

December 18, 2014  
Charleston, SC

A meeting of County Council of Charleston County was held on the 18<sup>th</sup> day of December, 2014, in the Beverly T. Craven Council Chambers, Second Floor of the Lonnie Hamilton, III Public Services Building, located at 4045 Bridge View Drive, Charleston, South Carolina.

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

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

Rev. Robert Reid gave the invocation and Chairman Teddie Pryor led in the pledge to the flag.

The Deputy Clerk reported that in compliance with the Freedom of Information Act, notice of meetings and agendas were furnished to all news media and persons requesting notification.

An ordinance to rezone property located at 2456 Savannah Highway was given third reading by title only.

#### AN ORDINANCE

REZONING THE REAL PROPERTY LOATED AT 2455 SAVANNAH HIGHWAY, PARCEL IDENTIFICATION NUMBER 310-06-00-032, FROM THE NEIGHBORHOOD COMMERCIAL (CN) AND MIXED STYLE RESIDENTIAL 12 (M-12) ZONING DISTRICTS TO THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT.

Rezoning  
2456  
Savannah  
Highway  
  
3<sup>rd</sup> Reading

WHEREAS, the property identified as parcel identification number 310-06-00-032 is currently zoned Neighborhood Commercial (CN) and Mixed Style Residential 12 (M-12) Districts; and

WHEREAS, the current owner or agent thereof requests a rezoning of the property, and a complete application for rezoning the property was submitted to the Charleston County Zoning and Planning Department requesting, among other things, that the parcel be rezoned to the Community Commercial (CC) District, pursuant to Article 3.4 of the Charleston County *Zoning and Land Development Regulations Ordinance* (ZLDR); and

WHEREAS, the Charleston County Planning Commission reviewed the application for rezoning and adopted a resolution, by majority vote of the entire membership, recommending that Charleston County Council (County Council) approve the application for rezoning based on the procedures established in South Carolina law and the Approval Criteria of Article 3.4 of the ZLDR; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, the County Council held at least one public hearing and after close

of the public hearing, County Council has determined the rezoning meets the following criteria of Section 3.4.6 of Article 3.4 of the ZLDR:

- A. The proposed amendment is consistent with the *Comprehensive Plan* and the stated purposes of this Ordinance;
- B. The proposed amendment will allow development that is compatible with existing uses, recommended density, established dimensional standards, and zoning of nearby properties that will benefit the public good while avoiding an arbitrary change that primarily benefits a singular or solitary interest;
- C. The proposed amendment corrects a zoning map error or inconsistency;
- D. The proposed amendment addresses events, trends, or facts that have significantly changed the character or condition of an area.

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

SECTION I. FINDINGS INCORPORATED

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

SECTION II. REZONING OF PROPERTY

The property identified as parcel identification number 310-06-00-032 is hereby rezoned from the Neighborhood Commercial (CN) and Mixed Style Residential 12 (M-12) Zoning Districts to the Community Commercial (CC) Zoning District. The zoning map of Charleston County is hereby amended to conform to this change. Any development on the site must conform to all requirements of the Charleston County *Zoning and Land Development Regulations Ordinance* and other applicable laws, rules and regulations.

SECTION III. SEVERABILITY

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

SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective immediately following third reading by County Council.

ADOPTED and APPROVED in meeting duly assembled this 18<sup>th</sup> day of December, 2014.

December 18, 2014

CHARLESTON COUNTY COUNCIL

By:

\_\_\_\_\_  
Teddie E. Pryor, Sr.  
Chairman of Charleston County

Council  
ATTEST:

By: \_\_\_\_\_  
Beverly T. Craven  
Clerk to Charleston County Council

First Reading: November 18, 2014

Second Reading: December 9, 2014

Third Reading: December 18, 2014

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

Condon	- aye
Darby	- aye
Johnson	- aye
Qualey	- aye
Rawl	- aye
Sass	- aye
Schweers	- aye
Summey	- aye
Pryor	- aye

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

An ordinance amending the Mt. Pleasant Overlay District was given third reading by title only.

Amending  
Mt. Pleasant  
Overlay  
District

3<sup>rd</sup> Reading

**AN ORDINANCE**

**AMENDING THE CHARLESTON COUNTY ZONING AND LAND  
DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202,  
AS AMENDED, CHAPTER 5, OVERLAY AND SPECIAL  
PURPOSE ZONING DISTRICTS.**

WHEREAS, the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Section 6-29-310 et seq., of the South Carolina Code of Laws, 1976, as amended, authorizes the County of Charleston to enact or amend its zoning and land development regulations to guide development in accordance with existing and future needs and in order to protect, promote and improve the public health, safety, and general welfare; and

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

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

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

- A. The proposed amendment corrects an error or inconsistency or meets the challenge of a changing condition;
- B. The proposed amendment is consistent with the adopted Charleston County *Comprehensive Plan* and goals as stated in Article 1.5; and
- C. The proposed amendment is to further the public welfare in any other regard specified by County Council.

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

SECTION I. FINDINGS INCORPORATED

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

SECTION II. AMENDMENTS OF THE TEXT OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE

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

SECTION III. SEVERABILITY

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

SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective immediately following third reading by County Council.

December 18, 2014

ADOPTED and APPROVED in meeting duly assembled this 18th day of December, 2014.

