live Oak Drive, Moncks Corner, SC.

ADJOURNMENT

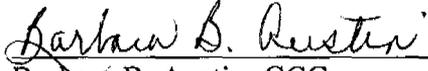
It was moved by Council Member Mims and seconded by Council Member Fish to adjourn the Regular Meeting of County Council. The motion was passed by unanimous voice vote of Council.

Meeting adjourned at 6:41 p.m., for the execution of documents by Council.

PUBLIC DISCUSSION

Ms. Edna O. Brochu, residing at 134 Oakside Drive, Goose Creek, addressed Council and stated she had recently purchased her retirement home, which was a huge recreational vehicle, as described by the County. When she attempted to secure a permit to move the trailer to a space that is close to her work and where she thought she could live safely after retirement, she was informed that the County had recently passed, as part of an amended Zoning Ordinance, language that prohibited living permanently in a recreational vehicle. She further explained to Council that her trailer could not be described as a "tin box" on wheels. The trailer was appropriately tied down, and included a washer, dryer and other amenities of a regular home. She asked that the ordinance be reviewed.

Mr. Robbie Metts, Deputy Supervisor, responded that this particular part of the recently passed Ordinance would be reviewed.


Barbara B. Austin, CCC
Clerk of County Council

February 28, 2005
Date Approved

ORDINANCE NO. 05 - 01 - 01

AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #248-00-02-004 (1 lot).

WHEREAS, Berkeley County Council adopted a Zoning and Development Standards Ordinance, including Official Zoning and Development Standards Maps, on April 26, 1999, pursuant to Title 6, Chapter 29, of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, Berkeley County Council adopted such regulations for the purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the County; and

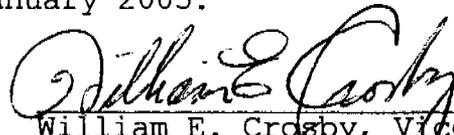
WHEREAS, the Berkeley County Council has determined that the rezoning or reclassification of the land designated herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was adopted on April 26, 1999;

NOW, THEREFORE, BE IT ORDAINED that the official Zoning and Development Standards Maps for Berkeley County, South Carolina, which were adopted pursuant to Ordinance No. 01-8-35 shall be modified in the following regard:

That portion of the official Zoning and Development Standards Maps adopted for Council District 8 and designated on Zoning Panel 18 which contains that property identified as TMS#248-00-02-004 (1 lot) as is more clearly shown on "Exhibit A", which is attached hereto and made a part hereof. This property has previously been designated and approved as R-2, Manufactured Residential District, and will hereafter upon approval of this ordinance be reclassified as RNC, Rural Neighborhood Commercial District.

BE IT FURTHER ORDAINED that all ordinances in conflict with this modification are repealed to the extent necessary to give this ordinance full force and effect.

ADOPTED this 24th of January 2005.



William E. Crosby, Vice Chairman
Berkeley County Council

ATTEST:



Barbara B. Austin
CLERK OF COUNTY COUNCIL

First Reading: June 21, 2004
Second Reading: July 26, 2004
Public Hearing: August 23, 2004
Third Reading: January 24, 2005

