

Charleston, SC
March 27, 2012

A regular meeting of County Council of Charleston County was held on the 27th day of March, 2012, at 7:00 p.m., in the Beverly T. Craven Council Chambers, Second Floor of the Lonnie Hamilton, III Public Services Building, located at 4045 Bridge View Drive, Charleston, South Carolina.

Present at the meeting were the following members of Council: Teddie E. Pryor, Sr., Chairman, who presided; Colleen Condon; Henry E. Darby; Anna B. Johnson; Joseph K. Qualey; A. Victor Rawl; Herbert R. Sass, III; Dickie Schweers and J. Elliott Summey.

Also present were: W. Kurt Taylor, County Administrator and County Attorney Joseph Dawson.

Rev. Robert Reid gave the invocation. Assistant Administrator for Community Services Christine DuRant 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.

Ms. Condon moved approval of Council's minutes of March 13th, 2012, seconded by Mr. Sass and carried.

A report was read from the Administration Policy/ Rules Committee under date of March 22nd, 2012 that it considered the requests for Council to adopt the following Resolutions.

Committee recommended that Council approve adoption of the requested Resolutions:

1. A resolution proclaiming April 8-14, 2012 as Library Week in Charleston County.
2. A resolution proclaiming April 11, 2012 as Bookmobile Day in Charleston County.
3. A resolution proclaiming April 8-14, 2012 as Community Development Week in Charleston County.
4. A resolution proclaiming the month of April, 2012 as Fair Housing Month in Charleston County.
5. A resolution honoring the accomplishments of the Bishop England High School Girls Varsity Basketball Team.

**Request
Resolutions
Library Week
Bookmobile Day
Community
Development
Week
Fair Housing
Month
Bishop England
High School Girls
Basketball Team
Alive at 25.**

6. A resolution in support of the “alive at 25” project.

Ms. Condon moved approval of the 6 requested Resolutions, seconded by Ms. Johnson, and carried.

The Resolutions are as follows:

**A RESOLUTION
OF CHARLESTON COUNTY COUNCIL**

WHEREAS, libraries have historically served as our nation’s great equalizers of knowledge by providing access to all; and,

WHEREAS; libraries work to meet the changing needs of their users, including building collections, expanding outreach services and increasing programming; and,

WHEREAS, our nation’s libraries provide a forum to diverse ideas and points of view that help us better understand each other and ourselves; and,

WHEREAS, librarians are trained professionals helping people of all ages and backgrounds find and interpret the information they need to live, learn and work in a challenging economy; and,

WHEREAS, librarians design and offer programs to meet their community’s economic needs, providing residents with resume writing classes, interviewing workshops and job seeking resources; and,

WHEREAS, libraries are part of the American dream, places for education, opportunity and lifelong learning; and,

WHEREAS, libraries, librarians, library workers and supporters across America are celebrating National Library Week.

NOW, THEREFORE, be it resolved that **Charleston County Council** does hereby proclaim April 8-14, 2012, as National Library Week and encourages all residents to visit the Charleston County Public Library this week to take advantage of the wonderful library resources available.

CHARLESTON COUNTY COUNCIL
Teddie E. Pryor, Chairman
March 27, 2012

**A RESOLUTION
OF CHARLESTON COUNTY COUNCIL**

WHEREAS, libraries everywhere play a vital role in supporting the quality of life in their communities; and,

WHEREAS, librarians are trained professionals, helping people of all ages and backgrounds find and interpret the information they need to live, learn and work in a challenging economy; and,

WHEREAS, for over 100 years, bookmobiles and direct-delivery outreach services have played a vital role in fulfilling the mission of libraries, bringing the resources of libraries and the expertise of librarians directly to all kinds of communities – rural, urban and suburban; and,

WHEREAS, bookmobiles are modern, changing and dynamic mobile information centers for the 21st century, providing not just books, but DVDs, music, resources for job searches, and more; and,

WHEREAS, as an extension of libraries, bookmobiles are part of the American Dream – places for opportunity, education, self-help and lifelong learning; and,

WHEREAS, bookmobile use is up nationwide among all types of library users; and,

WHEREAS, libraries, librarians, library workers and supporters across America are celebrating National Bookmobile Day during National Library Week.

NOW, THEREFORE, be it resolved that **Charleston County Council** does hereby proclaim April 11, 2012, as National Bookmobile Day and encourages all residents to visit the Charleston County Public Library bookmobile and take advantage of the wonderful resources brought directly by the bookmobile.