CHARLESTON COUNTY COUNCIL

By: \_\_\_\_\_

Teddie E. Pryor, Sr.  
Chairman of Charleston County Council

ATTEST:

By: \_\_\_\_\_

Beverly T. Craven  
Clerk to Charleston County Council

First Reading: November 18, 2014

Second Reading: December 9, 2014

Third Reading: December 18, 2014

#### **EXHIBIT "A"**

### **AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS AMENDED: CHAPTER 5, OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS.**

#### **CHAPTER 5 OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS**

##### **§5.5.14 USES**

A. The following uses shall be prohibited on parcels included in the Mount Pleasant Overlay Zoning District:

1. Auto Dealers, New and Used
2. Vehicle Storage
3. Sexually Oriented Businesses
4. Billboards

B. The following uses are subject to the Special Exception procedures of this Ordinance:

1. Bar or Lounge

2. Liquor, Beer, or Wine Sales (as defined in this Ordinance)
  3. Gun Shops and/or Indoor/Outdoor Shooting Ranges
  4. Boat/RV Storage
- C. The following uses are allowed on any Industrial (I) zoned parcel located west (inside) Interstate 526 if a Special Exception is granted by the Board of Zoning Appeals. Otherwise, these uses shall be prohibited.
1. Warehousing, Distribution and Freight Forward Facilities
  2. Freight Container Storage Yards
  3. Fuel Storage Facility
  4. Stockpiling of Sand, Gravel or other Aggregate Materials
- D. All uses other than Single Family Residential uses must complete the Site Plan Review process as detailed in Article 3.7 of this Ordinance.

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

Condon	- aye
Darby	- aye
Johnson	- aye
Qualey	- aye
Rawl	- aye
Sass	- aye
Schweers	- aye
Summey	- aye
Pryor	- aye

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

An ordinance amending the Folly Road Overlay District was given third reading by title only.

Amending  
Folly Road  
Corridor  
Overlay  
District

3<sup>rd</sup> Reading

**AN ORDINANCE  
AMENDING THE CHARLESTON COUNTY ZONING AND LAND  
DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202,  
AS AMENDED, CHAPTER 5, OVERLAY AND SPECIAL  
PURPOSE ZONING DISTRICTS.**

WHEREAS, the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Section 6-29-310 et seq., of the South Carolina

Code of Laws, 1976, as amended, authorizes the County of Charleston to enact or amend its zoning and land development regulations to guide development in accordance with existing and future needs and in order to protect, promote and improve the public health, safety, and general welfare; and

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

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

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

- A. The proposed amendment corrects an error or inconsistency or meets the challenge of a changing condition;
- B. The proposed amendment is consistent with the adopted Charleston County *Comprehensive Plan* and goals as stated in Article 1.5; and
- C. The proposed amendment is to further the public welfare in any other regard specified by County Council.

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

SECTION I. FINDINGS INCORPORATED

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

SECTION II. AMENDMENT OF THE TEXT OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE

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

SECTION III. SEVERABILITY

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

SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective immediately following third reading

by County Council.

ADOPTED and APPROVED in meeting duly assembled this 18<sup>th</sup> day of December, 2014.

CHARLESTON COUNTY COUNCIL  
By:

\_\_\_\_\_  
Teddie E. Pryor, Sr.  
Chairman of Charleston County

Council  
ATTEST:  
By:

\_\_\_\_\_  
Beverly T. Craven  
Clerk to Charleston County Council

First Reading: November 18, 2014  
Second Reading: December 9, 2014  
Third Reading: December 18, 2014

**EXHIBIT "A"**  
**AMENDING THE CHARLESTON COUNTY ZONING AND LAND  
DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202,  
AS AMENDED: CHAPTER 5, OVERLAY AND SPECIAL  
PURPOSE ZONING DISTRICTS.**

**CHAPTER 5    OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS**

**§5.6.6            DEVELOPMENT STANDARDS AND REQUIREMENTS (ALL AREAS)**

The following development standards and requirements apply to all parcels within the Folly Road Corridor Overlay Zoning District in addition to the requirements described below for each of the five Areas. All non-single family detached development applications shall, at the time application is made, provide proof that the following requirements will be met prior to the issuance of any approvals or zoning permits:

- G.     Noise  
All Activity must comply with the Charleston County Livability Ordinance. There shall be no pick-up or delivery of trash or merchandise scheduled for businesses in these areas between the hours of 11:00 pm and 7:00 am. Any proposed outdoor use that provides live or amplified music shall comply with the Special Exception provisions contained in this Ordinance.
- H.     Multiple Use Overlay Zoning District  
Parcels that meet the criteria of Article 5.8, MU-O Multiple Use Overlay



Zoning District, may be developed in accordance with that Article.

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**§5.6.9 SOUTH VILLAGE AREA**  
**(City of Charleston, Town of James Island, and Charleston County)**

The South Village area extends from Prescott Street to South Grimball Rd / Grimball Rd. Ext. as illustrated on the FRC-O map entitled "South Village Area." Parcels in this Area are within the jurisdiction of the Town of James Island and the City of Charleston, and unincorporated Charleston County. This Area currently consists of mixed medium to high intensity commercial development, such as shopping centers big box stores and consumer services, along the west side of Folly Road and primarily small scale office and residential uses along the east side of Folly Road. This Area is intended for development similar to the North Village Area with less intense commercial development than the Commercial Core Area and a mix of medium to high intensity uses along the west side of Folly Road and lower intensity development on the east side of Folly Road. Future development in this Area is to be a mix of commercial and residential uses with increased right-of-way buffers along the west side of Folly Road and increased land use buffers on both sides of Folly Road when commercial development occurs adjacent to single family detached residential uses. The following regulations apply in addition to the requirements of Section 5.6.6 of this Article to unincorporated parcels along Folly Road as indicated on the map titled "South Village Area":

**A. Permitted uses**

Permitted uses shall include those uses allowed in the zoning district(s) that corresponds with the "R", "OR", "CN," and "CC" future land use designation as shown on the overlay zoning district map and as described in Table 6.1.1, Use Table. Civic and institutional uses as described in Table 6.1.1 shall be permitted for properties shown in the Civic/Institutional future land use designation.

**B. Prohibited uses**

Auto Dealers (New and Used) Billboards, Indoor/Outdoor Shooting Ranges, Liquor, Hotels or Motels (greater than ten rooms) and Tattoo parlors shall be prohibited in this Area.

**C. Uses Requiring Special Exception**

Vehicle Storage, Boat/RV Storage, Bar or Lounge, Consumer Vehicle Repair, Fast Food Restaurant, Gasoline Service Stations (with or without convenience stores), Indoor Recreation and Entertainment, Consumer Vehicle Repair uses shall require Special Exception approval in compliance with the procedures contained in this Ordinance.