MEMBERS OF COUNTY COUNCIL

Phillip Farley
PHILLIP FARLEY Voting yes

Excused 1-24-05
JUDITH K. SPOONER Voting _____

William E. Crosby
WILLIAM E. CROSBY Voting yes

Excused 1-24-05
CHARLES E. DAVIS Voting _____

Dennis L. Fish
DENNIS L. FISH Voting yes

Judy C. Mims
JUDY C. MIMS Voting yes

Caldwell Pinckney, Jr.
CALDWELL PINCKNEY, JR. Voting yes

Steve C. Davis
STEVE C. DAVIS Voting yes

TMS#:248-00-02-004

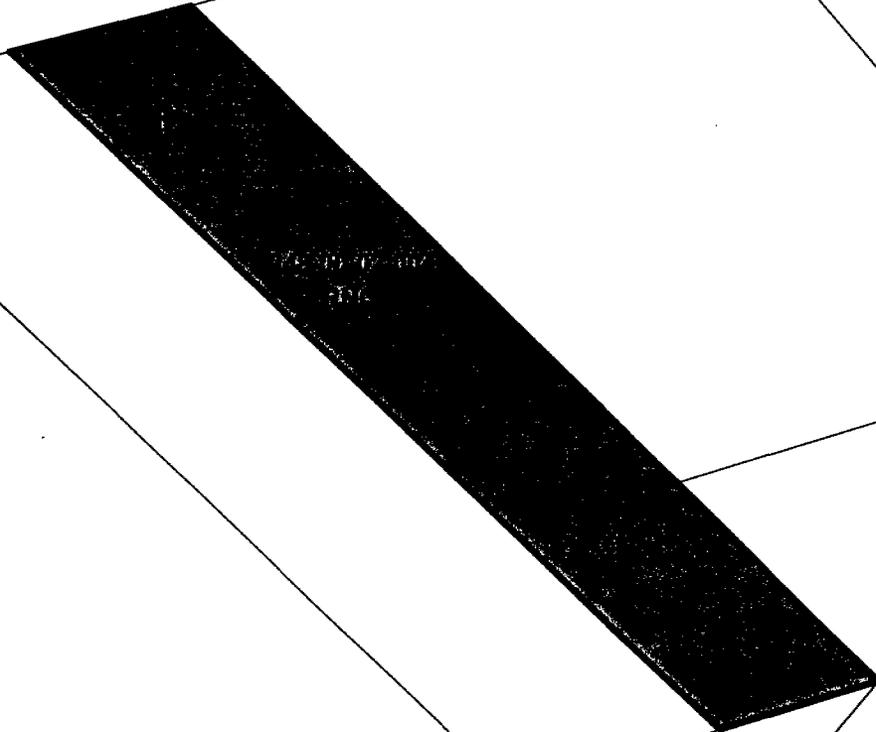


CHARITY CHURCH RD

TIMOTHY LN

MAURICAS PL

MARTHA LN



Berkeley County GIS Department
223 N. Live Oak Drive
Moncks Corner, SC 29461
(843) 719-4038 | fax (843) 719-4190
e-mail: rhauck@co.berkeley.sc.us
1-24-05



THE COUNTY OF BERKELEY AND ITS GIS DEPARTMENT DISCLAIMS ACCOUNTABILITY FOR THIS PRODUCT AND MAKES NO WARRANTY EXPRESS OR IMPLIED CONCERNING THE ACCURACY THEREOF. RESPONSIBILITY FOR INTERPRETATION AND APPLICATION OF THIS PRODUCT LIES WITH THE USER.

05-01-07

ORDINANCE NO. 05 - 01 - 02

AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #042-00-01-035 (5 acre portion of 16.83 acres total).

WHEREAS, Berkeley County Council adopted a Zoning and Development Standards Ordinance, including Official Zoning and Development Standards Maps, on April 26, 1999, pursuant to Title 6, Chapter 29, of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, Berkeley County Council adopted such regulations for the purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the County; and

WHEREAS, the Berkeley County Council has determined that the rezoning or reclassification of the land designated herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was adopted on April 26, 1999;

NOW, THEREFORE, BE IT ORDAINED that the official Zoning and Development Standards Maps for Berkeley County, South Carolina, which were adopted pursuant to Ordinance No. 01-8-35 shall be modified in the following regard:

That portion of the official Zoning and Development Standards Maps adopted for Council District 8 and designated on Zoning Panel 6 which contains that property identified as TMS#042-00-01-035 (5 acre portion of 16.83 acres total) as is more clearly shown on "Exhibit A", which is attached hereto and made a part hereof. This property has previously been designated and approved as F-1, Agricultural District, and will hereafter upon approval of this ordinance be reclassified as RNC, Rural Neighborhood Commercial District.