CHARLESTON COUNTY COUNCIL
Teddie E. Pryor, Chairman
March 27, 2012

**A RESOLUTION
OF CHARLESTON COUNTY COUNCIL**

WHEREAS, the Community Development Block Grant (CDBG) Program has operated since 1975 to provide local governments with the resources required to meet the needs of persons of low and moderate income, and

CDBG funds are used by thousands of neighborhood-based non-profit organizations throughout the nation to address pressing neighborhood and human service needs; and,

WHEREAS, the Community Development Block Grant Program has had a significant impact on our local economics through job creation, physical redevelopment and improved local tax bases; and,

WHEREAS, Charleston County and other local governments have clearly demonstrated the capacity to administer and customize the CDBG Program to identify and resolve pressing local problems, such as affordable housing, neighborhood and human service needs, job creation and retention and physical redevelopment.

NOW, THEREFORE, BE IT RESOLVED, that Charleston County Council, does hereby proclaim the week of April 8-14, 2012, as Community Development Week in Charleston County, and urges all citizens to join in recognizing the Community Development Program of Charleston County and its importance to our community.

CHARLESTON COUNTY COUNCIL
Teddie E. Pryor, Chairman
March 27, 2012

**A RESOLUTION
OF CHARLESTON COUNTY COUNCIL**

WHEREAS, Charleston County is designated as an Urban Entitlement Community and is a grantee of funds from the US Department of Housing and Urban Development; and

WHEREAS, HUD-funded grant recipients are obligated under various laws not to discriminate in housing or services directly or indirectly on the basis of race, color, religion, sex, national origin, age, familial status, or disability; and

WHEREAS, HUD rules further require that recipients of Federal financial assistance comply with civil rights related program requirements that affect nearly every aspect of each program. HUD's non-discrimination requirements are compiled from several different federal laws designed to protect each individual's right to fair housing and equal opportunity; and

WHEREAS, fair housing and fair housing choice is generally defined as the ability of people with similar incomes to have similar access to housing; and

WHEREAS, fair housing is an issue of affordable housing in our cities and rural areas and continues to be a problem for many families of all races, the young as well as the elderly; and

WHEREAS, Charleston County utilizes HUD funding to educate the public regarding the rights and responsibilities afforded by the fair housing law, to include the education of housing providers and financial providers; and

WHEREAS, April has been designated as Fair Housing Month in the United States, and provides an opportunity for all Americans to dedicate themselves to the principles of free choice and to reacquaint themselves with the rights and responsibilities that are theirs under the law.

NOW, THEREFORE, BE IT RESOLVED, that Charleston County Council, does hereby proclaim April 2012 as Fair Housing Month in Charleston County, and urges all citizens of Charleston County to join in this effort to reaffirm fair housing opportunities for all people and to practice the letter and spirit of the Fair Housing Law.

CHARLESTON COUNTY COUNCIL
Teddie E. Pryor, Chairman
March 27, 2012

A RESOLUTION OF CHARLESTON COUNTY COUNCIL

HONORING THE ACCOMPLISHMENTS OF THE BISHOP ENGLAND HIGH SCHOOL GIRLS VARSITY BASKETBALL TEAM

WHEREAS, from time to time **Charleston County Council** has the privilege of recognizing individuals in this community who exemplify commitment, determination, dedication, and excellence; **and**,

WHEREAS, the **2011-2012 Bishop England High School Girls Varsity Basketball Team** has exhibited all of these characteristics in an exceptional basketball season, finishing with a record of 28-0; **and**,

WHEREAS, the season culminated with the **Battling Bishops** being crowned the 2011-2012 South Carolina Division II-AA State Champions; **and**,

WHEREAS, the team of champions is comprised of **Katelyn Grisillo, Daria Smith, Katie Corbett, Amber Corbett, Mia Kiernan, Megan Latorre, Ellie James, Michelle Boykin, Eran Artigues, April Newton, Mary Harriet Moore, Nicolette Durham, Michelle Lussier, Zizi Archambault, and Camden Taylor**; **and**,

WHEREAS, the stellar team's coaching staff are **Head Coach Paul Runey, Assistant Coaches Jules Schwerin, Karen Searson, Bill Collier, and Laura Marquardt, and Manager Stevie Detros.**

NOW, THEREFORE BE IT RESOLVED THAT CHARLESTON COUNTY COUNCIL, in meeting duly assembled, is proud to congratulate the **Varsity Girls Basketball Team of Bishop England High School** for their spectacular basketball season and for bringing the honor of the **Division II-AA State Championship** to the Lowcountry.