**D. Buffers**

1. A minimum 15-foot vegetated right-of-way buffer shall be required along the east side of Folly Road and a minimum 35-foot vegetated right-of-way buffer shall be required along the west side of Folly

Road;

2. A minimum 20-foot vegetated rear buffer shall be required adjacent to residential uses; and
3. Fencing may be required to screen adjacent or surrounding residential uses. When a minimum 6-foot high opaque fence or wall is utilized, the Planning Director may reduce the land use buffer by up to one-half (1/2) its required depth when deemed appropriate; however, no required vegetated buffer shall be less than 10 feet in depth.

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

Condon	- aye
Darby	- aye
Johnson	- aye
Qualey	- aye
Rawl	- aye
Sass	- aye
Schweers	- aye
Summey	- aye
Pryor	- aye

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

An ordinance amending use regulations and definitions regarding towing and salvage yards was given third reading by title only.

Towing &  
Salvage Yare  
Use  
Amendments

### **AN ORDINANCE**

3<sup>rd</sup> Reading

### **AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS AMENDED, CHAPTER 6, USE REGULATIONS AND CHAPTER 12, DEFINITIONS.**

WHEREAS, the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Section 6-29-310 et seq., of the South Carolina Code of Laws, 1976, as amended, authorizes the County of Charleston to enact or amend its zoning and land development regulations to guide development in accordance with existing and future needs and in order to protect, promote and improve the public health, safety, and general welfare; and

WHEREAS, the Charleston County Planning Commission has reviewed the proposed amendments of the text of various chapters of the Charleston County *Zoning and Land Development Regulations Ordinance* (ZLDR) in



December 18, 2014

By: \_\_\_\_\_  
Teddie E. Pryor, Sr.  
Chairman of Charleston County Council

ATTEST:

By: \_\_\_\_\_  
Beverly T. Craven  
Clerk to Charleston County Council

First Reading: November 18, 2014  
Second Reading: December 9, 2014  
Third Reading: December 18, 2014

**EXHIBIT "A"**  
**AMENDING THE CHARLESTON COUNTY ZONING AND LAND  
DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202,  
AS AMENDED: CHAPTER 6, USE REGULATIONS AND  
CHAPTER 12, DEFINITIONS.**

**CHAPTER 6 USE REGULATIONS**

**Table 6.1.1, USE TABLE**

TABLE 6.1-1		ZONING DISTRICTS																		Condition	
		RM	AG 15	AG 10	AG 8	AGR	RR3	S3	R4	M8	M 12	MHS	MHP	OR	OG	CN	CR	CT	CC		I
COMMERCIAL																					
VEHICLE AND WATERCRAFT STORAGE																					
	Vehicle Storage, including Bus Barns, Boat or RV Storage																		A	A	
	Towing Facility																			A	
	Impound Yard																			A	

**§12.1, TERMS AND USES DEFINED**

Scrap and Salvage Service (or Junk Yard)	An establishment primarily engaged in the storage, retail or wholesale sale, assembling, dismantling, sorting, distributing, or other processing of scrap, used equipment, mechanical components, or waste materials. This term excludes impound yards and towing facilities.
Vehicle Storage	An establishment offering long or short term storage of operating vehicles or vehicles contracted for repair. This term excludes impound yards, towing facilities, and any dismantling, scrap and salvage service, or junked vehicle yards.
Towing Facility	An establishment that provides vehicle towing services and accessory temporary outdoor storage for the vehicles it tows, which shall only include: (1) mechanically operable/driveable, licensed vehicles that are to be claimed by titleholders or their agents; and/or (2) wrecked motor vehicles awaiting insurance adjustments and transport to repair shops. This term excludes: automotive services that have a tow truck on-site; scrap and salvage yards/services; junk yards; impound yards; vehicle storage; and accessory storage of inoperable vehicles.
Impound Yard	A facility that provides temporary outdoor storage for: (1) mechanically operable/driveable, licensed vehicles that are to be claimed by titleholders or their agents; and/or (2) wrecked motor vehicles awaiting insurance adjustments and transport to repair shops. This term excludes: scrap and salvage yards/services; junk yard; towing facilities; vehicle storage; and accessory storage of inoperable vehicles.

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

Condon	- aye
Darby	- aye
Johnson	- aye
Qualey	- aye
Rawl	- aye
Sass	- aye
Schweers	- aye
Summey	- aye
Pryor	- aye

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

An ordinance approving a fee-in-lieu of taxes agreement and other financial incentives for Kapstone Charleston Kraft, LLC was given third reading by title only.

**Kapstone  
Charleston  
Kraft  
Financial  
Incentives**

**3<sup>rd</sup> Reading**

AN ORDINANCE AUTHORIZING (1) THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT BY AND BETWEEN CHARLESTON COUNTY, SOUTH CAROLINA (THE "COUNTY") AND KAPSTONE CHARLESTON KRAFT, LLC, ACTING FOR ITSELF, ONE OR MORE AFFILIATES OR OTHER PROJECT SPONSORS (THE "COMPANY"), PURSUANT TO WHICH THE COUNTY SHALL COVENANT TO ACCEPT CERTAIN NEGOTIATED FEES IN LIEU OF AD VALOREM TAXES WITH RESPECT TO THE

ESTABLISHMENT AND/OR EXPANSION OF CERTAIN FACILITIES IN THE COUNTY (COLLECTIVELY, THE "PROJECT"); (2) THE BENEFITS OF A MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK TO BE MADE AVAILABLE TO THE COMPANY AND THE PROJECT; (3) PROVIDING FOR THE ALLOCATION OF FEES IN LIEU OF AD VALOREM TAXES PAID WITH RESPECT TO THE PROJECT; AND (4) OTHER MATTERS RELATING THERETO.