BE IT FURTHER ORDAINED that all ordinances in conflict with this modification are repealed to the extent necessary to give this ordinance full force and effect.

ADOPTED this 24th of January 2005.



William E. Crosby, Vice Chairman
Berkeley County Council

ATTEST:



Barbara B. Austin
CLERK OF COUNTY COUNCIL

First Reading:	November 23, 2004
Second Reading:	December 13, 2004
Public Hearing:	January 24, 2005
Third Reading:	January 24, 2005

05-01-02

MEMBERS OF COUNTY COUNCIL

Phillip Farley
PHILLIP FARLEY Voting yes

Excused 1-24-05
JUDITH K. SPOONER Voting _____

William E. Crosby
WILLIAM E. CROSBY Voting yes

Excused 1-24-05
CHARLES E. DAVIS Voting _____

Dennis L. Fish
DENNIS L. FISH Voting yes

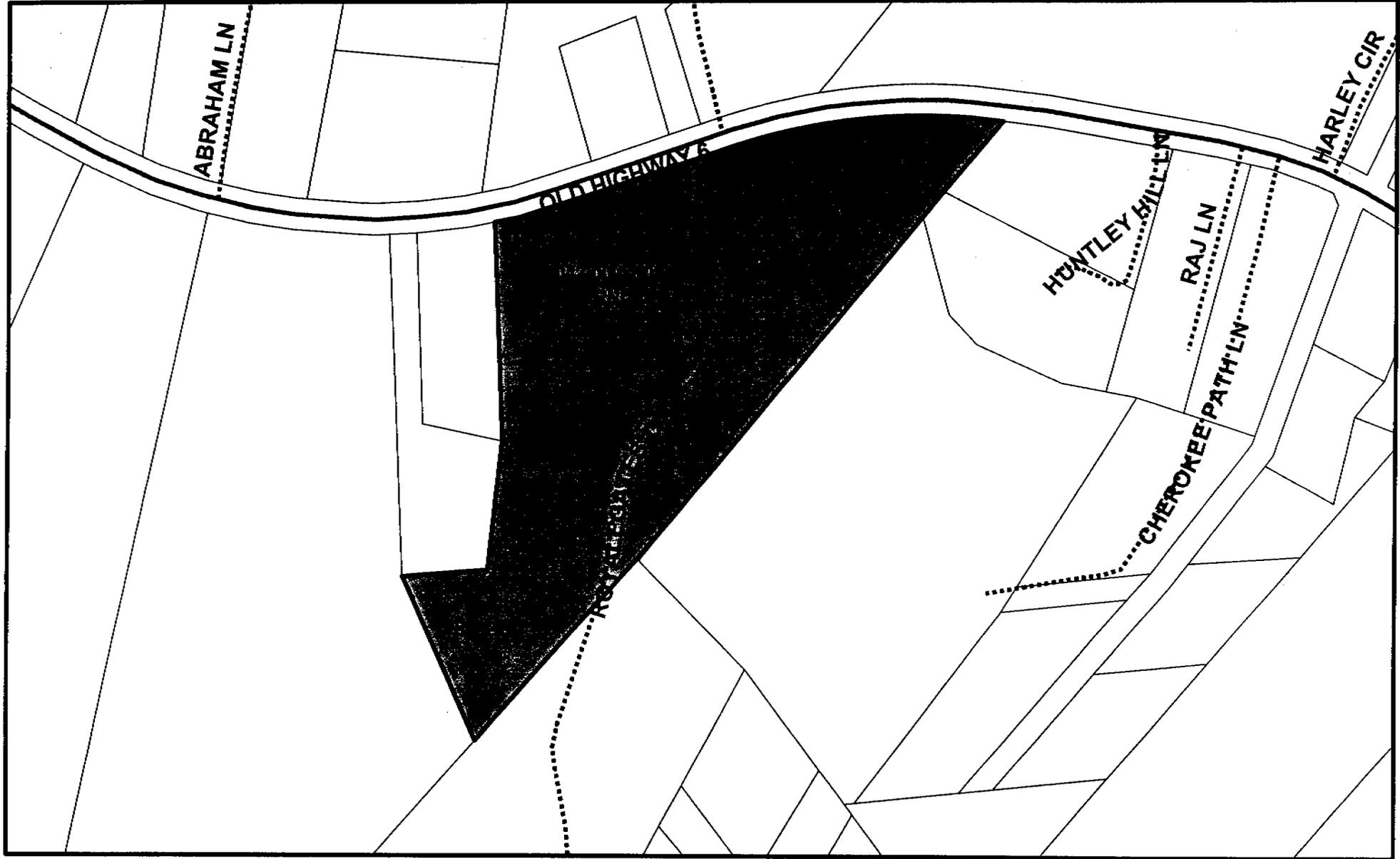
Judy C. Mims
JUDY C. MIMS Voting yes

Caldwell Pinckney, Jr.
CALDWELL PINCKNEY, JR. Voting yes

Steve C. Davis
STEVE C. DAVIS Voting YES

05-01-02

TMS#:042-00-01-035



Berkeley County GIS Department
223 N. Live Oak Drive
Moncks Corner, SC 29461
(843) 719-4038 | fax (843) 719-4190
e-mail: rhauck@co.berkeley.sc.us
1-24-05



THE COUNTY OF BERKELEY AND ITS GIS DEPARTMENT DISCLAIMS ACCOUNTABILITY FOR THIS PRODUCT AND MAKES NO WARRANTY EXPRESS OR IMPLIED CONCERNING THE ACCURACY THEREOF. RESPONSIBILITY FOR INTERPRETATION AND APPLICATION OF THIS PRODUCT LIES WITH THE USER.

ORDINANCE NO. 05 - 01 - 03

AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #221-00-00-089.

WHEREAS, Berkeley County Council adopted a Zoning and Development Standards Ordinance, including Official Zoning and Development Standards Maps, on April 26, 1999, pursuant to Title 6, Chapter 29, of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, Berkeley County Council adopted such regulations for the purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the County; and