CHARLESTON COUNTY COUNCIL
Teddie E. Pryor, Sr., Chairman
March 27, 2012

**A RESOLUTION
OF CHARLESTON COUNTY COUNCIL**

WHEREAS, Charleston County Council recognizes that the Alive At 25 program is a young driver intervention program that zeroes in on drivers between the ages of 15 and 24 – the group most likely to be involved in fatal collisions; and,

WHEREAS, Alive At 25 is a survival course developed by the National Safety Council and is designed to prevent the number one killer of teens, automobile crashes; and,

WHEREAS, Alive at 25 is taught by off-duty officers and is delivered in one 4-1/2 hour program which focuses on the behaviors and decision making paradigms that young drivers and passengers display behind the wheel; and,

WHEREAS, the South Carolina National Safety Council, the Allstate Foundation, South Carolina Department of Public Safety, South Carolina Highway Patrol, South Carolina Office of Highway Safety, Charleston County Sheriff's Office, and other law enforcement agencies, high schools, judicial Circuits and local community leaders have partnered to reverse the rate of Teen deaths by automobile accidents by implementing a bold and aggressive education program; and,

WHEREAS, the Alive at 25 program encourages young drivers to take responsibility for their behavior in various driving situations and to be aware of peer pressure and environmental distractions.

NOW THEREFORE, BE IT RESOLVED that County Council of Charleston County does hereby endorse the Alive At 25 program with hopes that the program goals are met because one life lost is one too many.

CHARLESTON COUNTY COUNCIL
Teddie E. Pryor, Sr. Chairman
March 27, 2012

**Charleston
Center Advisory
Board
Appointments 4**

A report was read from the Administration Policy/Rules Committee under date of March 22, 2012 that it considered the information provided by Kristen Salisbury, Deputy Clerk to Council, regarding the need to make appointments to Charleston Center Advisory Board. It was stated that an announcement of vacancies for the Charleston Center Advisory Board was previously made. It was shown that an application for reappointment was received from Terry Brown and an application for appointment was received from Patty Tennant, and that following these appointments, there will remain two vacancies on the Charleston Center Advisory Board, which vacancies will be announced..

It was further shown that the nine Members of the Alcohol and Other Drug Abuse Services Board serve in an advisory capacity only, and that at least two members shall be representatives of the community of recovering persons and at least two members shall be representatives from the treatment community with a medicine, psychology, social work or addictions counseling background. It was further stated that members' terms are for three years, and that the Board meets on the second Monday of each month at 5:30 p.m.

Committee recommended that Council:

1. reappoint Terry Brown to the Charleston Center Advisory Board for a term to expire in November 2014.
2. appoint Patty Tennant to the Charleston Center Advisory Board for a term to expire in November 2014.

Mr. Schweers moved approval of Committee recommendations 4 through 11, seconded by Ms. Johnson and carried.

Ms. Condon asked that Item 10 be taken separately since she needed to abstain because one of her relatives was apply for appointment to Item 10, the Procurement Appeals Board.

The Chairman announced that this would be done.

**Awendaw
Consolidated Fire
District
Appointment 1**

A report was read from the Administration Policy/Rules Committee under date of March 22, 2012 that it considered the information provided by Kristen Salisbury, Deputy Clerk to Council, regarding the need to make appointments to Awendaw Consolidated Fire District Advisory Board. It was stated that an announcement of vacancies for the Awendaw Consolidated Fire District Advisory Board was previously made and that an application for reappointment was received from Gary Durgin. It was shown that following this appointment there will remain five vacancies on the Awendaw Consolidated Fire District, four of these vacancies are for seats that expire in April, 2012. It was further shown that the Awendaw Consolidated Fire District was established by County Ordinance and consists of nine members seven residents of the East Cooper area and a representative from the Towns of Awendaw and McClellanville. The purpose of the Board is to advise Charleston County Council of the nature and level of fire services to be provided in the Awendaw Consolidated Fire District.

Committee recommended that Council reappoint Gary Durgin to the Awendaw Consolidated Fire District Advisory Board for a term to expire in April 2013.

**Disabilities
Board
Appointments 3**

A report was read from the Administration Policy/Rules Committee under date of March 22, 2012 that it considered the information provided by Kristen Salisbury, Deputy Clerk to Council, regarding the need to recommend that the Governor make three appointments to Disabilities and Special Needs Board. It was stated that an announcement of vacancies for the Disabilities and Special Needs Board of Charleston County was previously made. It was shown that applications for appointment were received from Brian Agnew, Elizabeth Burke, and Catherine Lafond. It was further shown that Members of the Disabilities and Special Needs Board are appointed by the Governor for four year terms upon recommendation by County Council, and that the mission of the Board is to assist people with disabilities in meeting their needs, pursuing their dreams and achieving their possibilities; and to minimize the occurrence and reduce severity of disabilities through prevention. The Board meets on the fourth Thursday of each month at 5:30 p.m.