WHEREAS, Charleston County, South Carolina (the "County"), acting by and through its County Council (the "Council"), is authorized and empowered under and pursuant to the provisions of the Code of Laws of South Carolina 1976, as amended (the "Code"), particularly Title 12, Chapter 44 of the Code (the "Negotiated FILOT Act") and Title 4, Chapter 1 of the Code (the "Multi-County Park Act") (collectively, the "Act") and by Article VIII, Section 13(D) of the South Carolina Constitution: (i) to enter into agreements with certain investors to construct, operate, maintain, and improve certain projects through which the economic development of the State of South Carolina (the "State") will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate and remain in the State and thus utilize and employ the manpower, agricultural products, and natural resources of the State; (ii) to covenant with such investors to accept certain fee in lieu of *ad valorem* tax ("FILOT") payments, including, but not limited to, negotiated FILOT payments made pursuant to the Negotiated FILOT Act, with respect to a project; and (iii) to create, in conjunction with one or more other counties, a multi-county industrial or business park in order to afford certain enhanced income tax credits to such investors; and

WHEREAS, Kapstone Charleston Kraft LLC, a limited liability company organized and existing under the laws of the State of Delaware, acting for itself or one or more affiliates or other project sponsors (the "Company") proposes to establish and/or expand certain facilities at one or more locations in the County (the "Project"), and anticipates that, should its plans proceed as expected, it will invest, or cause to be invested, at least \$10,000,000 in the Project; and

WHEREAS, in accordance with such findings and determinations and in order to induce the Company to locate the Project in the County, the Council adopted a Resolution on November 18, 2014 (the "Inducement Resolution"), whereby the County agreed to provide the benefits of a negotiated FILOT and a multi-county industrial or business park; and

WHEREAS, the County and the Company have agreed to the specific terms and conditions of such arrangements as set forth herein and in a Fee in Lieu of Tax and Incentive Agreement by and between the County and the Company with respect to the Project (the "Incentive Agreement"), the form of which Incentive Agreement is presented to this meeting, which is to be dated as of November 18, 2014 or such other date as the parties may agree; and

WHEREAS, it appears that the Incentive Agreement now before this meeting are in appropriate form and is an appropriate instruments to be executed and delivered by the County for the purposes intended.

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

As contemplated by Section 12-44-40(I) of the Negotiated FILOT Act, the findings and determinations set forth in the Inducement Resolution are hereby ratified and confirmed. In the event of any disparity or ambiguity between the terms and provisions of the Inducement Resolution and the terms and provisions of this Ordinance and the Incentive Agreement, the terms and provisions of this Ordinance and the Incentive Agreement shall control. Capitalized terms used, and not otherwise defined, herein shall have the meanings ascribed thereto in the Incentive Agreement. Additionally, based on information provided to the County by the Company with respect to the Project, the County makes the following findings and determinations:

The Project will constitute a “project” within the meaning of the Negotiated FILOT Act; and

The Project, and the County’s actions herein, will subserve the purposes of the Negotiated FILOT Act; and

The Project is anticipated to benefit the general public welfare of the State and the County by providing services, employment, recreation, or other public benefits not otherwise provided locally; and

The Project gives rise to no pecuniary liability of the County or incorporated municipality or a charge against its general credit or taxing power; and

The purposes to be accomplished by the Project are proper governmental and public purposes; and

The benefits of the Project are greater than the costs.

(a) The County hereby agrees to enter into the Incentive Agreement, which agreement shall be in the form of a fee agreement, pursuant to the Negotiated FILOT Act, whereby the Company will agree to satisfy, or cause to be satisfied, certain investment requirements with respect to the Project within certain prescribed time periods and the County will agree to accept certain negotiated FILOT payments with respect to the Project (the “Negotiated FILOT”), all as set forth in greater detail herein and in the Incentive Agreement.

(i) The Negotiated FILOT shall be determined using:  
(1) an assessment ratio of 6%, (2) a millage rate of 274.3 mills pursuant to Section 12-44-50(A)(1)(d) of the Negotiated FILOT

Act, which millage rate shall be fixed pursuant to Section 12-44-50(A)(1)(b)(i) of the Negotiated FILOT Act for the full term of the Negotiated FILOT; (3) the fair market value of the Project, as determined in accordance with Section 12-44-50(A)(1)(c) of the Negotiated FILOT Act; and (4) and such other terms and conditions as are or will be specified in the Incentive Agreement.

(ii) The Negotiated FILOT shall be calculated as provided in this **Section 2(b)** for all Negotiated FILOT Property placed in service during the Investment Period. For each annual increment of investment in Negotiated FILOT Property, the annual Negotiated FILOT payments shall be payable for a payment period of thirty (30) years. Accordingly, if such Negotiated FILOT Property is placed in service during more than one year, each year's investment during the Investment Period shall be subject to the Negotiated FILOT for a payment period of thirty (30) years.

The County will use its best efforts to insure that the Project will be included, if not already included, and will remain, within the boundaries of a multi-county industrial or business park pursuant to the provisions of the Multi-County Park Act and Article VIII, Section 13(D) of the State Constitution on terms which provide the Company and the Project with any additional jobs creation tax credits afforded by the laws of the State for projects located within multi-county industrial or business parks.

The form, provisions, terms, and conditions of the Incentive Agreement presented to this meeting and filed with the Clerk to the Council are hereby approved, and all of the provisions, terms, and conditions thereof are hereby incorporated herein by reference as if the Incentive Agreement was set out in this Ordinance in their entirety. The Chairman of the Council is hereby authorized, empowered, and directed to execute the Incentive Agreement in the name and on behalf of the County; the Clerk to the Council is hereby authorized, empowered and directed to attest the same; and the Chairman of the Council is further authorized, empowered, and directed to deliver the Incentive Agreement to the Company. The Incentive Agreement is to be in substantially the form now before this meeting and hereby approved, or with such changes therein as shall not materially adversely affect the rights of the County thereunder and as shall be approved by the official or officials of the County executing the same, upon the advice of counsel, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of the Incentive Agreement now before this meeting.

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



December 18, 2014

The provisions of this Ordinance are hereby declared to be separable and if any section, phrase, or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereunder.

All orders, ordinances, resolutions, and parts thereof in conflict herewith are to the extent of such conflict hereby repealed. This Ordinance shall take effect and be in full force from and after its passage and approval.