WHEREAS, the Berkeley County Council has determined that the rezoning or reclassification of the land designated herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was adopted on April 26, 1999;

NOW, THEREFORE, BE IT ORDAINED that the official Zoning and Development Standards Maps for Berkeley County, South Carolina, which were adopted pursuant to Ordinance No. 01-8-35 shall be modified in the following regard:

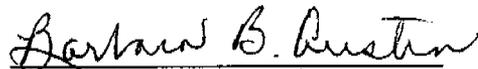
That portion of the official Zoning and Development Standards Maps adopted for Council District 8 and designated on Zoning Panel 16 which contains that property identified as TMS#221-00-00-089 as is more clearly shown on "Exhibit A", which is attached hereto and made a part hereof. This property has previously been designated and approved as R-1, Single Family Residential District, and will hereafter upon approval of this ordinance be reclassified as GC, General Commercial District.

BE IT FURTHER ORDAINED that all ordinances in conflict with this modification are repealed to the extent necessary to give this ordinance full force and effect.

ADOPTED this 24th of January 2005.


William E. Crosby, Vice Chairman
Berkeley County Council

ATTEST:


Barbara B. Austin
CLERK OF COUNTY COUNCIL

First Reading: November 15, 2004
Second Reading: December 13, 2004
Public Hearing: January 24, 2005
Third Reading: January 24, 2005

MEMBERS OF COUNTY COUNCIL

Phillip Farley

PHILLIP FARLEY Voting yes

Excused 1-24-05

JUDITH K. SPOONER Voting _____

William E. Crosby

WILLIAM E. CROSBY Voting yes

Excused 1-24-05

CHARLES E. DAVIS Voting _____

Dennis L. Fish

DENNIS L. FISH Voting yes

Judy C. Mims

JUDY C. MIMS Voting yes

Caldwell Pinckney, Jr.