Committee recommended that recommend to the Governor the appointment of Brian Agnew, Elizabeth Burke, and Catherine Lafond to the Charleston County Disabilities and Special Needs Board for terms to expire in September 2014.

**Charleston
Development
Corporation
Appointments 1**

A report was read from the Administration Policy/Rules Committee under date of March 22, 2012 that it considered the information provided by Kristen Salisbury, Deputy Clerk to Council, regarding the need to appoint a citizen to the Charleston Development Corporation. It was shown that one application was received for this appointment and that the notice of vacancies had previously been made. It was stated that The Charleston Development Corporation (CDC) is a 501(c)(3) nonprofit organization whose purpose is to further human, social and economic development in the County of Charleston and to promote a healthier and safer community. The Board of Directors of the CDC consist of five (5) members; one member is the Chairman of the County Council's Economic Development Committee, one member is the Deputy Administrator for Finance, one member is the Assistant Administrator for Community Services, and the other two (2) members are private citizens appointed by County Council who shall serve terms of two (2) years.

Committee recommended that Council appoint Leonard Scott Kirby to the Charleston Development Corporation for a term to expire in March 2014.

**Business License
Appeals Board
Appointments 1**

A report was read from the Administration Policy/Rules Committee under date of March 22, 2012 that it considered the information provided by Kristen Salisbury, Deputy Clerk to Council, regarding the need to make one appointment to the Business License/User Fee Appeals Board. It was stated that an announcement of vacancies for the Business License/User Fee Appeals Board was previously made, and that one application for appointment was received from Gordon McCay and that this appointment will fill all vacancies on the Business License/User Fee Appeals Board. It was shown that the Business License/User Fee Appeals Board is a six member board that is charged by County Council to

receive testimony and make written determinations concerning appeals of citizens and the business community aggrieved by any action taken by the Business License/User Fee Department. Half of the members of this board must be either CPAs or attorneys and other applicants are encouraged to have a strong legal and/or financial background. Meetings are scheduled in the evenings, after normal working hours, on an as needed basis. All determinations made by this Board are final unless the decision of the Board is appealed to Council within ten days after service of the Board's decision. Terms of the Business License/User Fee Appeals Board are for four years.

Committee recommended that Council appoint Gordon McCay to the Business License/User Fee Appeals Board for a term to expire in September 2015.

**St. Andrew's
Parks and
Playground
Commission
Appointment 1**

A report was read from the Administration Policy/Rules Committee under date of March 22, 2012 that it considered the information furnished by Kristen Salisbury, Deputy Clerk to Council, regarding the need to recommend that the Governor make one appointment to the Saint Andrews Parks and Playground Commission. It was stated that an announcement of one vacancy for the Saint Andrews Parks & Playground Commission was previously made.

An application for appointment was received from Wendell Glover. This appointment will fill all vacancies on the Saint Andrews Parks and Playground Commission. It was stated that the Saint Andrews Parks and Playground Commission is a Public Service District formed by the state legislature and is composed of five volunteer citizens that live within the Public Service District. The Commission is appointed by the Governor, upon recommendation of Charleston County Council for a term of three years. The duties of the Commission include preparing an annual budget to be approved by Charleston County Council and making and maintaining policy for the Agency. The staff of St. Andrews Parks and Playground report to the Executive Director who in turn reports directly to the Commission.

Committee recommended that the Governor appoint Wendell Glover to the Saint Andrews Parks and Playground Commission for a term to expire in July 2014.

**Procurement
Appeals Board
Appointments 2**

A report was read from the Administration Policy/Rules Committee under date of March 22, 2012 that it considered the information provided by Kristen Salisbury, Deputy Clerk to Council, regarding four vacancies on the Procurement Appeals Board. It was stated that announcement of vacancies for Procurement Appeals Board was previously made, and that two applications for appointment were received from Marilyn Walter Johnson and Jacqueline Todd.

It was shown that the Charleston County Procurement Appeals Board meets only in the case of a formal protest by a vendor, regarding the solicitation of an award or an appeal from a determination made by the Director of Procurement. The Chairman of this five member Board must be an attorney. Terms are for two years.

Committee recommended that Council:

1. Appoint Marilyn Walter Johnson to the Procurement Appeals Board for a term to expire in June 2014.
2. Appoint Jacqueline Todd to the Procurement Appeals Board for a term to expire in June 2014

Ms. Condon abstained from this vote and furnished the Clerk of Council with a Statement of Conflict of Interest due to her relationship to Marilyn Walter Johnson.