Enacted and approved, in meeting duly assembled, this 18<sup>th</sup> day of December, 2014.

CHARLESTON COUNTY, SOUTH CAROLINA

By:

---

Teddie E. Pryor, Chairman, County Council of  
Charleston County, South Carolina

Attest:

By: \_\_\_\_\_  
Beverly T. Craven, Clerk to County Council,  
Charleston County, South Carolina

First Reading: November 18, 2014

Second Reading: December 9, 2014

Public Hearing: December 9, 2014

Third Reading: December 18, 2014

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

Condon	- aye
Darby	- aye
Johnson	- aye
Qualey	- aye
Rawl	- aye
Sass	- aye
Schweers	- aye
Summey	- aye
Pryor	- aye

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

An ordinance to implement the Comprehensive Plan Five-Year Review was given second reading by title only.

Comp. Plan 5  
Year Review

Ordinance  
2<sup>nd</sup> Reading

**AN ORDINANCE  
APPROVING THE AMENDMENT OF THE CHARLESTON  
COUNTY COMPREHENSIVE PLAN (TEXT AND MAPS)  
PROVISIONS TO IMPLEMENT THE FIVE-YEAR REVIEW.**

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

Hubner  
Financial  
Incentives

Ordinance  
2<sup>nd</sup> Reading

An ordinance approving financial incentives for Hubner Manufacturing Corporation was given second reading by title only.

**AN ORDINANCE**

AUTHORISING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF TAX AGREEMENT BY AND BETWEEN CHARLESTON COUNTY AND HUBNER MANUFACTURING CORPORATION, WHEREBY CHARLESTON COUNTY WILL ENTER INTO A FEE-IN-LIEU OF TAXES ARRANGEMENT WITH HUBNER MANUFACTURING CORPORATION; PROVIDING FOR PAYMENT BY HUBNER MANUFACTURING CORPORATION OF CERTAIN FEES IN LIEU OF *AD VALOREM* TAXES; PROVIDING FOR CERTAIN SPECIAL SOURCE REVENUE OR INFRASTRUCTURE CREDITS; PROVIDING FOR THE ALLOCATION OF FEE-IN-LIEU OF TAXES PAID BY HUBNER MANUFACTURING CORPORATION, UNDER THE AGREEMENT FOR ESTABLISHMENT OF MULTI-COUNTY INDUSTRIAL/BUSINESS PARK; AND OTHER MATTERS RELATING THERETO.

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

The Chairman called for a roll call vote on second reading of the ordinance. The roll was called and votes recorded as follows:

Condon	- aye
Darby	- aye
Johnson	- aye
Qualey	- aye
Rawl	- aye
Sass	- aye
Schweers	- aye
Summey	- aye
Pryor	- aye

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

An ordinance approving financial incentives for Senior Operations, LLC, and Jamestown-CK Crosspoint IV, LP was given second reading by title only.

AN ORDINANCE

Senior  
Operations &  
Jamestown  
CK  
Crosspoint  
Financial  
Incentives

Ordinance  
2<sup>nd</sup> Reading

AUTHORISING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF TAX AGREEMENT BY AND AMONG CHARLESTON COUNTY AND SENIOR OPERATIONS LLC AND JAMESTOWN-CK CROSSPOINT IV, L.P., WHEREBY CHARLESTON COUNTY WILL ENTER INTO A FEE-IN-LIEU OF TAXES ARRANGEMENT WITH SENIOR OPERATIONS LLC AND JAMESTOWN-CK CROSSPOINT IV, L.P.; PROVIDING FOR PAYMENT BY SENIOR OPERATIONS LLC AND JAMESTOWN-CK CROSSPOINT IV, L.P. OF CERTAIN FEES IN LIEU OF *AD VALOREM* TAXES; AND OTHER MATTERS RELATING THERETO.

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

The Chairman called for a roll call vote on second reading of the ordinance. The roll was called and votes recorded as follows:

Condon	- aye
Darby	- aye
Johnson	- aye
Qualey	- aye
Rawl	- aye
Sass	- aye
Schweers	- aye
Summey	- aye
Pryor	- aye

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

The Chairman stated that the next item on the agenda was the Consent Agenda. Ms. Condon moved approval of the Consent Agenda, seconded by Mr. Summey, and carried.

Consent Agenda items are as follows:

Summer  
Youth  
Employment  
Program  
Phase II  
Funding

Request to  
Accept

A report was read from the Finance Committee under date of December 18, 2104, that it considered the information furnished by County Administrator Kurt Taylor and Special Projects Officer Patricia Henley regarding a grant received from The Boeing Company to fund the Summer Youth Employment Program Phase II. It was shown that the Charleston Development Corporation had received a grant in the amount of \$50,000 from The Boeing Company to fund the Summer Youth Employment Program Phase II. The Charleston Development Corporation serves as a non-profit entity by which grant awards/private donations for charitable causes within the County may be accepted. The CDC's mission is to further human, social, and economic development in the County of Charleston and to promote a healthier and safer community.

Committee recommended that Council authorize staff to accept a \$50,000 grant from the Charleston Development Corporation to the Supper Youth Employment Program Phase

It with the understanding that once the grand award has been transferred the grant management and reporting responsibility becomes the responsibility of the Summer Youth Employment Program Special Projects Officer.

A report was read from the Finance Committee under date of December 18, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Contracts and Procurement Director Barrett Tolbert regarding the need to award a contract for Transportation Sales Tax Intersection Improvement Projects on Johns Island and in North Charleston. It was stated that the Intersection Improvements Projects include improvements to Mabeline Road at its intersection with Rivers Avenue in the City of North Charleston, the intersection of Brownswood Road and Murraywood Road, and the intersection of Plow Ground Road and River Road both located on Johns Island in Charleston County.

**Johns Island/  
North  
Charleston  
TST  
Intersection  
Improvements**

**Award of  
Contract**

It was shown that the Mabeline Road Intersection Improvements Project is located in the City of North Charleston. The project consists of extending the existing right turn lane from Mabeline Road onto Rivers Avenue. The work shall include, but is not limited to; paving, drainage structures, curb and gutter installation, erosion and sedimentation control, and traffic control during construction. The project shall be constructed utilizing the items listed on the bid form for a cost of \$231,896.99.