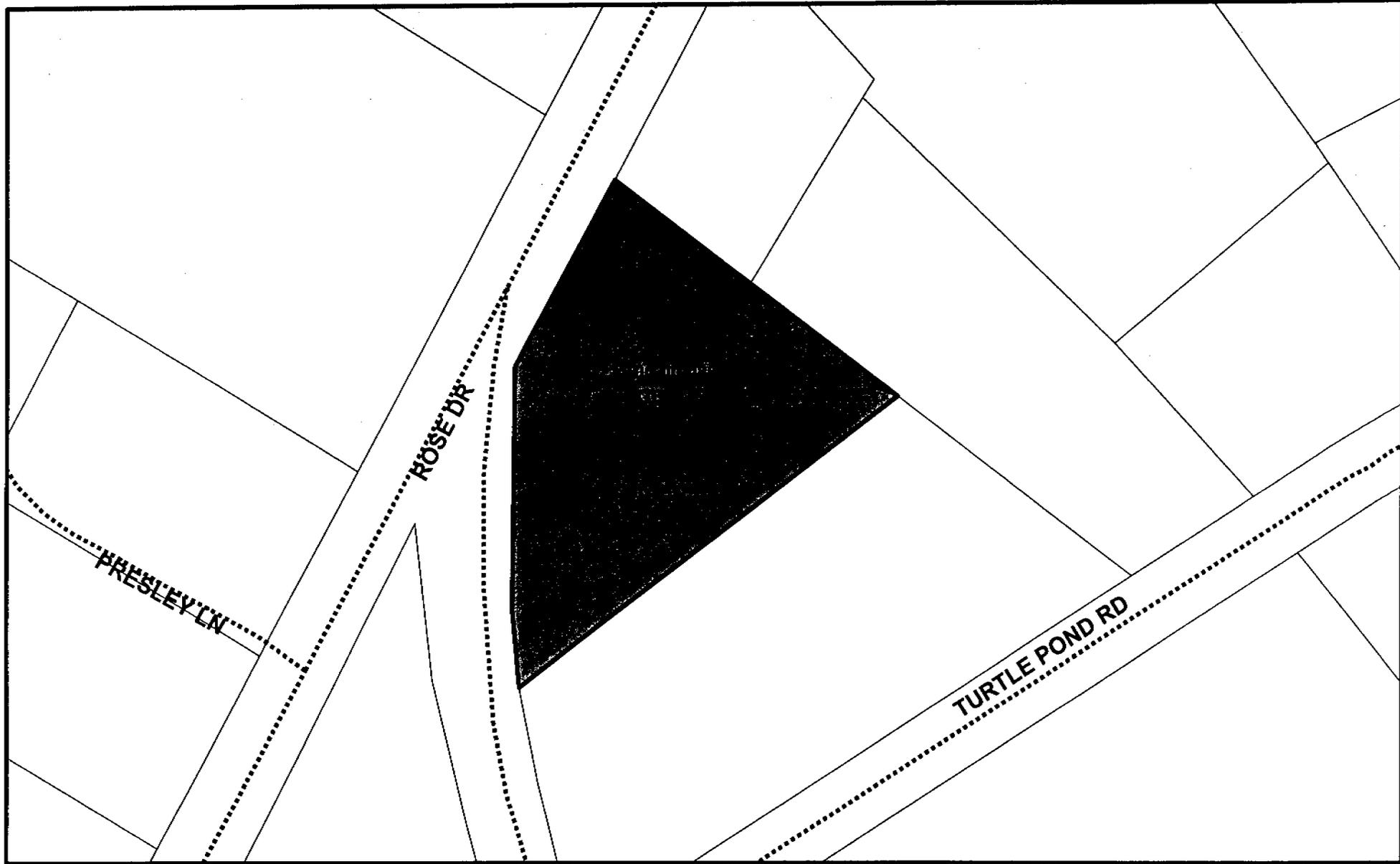
CALDWELL PINCKNEY, JR. Voting yes

Steve C. Davis

STEVE C. DAVIS Voting yes

05-01-03

TMS#:221-00-00-089



Berkeley County GIS Department
 223 N. Live Oak Drive
 Moncks Corner, SC 29461
 (843) 719-4036 | fax (843) 719-4190
 e-mail: rmauck@co.berkeley.sc.us
 1-24-05