**Firemen's
Insurance and
Inspection Fund
A) James Island
B) St. Johns Fire
C) St. Pauls Fire
Appointments**

A report was read from the Administration Policy/Rules Committee under date of March 22, 2012 that it considered the information provided by Kristen Salisbury, Deputy Clerk to Council, regarding the need to make recommendations to the Charleston County Treasurer for appointments to the Firemen's Insurance and Inspection Fund. It was stated that the Firemen's Insurance and Inspection Fund (1% Commission) is comprised of 21 members: the County Treasurer and 4 representatives from each of the five fire districts in the County (Awendaw, St. John's, St. Paul's, St. Andrews PSD, and James Island PSD), with Members being appointed by the Treasurer upon recommendation of County Council for four year terms. It was shown that all insurance companies doing business in South Carolina must report to the Department of Insurance the amount of fire insurance premiums written for improvements to all assessed property in each county and is then assessed a 1% tax for the fire insurance premiums written per county and that money is deposited into the 1% Fund and is dispersed to each County Treasurer. It was further shown that the Fund is then distributed to each fire district by the County Treasurer through the Firemen's Insurance & Inspection Fund (1%) Commission. It was further stated that the role of the 1% Commission is to ensure that expenditures from the fund are consistent with state statutes that regulate the fund.

Committee recommended that the County Treasurer:

1. Appoint Donald Hollingsworth, Charles Oshinsky and Edward Padgett to the James Island PSD Firemen's Insurance and Inspection Fund for terms to expire in March 2016.
2. Appoint Sam Brownlee, H.B. Limehouse, Jr., and Richard Thomas to the Saint Johns Fire District Firemen's Insurance and Inspection Fund for terms to expire in March 2016.
3. Appoint Paulette Pop to the Saint Pauls Fire District Firemen's Insurance and Inspection Fund for a term to expire in March 2016.

**Board of
Assessment
Appeals
Appointment 1**

A report was read from the Administration Policy/Rules Committee under date of March 22, 2012 that That it considered the information provided by Kristen Salisbury, Deputy Clerk to Council, regarding the need to make an appointment to the Board of Assessment Appeals. It was stated that an announcement of one vacancy for the Board of Assessment Appeals was previously made.

Applications for appointment were received from C. Brent Jonas, Leonard Scott Kirby, and James Henderson Martin. Please note Mr. Kirby is a Charleston County employee in the Auditor's Office. This appointment will fill all vacancies on the Board of Assessment Appeals.

The Board of Assessment Appeals hears appeals from the Assessor's valuation of property values. Hearings are workload driven and are usually held on Wednesday afternoons. The Board's fifteen members shall be appointed by County Council to four year terms.

Committee recommended that this item be sent to Council with no recommendation, since the vote at Committee tied with two votes for Leonard Scott Kirby and two votes for James Henderson Martin. The successful candidate will be appointed for a term to expire in June 2016.

Ms. Condon moved approval of Mr. Martin for appointment to the Board of Assessment Appeal and Mr. Martin's was appointed unanimously.

A report was read from the Planning Public Works Committee under date of March 22, 2012, regarding proposed amendments to the Zoning and Land Development Regulations Ordinance (ZLDR) – Section 3.4.6, Approval Criteria, Zoning Map Amendments.

**ZLDR
Amendments
A Request to
Amend
B Ordinance
1st Reading**

Committee recommended approval.

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

An Ordinance giving first reading to proposed Zoning and Land Development Amendments was read by title only.

AN ORDINANCE

AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE NUMBER 1202, AS AMENDED, AT THE FOLLOWING LOCATIONS: SECTION 3.4.6 (APPROVED CRITERIA, ZONING MAP AMENDMENTS (REZONING); ARTICLE 3.16 (DEVELOPMENT AGREEMENTS) CHAPTER 4 (BASE ZONING DISTRICTS) ARTICLE

The Ordinance in it does entirely will appear in the minutes of Charleston County Council at the time of third reading.

A report was read from the Planning Public Works Committee under date of March 22, 2012, that it considered the information furnished by W. Kurt Taylor, County Administrator, and James Neal, Director of Public Works, regarding a request that County Council authorize the abandonment of a 50 foot wide right of way stub street off Howle Avenue. It was stated that the property owner making the request owns property on both sides of this stub street. It was further stated that this undeveloped right of way

**Howle Avenue
Abandonment
Request to
Approve**

has never been maintained by the County. It was shown that on January 24th, Council authorized the posting of a public notice sign to receive public comments regarding the proposed abandonment. Notice was posted on the property from February 1, 2012, until March 2, 2012, and no comments were received.