It was also shown that the Brownswood Road and Murraywood Road intersection improvements project is located on Johns Island in Charleston County. The project consists of adding a right turn lane from Brownswood Road onto Murraywood Road and a right turn lane from Murraywood Road onto Brownswood Road. The work shall include, but is not limited to; subgrade preparation, paving, pavement markings, erosion and sedimentation control, and traffic control during construction. The project shall be constructed utilizing the items listed on the bid form for a cost of \$180,144.25.

It was also shown that the Plow Ground Road at River Road Intersection Improvements Project is located on Johns Island in Charleston County. The project consists of adding a right turn lane from River Road onto Plow Ground Road. The work shall include, but is not limited to; subgrade preparation, paving, pavement markings, erosion and sedimentation control, and traffic control during construction. The project shall be constructed utilizing the items listed on the bid form for a cost of \$142,597.05.

Bids were received in accordance with the terms and conditions of Invitation for Bid No. 4910-15C. The mandatory Small Business Enterprise (SBE) utilization for this solicitation is 12.2% and the Disadvantaged Business Enterprise (DBE) goal is 20%.

Bidder	Total Bid Price	SBE Percentage	DBE Percentage
<b>IPW Construction Group, LLC Charleston, South Carolina 29423 Principal: Cyrus Sinor</b>	<b>\$554,638.29</b>	<b>100%</b>	<b>100%</b>
Truluck Construction Company Charleston, South Carolina 29407 Principal: Charles E. Truluck, Jr.	\$798,037.00	14.4%	5.11%

Committee recommended that Council authorize award of bid for the TST Intersection Improvement Project on Johns Island and North Charleston to IPW Construction Group, LLC, the lowest responsive and responsible bidder, in the amount of \$554,638.29 with the understanding that funds are available in the roads portion of the Transportation Sales Tax.

**FY 2014 Port  
Security  
Program  
Grant/Sheriff**

**Request to  
Accept**

A report was read from the Finance Committee under date of December 18, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Sheriff Al Cannon regarding a grant received by the Sheriff's Office from the Port Security Grant Program 2014. It was stated that the Sheriff's Office has been awarded \$72,000 from the Port Security Grant Program 2014 by the U. S. Department of Homeland Security to provide ten Personal Radiation Detection (PRD) equipment and one PRND backpack to the Marine Patrol of the Charleston County Sheriff's Office. The CCSO has county-wide jurisdiction which includes the Port areas as well as the surrounding barrier islands. In addition to providing protection to Charleston County, CCSO works closely with other local, state and federal agencies and responds when requested to other jurisdictions.

This equipment detects radiation and is vital to maintaining maritime safety. The total cost of this project is \$96,000. Matching funds of \$24,000 will be provided from the Sheriff's Federal Seized Asset Fund. There are no FTEs associated with this project.

Committee recommended that Council allow the Sheriff's Office to accept \$72,000 from the U. S. Department of Homeland Security for the 2014 Port Security Grant Program with the understanding that the grant period is 9/1/2014 through 8/31/2015, no FTEs are associated with this funding, and the match of \$24,000 will be provided from the Sheriff's Federal Seized Asset Fund.

**Library Bond  
Referendum  
Results  
Resolution**

**Request to  
Adopt**

A report was read from the Finance Committee under date of December 18, 2014, that it considered the information furnished by County Administrator Kurt Taylor and County Attorney Joe Dawson regarding the need to adopt a resolution to declare the results of the library bond referendum. It was stated that the voters of Charleston County voted to authorize the County to issue general obligation bonds, not to exceed \$108.5 million to construct and/or renovate libraries in Charleston County, at the general election on November 4, 2014. The Board of Elections and Voter Registration certified the results of the election on November 7, 2014. A protest of the results of the library referendum was filed, and a hearing before the Board of Elections and Voter Registration was held on November 17, 2014. The Board upheld the results.

It was shown that pursuant to S.C. Code Ann. § 4-15-60, County Council must, by resolution, declare the results of the referendum and file that action with the Clerk of Court. The time for an appeal of the election protest filed against the referendum has lapsed, and no appeal has been filed by the protester. Therefore, to comply with the statute, Council needs to adopt a resolution.

Committee recommended that Council adopt a resolution to declare the results of the library bond referendum.

The resolution is as follows:

**A RESOLUTION**

**TO DECLARE THE RESULTS OF A REFERENDUM HELD ON NOVEMBER 4, 2014, IN CHARLESTON COUNTY, SOUTH CAROLINA, FOR THE PURPOSE OF DETERMINING IF CHARLESTON COUNTY GOVERNMENT SHALL BE AUTHORIZED TO ISSUE GENERAL OBLIGATION BONDS, NOT TO EXCEED \$108.5 MILLION TO CONSTRUCT AND/OR RENOVATE LIBRARIES IN CHARLESTON COUNTY.**

**WHEREAS**, the County Council of Charleston County, South Carolina (the “County Council”) has received a certification of the Board of Elections and Voter Registration for Charleston County certifying that a referendum was conducted on November 4, 2014 (the “Referendum”), in Charleston County, South Carolina, for the purpose of determining if Charleston County government shall be authorized to issue general obligation bonds, not to exceed \$108.5 million to construct and/or renovate libraries in Charleston County (the “Referendum”); and

**WHEREAS**, the County Council has reviewed the proceeding and actions taken by the Board of Elections and Voter Registration of Charleston County in order to declare the results of the Referendum;

**NOW, THEREFORE, BE IT RESOLVED** by the County Council of Charleston County, South Carolina, in meeting duly assembled:

Section 1. As an incident to the adoption of this Resolution, the County Council finds that the facts set forth in the recitals hereof and the statements therein made are true and correct.

Section 2. The Referendum resulted favorably on the question presented by a vote of 69,771 in favor of the question and 24,853 votes in opposition to the question. County Council accordingly hereby declares that the Referendum resulted favorably on the question presented.