THE COUNTY OF BERKELEY AND ITS GIS DEPARTMENT DISCLAIMS ACCOUNTABILITY FOR THIS PRODUCT AND MAKES NO WARRANTY EXPRESS OR IMPLIED CONCERNING THE ACCURACY THEREOF. RESPONSIBILITY FOR INTERPRETATION AND APPLICATION OF THIS PRODUCT LIES WITH THE USER.

RESOLUTION

R 05-01

PROVIDING FOR THE TRANSFER OF FUNDS APPROPRIATED IN THE 2004-2005 BUDGET FOR BERKELEY COUNTY FOR COUNTY PURPOSES OTHER THAN AS SPECIFIED IN SAID BUDGET

WHEREAS, Section 4-9-140 of the 1976 South Carolina Code of Laws, as amended, provides in part that upon approval of Council, funds appropriated in the annual budget may be transferred for purposes other than as specified in such budget; and

WHEREAS, the need has arisen which necessitates a transfer of funds appropriated in the annual budget for Berkeley County for other purposes;

NOW, THEREFORE, BE IT RESOLVED:

SECTION ONE

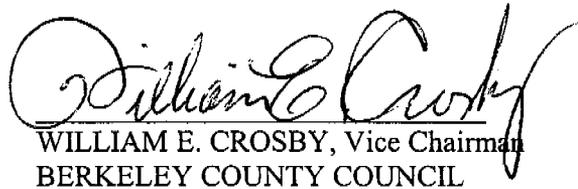
There is hereby transferred from budget line items designated in the 2004-2005 Berkeley County Budget the sum of **Nine Thousand Five Hundred Ninety Four and no/100 (\$ 9,594.00)** as set forth in Exhibit "A" attached hereto and made a part hereof by this reference.

SECTION TWO

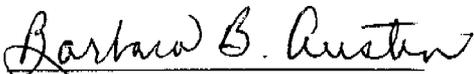
This sum shall be allocated to budget line items designated in the 2004-2005 Berkeley County Budget as set forth in Exhibit "A" attached hereto and made a part hereof by this reference.

ADOPTED this 24th ay of **January 2005**

(SEAL)


WILLIAM E. CROSBY, Vice Chairman
BERKELEY COUNTY COUNCIL

ATTEST:


Barbara B. Austin
Clerk of County Council

MEMBERS OF COUNTY COUNCIL

Phillip Farley
PHILLIP FARLEY Voting yes

Excused 1-24-05
JUDITH K. SPOONER Voting _____

William E. Crosby
WILLIAM E. CROSBY Voting ye

Excused 1-24-05
CHARLES E. DAVIS Voting _____

Dennis L. Fish
DENNIS L. FISH Voting yes

Judy C. Mims
JUDY C. MIMS Voting yes

Caldwell Pinckney, Jr.
CALDWELL PINCKNEY, JR. Voting yes

Steve C. Davis
STEVE C. DAVIS Voting yes

TRANSFER FROM:

47010 Contingency Fund (5301-Maintenance & Service Contracts)	\$636	
Contingency Fund (5352-Communications)	\$550	
Contingency Fund (5405-Computer Software)	\$2,529	
Contingency Fund (5513-Computer Equipment)	\$5,349	
Contingency Fund (5542-Special Contracts)	\$530	
44105 Veterans Services		\$9,594

TOTAL TRANSFERRED FROM: **\$9,594**

TRANSFER TO:

44105 Veterans Services		
5301 Maintenance & Service Contracts	\$636	
5352 Communications	\$550	
5405 Computer Software	\$2,529	
5513 Computer Equipment	\$5,349	
5542 Special Contracts	\$530	
Total to Veterans Services		\$9,594

TOTAL TRANSFERRED TO: **\$9,594**

RESOLUTION

R 05-02

WHEREAS, Berkeley County has received a request from Berkeley Citizens, Inc., a provider of services for people with developmental disabilities and special needs within Berkeley County, and

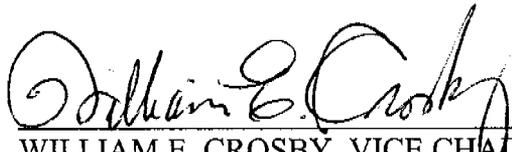
WHEREAS, Berkeley County Council is aware of the fine efforts and endorses the work by Berkeley Citizens, Inc., and

WHEREAS, Berkeley County Council has been advised by Berkeley Citizens, Inc. that funds may be available under the Federal Transit Administration, Section 5310 and the State Mass Transit Fund,

NOW, THEREFORE, BE IT RESOLVED that Berkeley County Council herewith designates Berkeley Citizens, Inc. as an entity in Berkeley County to provide transportation to people with developmental disabilities and special needs, and

BE IT FURTHER RESOLVED that Berkeley County Council supports Berkeley Citizens, Inc.'s application for funds under the Federal Transit Administration, Section 5310 and the State Mass Transit Fund Program.

ADOPTED this 24th day of January A. D., 2005.


WILLIAM E. CROSBY, VICE CHAIRMAN
BERKELEY COUNTY COUNCIL

(SEAL)

ATTEST:


Barbara B. Austin
Clerk of County Council

MEMBERS OF COUNTY COUNCIL

Phillip Farley
PHILLIP FARLEY Voting yes

Dennis L. Fish
DENNIS L. FISH Voting yes

Excused 1-24-05
JUDITH K. SPOONER Voting _____

Judy C. Mims
JUDY C. MIMS Voting yes

William E. Crosby
WILLIAM E. CROSBY Voting yes

Caldwell Pinckney, Jr.
CALDWELL PINCKNEY, JR. Voting yes

Excused 1-24-05
CHARLES E. DAVIS Voting _____

Steve C. Davis
STEVE C. DAVIS Voting YES

**PROPOSAL FORM E: LOCAL GOVERNMENT RESOLUTION
2005-2006 FTA SECTION 5310**

The Berkeley County Council herewith designates Berkeley Citizens, Inc.
as an entity in Berkeley County to provide transportation services to
people with disabilities.

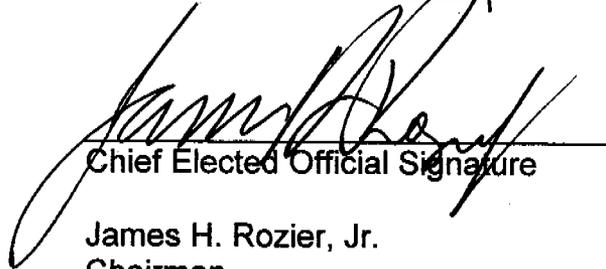
We further state that the applicant is one of the providers in this geographic
area that is or will be providing transportation services to particular sectors
of the elderly and/or persons with disabilities.

Approved and Adopted:

This 24th day of JANUARY, 2005

Attest:

Barbara B. Ruston


Chief Elected Official Signature

James H. Rozier, Jr.
Chairman
Berkeley County Council

RESOLUTION

A RESOLUTION AUTHORIZING THE COUNTY SUPERVISOR TO EXECUTE A LEASE AGREEMENT BETWEEN SOUTH CAROLINA FEDERAL CREDIT UNION AND BERKELEY COUNTY FOR PREMISES LOCATED AT 1003 HIGHWAY 52, MONCKS CORNER, SOUTH CAROLINA (TMS # 142-12-03-038).