Committee recommended that Council abandon the 50' wide right-of-way stub street off Howle Avenue, James Island, with the understanding that the abandonment does not assure ownership of the right-of-way, and the petitioner may have to comply with provisions of the SC Code of Laws, Section 57-9-10 et seq, and also illustrate and reference a plat showing all private and utility easements, if any, within one year of Council action.

Ms. Johnson moved approval of Committee recommendation, seconded by Mr. Sass, and carried.

**FY2013
SCDHEC
Grant
Application**

A report was read from the Planning Public Works Committee under date of March 22, 2012, that it considered the information furnished by W. Kurt Taylor, County Administrator, and the Environmental Management Department's requests for Council approval to submit annual Waste Oil and Waste Tire Grant applications to SC Department of Health and Environmental Control for FY 2013 or July 1, 2012-June 30, 2013.

Waste Oil Grant

The Waste Oil Grant application request totals \$12,467.20. This grant provides funding to establish, expand or continue operation of used motor oil collection programs for do-it-yourself oil changers. This is to include programs related to the collection of used motor oil, oil filters, oil bottles and oil gas mixtures. The Departments application includes a request of \$2,000 for anticipated contractor collection costs.

Funds also support professional development for attendance to waste reduction/recycling seminars or conferences related to used oil recycling. This grant also allows funding for public information/education projects based on population. The remaining \$10,467.20 requested will fund allowable public education, professional development, and supplies and equipment expenses for program staff.

Waste Tire Grant

The Waste Tire Grant application request totals \$63,828. This grant provides funds for the removal of waste tires for processing and or /recycling, public education that promotes the recycling of waste tires, professional development related to waste tire recycling and other direct costs. Grant funds will be used to offset the difference between actual tire disposal expenses and anticipated revenue received from Tire Taxes (State Shared) and Landfill tipping fees. The projected FY 2013 difference between anticipated expenses and anticipated revenue is \$60,078. The remaining \$3,828 of the request will fund allowable public education and professional development expenses for program staff.

Committee recommended that Council authorize Environmental Management staff to proceed with submitting FY 2013 SCDHEC applications for Used Oil and Waste Tire grants, with the understanding that the total SCDHEC FY 2013 submission is \$76,295.20; that no FTEs or matching funds are required and the grant period is July 1, 2012 through June 30, 2013.

Ms. Johnson moved approval of Committee recommendation, seconded by Mr. Sass and carried.

**Radio User Fee
Ordinance
Amendment
A Request to
Approve
B Ordinance 1st
Reading**

A report was read from the Finance Committee under date of March 22, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator and Bill Tunick, Director of Radio and Telecommunications, regarding an ordinance to increase the radio fee from \$25.00 to \$38.00 per month. It was stated that the build-out of five new 800 MHz radio tower sites, and major upgrades to two existing tower sites, as part of Phases 1 and 2 of the radio expansion/upgrade project is fully operational. The new and upgraded towers are in beneficial use by all the public safety jurisdictions and other supported departments throughout Charleston County. It was shown that Phase 3 of the project has started which will provide three additional tower sites, and these sites are scheduled to become operational in June 2012. It was shown that feedback on the improvements thus far has been very positive from the public safety user community in terms of performance, coverage and quality of the expanded/upgraded network. Final acceptance of all tower sites (Phases 1, 2 and 3) will not take place until complete coverage and acceptance testing this summer when our worst case interference conditions occur. Council was advised that with the addition of a total of eight new tower sites and major upgrades to the existing radio tower infrastructure, the County's annual operational and maintenance costs for the radio network will increase by approximately 50%, to a total of approximately \$2.6 million in FY13 and considering the total number of radios in use on the County network (approximately 5,800), and the operational and maintenance cost, the new monthly charge to cover County annual cost of the network is calculated at \$38.00 per radio. It was stated that the original radio user fee of \$25.00 per month was approved by County Council in July 2005, via an ordinance amending portions of Charleston County Code Section 2-137. In this proposed amended ordinance, the Radio User Fee is defined as a means to defray the yearly operational cost of maintaining the digital (radio) system, in an equitable manner, to be charged to all users.

Committee recommended that Council approve and give first reading to an Ordinance amending the radio fee from \$25.00 to \$38.00, effective on January 1, 2013.

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

An Ordinance increasing fees in the radio communications department was given first reading by title only.