Section 3. A certified copy of this Resolution shall be filed in the Office of the Clerk of Court of Common Pleas and General Sessions for Charleston County in accordance with Section 4-15-60 of the Code of Laws of South Carolina 1976, as amended.

Section 4. Governing Law. This Resolution shall be construed and interpreted in accordance with the laws of the State of South Carolina.

Section 5. Effective Date. This Resolution shall become effective immediately upon adoption by the County Council.

The Chairman announced that the next item on the agenda was ordinance amendments to Building Services ordinances.

**Floodplain  
Management  
Ordinance  
Amendments**

**A) Request to  
Approve  
B) Ordinance  
1<sup>st</sup> Reading**

A report was read from the Finance Committee under date of December 18, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Building Inspection Services Director Carl Simmons regarding the need to adopt an ordinance amending the Charleston County Floodplain Management Ordinance. It was stated that the current Charleston County Flood Ordinance requires revisions to comply with new state and federal requirements. The attached ordinance amendments have been approved by the State of South Carolina and FEMA. These revisions include:

- The State of South Carolina, on behalf of the National Flood Insurance Program (NFIP) and the Federal Emergency Management Agency (FEMA), identified six areas of the ordinance that required revisions to meet with current state and federal codes related to floodplain management.
- Ten definitions were added as a result of the Biggert Waters Flood Insurance Reform Act of 2012 and the Homeowner Flood Insurance Affordability Act of 2014.
- Four definitions no longer applicable to the County were removed.
- The Charleston County flood insurance rate maps have been reformatted by the Federal Emergency Management Agency (FEMA) into a County-wide format. These reformatted maps utilize alternative letter designations for the indicated flood zones. For example, there is no longer "AO" zone designation. It was updated to an "A" zone.

In addition to these changes, the Building Inspection Services Department also recommends increasing the current elevation requirement from one foot above base flood elevation to two feet above base flood elevation.

Increasing the first floor elevation requirement from one foot to two feet above base flood elevation will benefit the building owners as every foot of additional elevation, above the required base flood elevation will lower flood insurance premiums. The two graphics attached depict flood insurance rates for a typical building with the maximum flood insurance limits (\$250,000 in building coverage with \$100,000 in contents coverage) across both "AE" and "VE" flood zones. The additional foot increase proposed results in substantial pay back on flood insurance premiums. In an "AE" flood zone the saving is \$327 per year. In a "VE" flood zone it is \$1750 per year, see the attached premium examples.

Another benefit of the change, involves the Community Rating System (CRS) program. Unincorporated Charleston County residents currently save 30% on their flood insurance premiums as a result of Building Inspection Services' CRS program. The change would also greatly assist us to achieve a higher rate classification during our evaluation next year. Currently, residents in the unincorporated area of Charleston County save over \$5.4 million annually in premium reductions.

Committee recommended that Council approve and give first reading to the updated Floodplain Management Ordinance.

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

The Ordinance was given first reading by title only.

AN ORDINANCE AMENDING CHAPTER 9 OF THE CODE OF ORDINANCES,  
CHARLESTON COUNTY, ENTITLED "FLOOD DAMAGE PREVENTION AND  
PROTECTION"

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

A report was read from the Finance Committee under date of December 18, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Building Inspection Services Director Carl Simmons regarding the need to amend the County's Building Code Ordinance. It was stated that changes in the State Law, recommendations from the County Attorney's Office, and a necessity for maintenance of our ordinance require an update of the Building and Building Regulations of Charleston County. Below describes the changes:

**Building Code  
Ordinance  
Amendments**

**A) Request to  
Approve**

**B) Ordinance  
1<sup>st</sup> Reading**

1. The State adopted the International Energy Conservation Code therefore the Energy Conservation section in the current ordinance is being deleted.
2. Violation and penalties sections were amended to comply with current State requirements on how violators are served.
3. The Construction Board of Adjustments and Appeals section has been modified by adding more direction on hearing format and match the process of other Appeal boards of the County. One board position that has been vacant for two years with no applications submitted to fill the position was re-classified to be able to accept a wider base of applicants.
4. Provisions in our current ordinance on unsafe buildings and substandard housing are no longer published, which require their deletion. The replacement wording allows demolition of unsafe residential dwellings as determined by the Building Official and placement of liens on the property which can be collected the same as delinquent taxes.
5. Overall administrative cleanup and reformatting:
  - a. Renumbered sub-sections in Section 102.
  - b. Moved Section 117 to Section 112, Section 115 to Section 113, Section 112 to Section 114, and Section 113 to Section 115.
  - c. Added text to the new Sections 113, 114, and 115.
  - d. Deleted Sections 116 and 118.

Committee recommended that Council approve and give first reading to the updated Building and Building Regulations Ordinance.



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

An ordinance amending the Building Code was given first reading by title only.

AN ORDINANCE AMENDING CHAPTER 4 OF THE CODE OF ORDINANCES, CHARLESTON COUNTY, ENTITLED "BUILDINGS AND BUILDING REGULATIONS" AND CHAPTER 8 OF THE CODE OF ORDINANCES, CHARLESTON COUNTY ENTITLED "FIRE PREVENTION AND PROTECTION"

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

A report was read from the Finance Committee under date of December 18, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Building Inspection Services Director Carl Simmons regarding the need to amend the Fee Ordinance. It was stated that changing technology in the construction industry i.e. solar, LED, low voltage systems, etc. has made the current fee schedule more difficult to use in many areas. The proposed changes will be to use construction value for all permits which is also the value used to collect business license fees for contractors. This will eliminate the counter delays determining the multiple fees and make the fee schedule simpler to use for citizens who use our web based permit system. This method of fees is a national trend and in this area is used currently by the Town of Mt. Pleasant, the City and County of Sumter, Richland County, Town of Cheraw, City of Greensboro, NC, Mecklenburg County (City of Charlotte), Greenwood County, City of Newberry, Darlington County, and the City of Rock Hill.

Committee recommended that Council approve and give first reading to the updated fee ordinance.