WHEREAS, Berkeley County is the owner of the premises located at 1003 Highway 52, Moncks Corner, South Carolina (TMS # 142-12-03-038); and

WHEREAS, the South Carolina Federal Credit Union desires to lease a portion of said premises for use as a drive-up automated teller machine (ATM); and

WHEREAS, Berkeley County Council approves of the lease agreement.

NOW, THEREFORE, BE IT RESOLVED by the Berkeley County Council in a meeting duly assembled:

The County Supervisor is hereby authorized to execute the Lease Agreement between Berkeley County and the South Carolina Federal Credit Union for the premises located at 1003 Highway 52, Moncks Corner, South Carolina (TMS # 142-12-03-038).

ADOPTED by Berkeley County Council this 24th day of January, 2005.

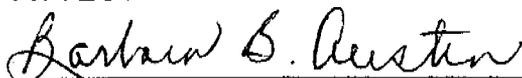
(SEAL)

Berkeley County, South Carolina



WILLIAM E. CROSBY
Vice Chairman, County Council

ATTEST:



Barbara B. Austin
Clerk of County Council

MEMBERS OF COUNTY COUNCIL

Phillip Farley

PHILLIP FARLEY Voting yes

Excused 1-24-05

JUDITH K. SPOONER Voting _____

William E. Crosby

WILLIAM E. CROSBY Voting yes

Excused 1-24-05

CHARLES E. DAVIS Voting _____

Dennis L. Fish

DENNIS L. FISH Voting yes

Judy C. Mims

JUDY C. MIMS Voting yes

Caldwell Pinckney, Jr.

CALDWELL PINCKNEY, JR. Voting yes

Steve C. Davis

STEVE C. DAVIS Voting YES

RESOLUTION

A RESOLUTION APPROVING THE ACCEPTANCE OF A NEW VOTING SYSTEM PURSUANT TO SOUTH CAROLINA CODE OF LAWS SECTION 7-13-1660 (1976, AS AMENDED)

WHEREAS, in order to comply with the 2002 Help America Vote Act (HAVA), the South Carolina Help America Vote Act State Plan Committee implemented a uniform statewide voting system; and

WHEREAS, Berkeley County is scheduled to receive and implement the new voting system in the year 2005; and

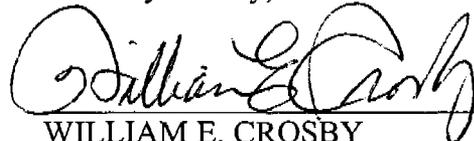
WHEREAS, pursuant to SC Code of Laws § 7-13-1660 (1976, as amended), Berkeley County Council must first approve the acceptance of the new system; and

WHEREAS, Berkeley County Council desires to approve the new system.

NOW, THEREFORE, BE IT RESOLVED by Berkeley County Council, in a meeting duly assembled, that Council hereby approves the acceptance of a new voting system.

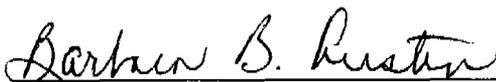
DONE this 24th day of January, 2005.

Berkeley County, South Carolina



WILLIAM E. CROSBY
Vice Chairman, County Council

ATTEST:



Barbara B. Austin, Clerk of Council
Berkeley County, South Carolina

MEMBERS OF COUNTY COUNCIL

Phillip Farley

PHILLIP FARLEY Voting yes

Excused 1-24-05

JUDITH K. SPOONER Voting _____

William E. Crosby

WILLIAM E. CROSBY Voting yes

Excused 1-24-05

CHARLES E. DAVIS Voting _____

Dennis L. Fish

DENNIS L. FISH Voting yes

Judy C. Mims

JUDY C. MIMS Voting yes

Caldwell Pinckney, Jr.

CALDWELL PINCKNEY, JR. Voting yes

Steve C. Davis

STEVE C. DAVIS Voting YES