AN ORDINANCE

AMENDING CHARLESTON COUNTY ORDINANCE NUMBER 1405 TO
INCREASE FEES IN THE RADIO COMMUNICATIONS DEPARTMENT
FOR USERS OF CHARLESTON COUNTY'S ASTRO-25 DIGITAL
RADIO SYSTEM

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

**Roll Carts Non-
Competitive
Procurement
Request to
Approve**

A report was read from the Finance Committee under date of March 22, 2012 that it considered That it considered the information furnished by W. Kurt Taylor, County Administrator and Barrett J. Tolbert, Director of Procurement, regarding a non-competitive procurement in which County Council tasked the Department of Environmental Management to expand the single stream residential recycling and commercial recycling collection systems in Charleston County. It was stated that the purpose of this program was to test the effectiveness, productivity, safety, and labor savings of mechanical automated curbside collection vehicles, carts of various sizes and the effectiveness of a software tracking system for asset management, resident participation, and customer service, and the implementation timeline for an additional ten thousand (10,000) 95 gallon single stream recycling carts is sixty (60) days in duration with collection operations scheduled to start June 1, 2012. It was shown that to satisfy the requirements in a timely and proper manner, authorization to purchase additional residential and commercial roll-carts, is requested. It was further stated that Rehrig Pacific Company is recommended because it gives the County the following value added options that are not available by its competitors:

- It has established a County database of residential and commercial customers.
- It has established a customer service system for the Environmental Management Collections Division.
- Environmental Management currently has this system in operation.

It was further shown that due to the uniqueness of these carts with the Ultrahigh Radio Frequency Identification tag (UHF RFID) and barcode integration, it is in the best interest of the County to continue to use the current vendor in the next phase of the single stream recycling program.

It was further stated that pursuant to the Procurement Ordinance Section 2-187, justification/documentation has been received, which supports purchasing these goods and services as a non-competitive procurement and that a sole source or non-competitive contract award greater than \$150,000.00 for a supply, service, or construction item is subject to County Council approval. Additionally, in order to meet council's timeline for meeting increased recycling goals, the compatibility of equipment, accessories, systems, software and replacement parts is of paramount importance.

Committee recommended that Council authorize staff to continue with the current vendor, by increasing the purchase order for ten thousand (10,000) 95 gallon single stream recycling carts to Rehrig Pacific Company in an estimated amount of \$600,000.00. Additionally, as the success of the pilot program has been proven, in

the interest of standardization, and since the compatibility of equipment, accessories, systems, software and replacement parts is of paramount importance, authorize staff to continue to contract with the current vendor for future purchases and contracts until such time as staff deems it reasonable or necessary to solicit goods and services from other vendors and/or service providers.

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

**Library Strategic
Plan
Recommendation**

A report was read from the Finance Committee under date of March 22, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator, and Members of the Library Board of Trustees, regarding the new mission, vision and goals of the Charleston Library System and the additional facilities and supply needs of the Charleston County Public Libraries.

Committee recommended that Council:

1. Accept Charleston County Public Library's Mission, Vision and Goals as the direction for library services through 2017.
2. Direct County staff to work with the Library staff to analyze the various methods available to fund future library operations, factoring in the need for library services to stay up to date with population growth, technology and customer demands.
3. Direct County staff to work with the Library staff to develop cost estimates for construction of new facilities, renovation of existing facilities and associated operating costs (staff, materials, etc.) Funding options would include, but not be limited to, a future bond referendum at a time to be determined by County staff.
4. Direct staff to furnish the results of items 2 and 3 to County Council by January 2013 for inclusion in the Capital Improvement Plan and the General Fund Five-Year Forecast.

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

**FY 2012
Accommodations
Tax
Recommendation**

A report was read from the Finance Committee under date of March 22, 2012 that it considered the information furnished by W. Kurt Taylor, County Administrator, and Keith Bustraan, Deputy Administrator for Finance, regarding Charleston County Local Accommodations Tax. It was stated that all requests for funding were evaluated by staff.

Committee recommended that Council:

1. Revise the FY 2012 Accommodations Tax revenue estimate to \$10,540,000, an increase of \$500,000

2. From the FY 2012 Accommodations Tax Fund:

- A) Appropriate \$26,000 to the Patriots Point Development Authority for the Admiral's and Captain's Quarters Restoration Project.
- B) Appropriate \$25,000 to the Gibbes Museum of Art for the Facility Restoration and Renewal.
- C) Appropriate \$90,000 to the Charleston Museum for the Courtyard Completion Project.
- D) Appropriate a lump sum amount of \$189,000 to the Charleston Area Convention and Visitors Bureau.

3. Pledge:

- A) An additional \$275,000 to the Gibbes Museum of Art's Facility Restoration and Renewal Project over the next three fiscal years.
- B) An additional \$90,000 to the Charleston Museum's Courtyard completion project in FY 2013.

Mr. Schweers moved approval of Committee recommendation, seconded by Ms. Condon.

Mr. Darby moved an amendment to the Committee recommendation as follows:

I move to amend the motion to appropriate an additional \$74,000 to the Patriots Point Development Authority's Admiral's and Captain's Quarters Restoration Project from the FY 2012 Accommodations Tax Fund's fund balance to bring the total Patriots Point appropriation to \$100,000.

This amendment was seconded by Mr. Summey.

After a lengthy discussion and questions of Staff, Mr. Schweers declined to accept the amendment and the Chairman called for a roll call vote on the original motion.

The roll was called and votes were recorded as follows:

Ms. Condon	- aye
Mr. Darby	- aye
Ms. Johnson	- aye
Mr. Qualey	- aye
Mr. Rawl	- aye
Mr. Sass	- aye
Mr. Schweers	- aye
Mr. Summey	- aye
Mr. Pryor	- aye

The vote being nine (9) ayes, the Chairman declared the Committee recommendation to have carried.

Mr. Darby moved to amend Council's action as follows:

That Council appropriate to the Patriots Point Development Authority's Admiral's and Captain's Quarters Restoration Project from the FY 2012 Accommodations Tax Fund's fund balance the sum of \$100,000 instead of the sum of \$26,000 as previously approved.

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

Ms. Condon	- nay
Mr. Darby	- aye
Ms. Johnson	- aye
Mr. Qualey	- aye
Mr. Rawl	- abstain
Mr. Sass	- abstain
Mr. Schweers	- aye
Mr. Summey	- aye
Mr. Pryor	- aye

The vote being six (6) ayes, one (1) nay and two (2) abstaining, the Chairman declared the motion to have carried.

Ms. Condon stated that she felt the Convention and Visitors Bureau and the College of Charleston should give consideration to "emerging events" when making decisions regarding the Charleston County Accommodations Tax Funding and made the following motion.

That Council task staff to work with the CVB to develop a process to evaluate funding options for emerging groups / events to determine their potential to positively impact future accommodations tax collections. This directive would provide seed monies through Accommodations Tax revenues to specifically fund efforts identified through the evaluation process as having the most future potential.

This motion was seconded by Mr. Pryor and carried.

A report was read from the Special Finance Committee meeting under date of March 27, 2012 that it considered the information furnished by County Attorney Joe Dawson, and Staff, in executive session, regarding the County's need to secure a location for a Material Recovery Facility.

Committee recommended that Council authorize Staff to negotiate a property purchase agreement and bring their recommendation back to Council.

Ms. Johnson moved approval of Committee recommendation, seconded by Ms. Condon.

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

Ms. Condon	- aye
Mr. Darby	- aye
Ms. Johnson	- aye
Mr. Qualey	- nay
Mr. Rawl	- absent at time of voting
Mr. Sass	- nay
Mr. Schweers	- aye
Mr. Summey	- nay
Mr. Pryor	- aye

The vote being five (5) ayes, one (1) absent at time of voting and three (3) nays, the Chairman declared the motion to have carried.

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

**Council
Comments**

Ms. Johnson thanked Members of the audience for their attendance at this evening's meeting.

Mr. Sass stated that he wanted Staff to know that he appreciated all the hard work that they do.

Mr. Rawl stated that the reason he abstained on the Patriot Point Project was not because he objected to their receiving the funds, but only because he objected to the process.

The Administrator thanked the Library Board of Trustees for their presentation and said that he wanted to point out a person in the audience, Mr. Peter McKellar, who was the architect in charge when the County built the Main Library and the four branches.

Mr. Qualey, Chairman of the Administration Policy/Rules Committee requested Council's unanimous consent to add a matter on tonight's agenda. Mr. Qualey stated that appointments to the Firemen's Insurance and Inspection Fund from the James Island PSD showed that four vacancies were available for appointment and or reappointment, and that two applications had been received and appointments made earlier this evening. He added that Mr. Charles Oshinsky, who currently serve on this Board desired reappointment, but his application had not received. Mr. Qualey asked for unanimous consent to add the reappointment to Council's agenda.

This was done by unanimous consent.

Mr. Qualey moved that Mr. Oshinsky be reappointed to the Firemen's Insurance and Inspection Fund Board.

This motion was seconded by Ms. Johnson and carried.

The Chairman stated that Council needed to go into executive session regarding a security matter.

Ms. Condon moved that Council go into executive session, seconded by Ms. Johnson, and carried.

At the conclusion of the executive session, the Chairman announced that no action or votes had been taken while Council was in executive session.

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

Beverly T. Craven
Clerk of Council