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

An ordinance amending the Fee Ordinance was given first reading by title only.

AN ORDINANCE AMENDING THOSE PORTIONS OF THE CHARLESTON COUNTY CODE SECTION 2-137 DEALING WITH FEES IN THE BUILDING INSPECTIONS DEPARTMENT

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

A report was read from the Finance Committee under date of December 18, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Deputy Clerk of Council Kristen Salisbury regarding the need to make appointments to the Charleston Center Advisory Board. It was stated that an announcement of three vacancies for the Charleston Center Advisory Board was previously made.

**Fee Ordinance  
Amendments**

**A) Request to  
Approve  
B) Ordinance  
1<sup>st</sup> Reading**

**Charleston  
Center  
Advisory  
Board**

**Appointments  
(2)**

An application for re-appointment was received from Terrance D. Brown. An application for appointment was received from Kelvin D. Curtis.

The nine members of the Alcohol and Other Drug Abuse Services (Charleston Center) Advisory Board serve in an advisory capacity only. 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. Members' terms are for three years. The Advisory Board meets on the second Monday of each month at 5:30 pm.

Committee recommended that Council appoint Terrance Brown and Kelvin Curtis to the Charleston Center Advisory Board for terms to expire in November 2017.

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

**Library Board  
of Trustees**

**Appointments  
(4)**

A report was read from the Finance Committee under date of December 18, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Deputy Clerk of Council Kristen Salisbury regarding the need to make appointments to the Library Board of Trustees. It was stated that an announcement of four vacancies for the Charleston County Library Board of Trustees was previously made.

Applications for re-appointment were received from Steven Clem, Ed Fava, and Peter McKellar. Applications for appointment were received from Tina Arnoldi, Andrew Brack, Aferdita Mehooli Brown, Kelvin Curtis (also applied for a seat on the Charleston Center Advisory Board), Joe Semsar, and Tod Williams.

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

Committee recommended that Council:

1. reappoint Steven Clem, Ed Fava, and Peter McKellar to the Library Board of Trustees for terms to expire in December 2018.
2. appoint Andy Brack to the Library Board of Trustees to fill out the seat vacated by Amy Brunson for a term to expire in December 2016.

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

A report was read from the Finance Committee under date of December 18, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Deputy Clerk of Council Kristen Salisbury regarding the need to make appointments to a Kiawah Island seat on the Saint John's Fire District Commission. It was stated that an

announcement of one vacancy for the Saint John's Fire District Commission Kiawah Island Seat was previously made.

Applications for appointment were received from Townsend Clarkson, John Connolly, and Jack Regan.

**Saint John's  
Fire District  
Commission –  
Kiawah Island  
Seat**

**Appointment  
(1)**

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

Committee recommended that Council recommend that the Governor appoint John Connolly to the Saint John's Fire District Commission for a term to expire in December 2018.

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

A report was read from the Finance Committee under date of December 18, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Chief Deputy Administrator for Finance Keith Bustraen regarding the need to issue General Obligation Bond Anticipation Notes for the Awendaw Fire District. It was stated that the FY 2015 Charleston County Approved Budget included a 4 mill debt service tax levy for the

**Awendaw Fire  
District Bond  
Anticipation  
Notes**

**A) Request to  
Approve  
B) Ordinance  
1<sup>st</sup> Reading**

Awendaw District Fire Department (ADFD) to borrow up to \$2.5 million to finance the construction of a new fire station in the Paradise Island/Woodville area and for replacement fire apparatus.

It was shown that administrative costs associated with a bond of this size can be relatively large and that following discussions with the county's Financial Advisor and Bond Counsel, the most practical and cost effective strategy is to issue a short-term Bond Anticipation Note (BAN) with a bank or other financial institution. Then, at the next large bond issue (either for Trident Technical College's Aeronautical Training Center or the Charleston County Public Library's construction program), pay off the BAN and include permanent ADFD financing in the larger bond issue. It was also shown that to initiate this action, consideration of an ordinance to issue an amount not exceeding \$2,500,000 in General Obligation BANs is required. The BANs will be sold by competitive bid to the financial institution offering the lowest interest rate. The requested ordinance delegates to the Chairman the authority to designate the sale date on which to receive bids, to award the BANs to the financial institution offering the lowest interest rates, and to approve the final structure of the notes in accordance with the winning bid and the interest rate so long as they are within the limits set forth in the ordinance.

Committee recommended that Council:

1. authorize the issuance of not to exceed \$2,500,000 in principal amount of General Obligation, Bond Anticipation Notes, payable from the debt

service fund, to fund the following projects and purposes: Awendaw District Fire Department fire apparatus and fire station.

2. approve and give first reading to an ordinance to issue an amount not to exceed \$2,500,000 in General Obligation Bond Anticipation Notes.
3. appropriate \$2,500,000 for the Awendaw District Fire Department for a new fire station and for replacement fire apparatus.
4. authorize reimbursement from the General Obligation Bond Anticipation Notes of expenditures of funds related to the ADFD capital program, prior to the borrowing, for authorized projects.

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

An ordinance to issue General Obligation Bond Anticipation Notes was given first reading by title only.

#### AN ORDINANCE

TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING \$2,500,000 FIRE PROTECTION SERVICE GENERAL OBLIGATION BONDS (AWENDAW FIRE DISTRICT) OF CHARLESTON COUNTY, SOUTH CAROLINA; TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF; TO PROVIDE FOR THE ISSUANCE OF GENERAL OBLIGATION BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS; AND OTHER MATTERS RELATING THERETO.

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

#### **Economic Development Department Restructuring**

#### **Request to Approve**

A report was read from the Finance Committee under date of December 18, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Economic Development Director Steve Dykes regarding Phase 2 of the Economic Development Department restructuring. It was stated that because of the economic recovery, the number of economic development expansions, and the need to create conditions for a sustainable County operation, the need to implement Phase 2 of the Economic Development Department Restructuring had presented itself. It was shown that as part of the restructuring the County would hire 5 additional FTEs and lease a larger space at the current office location on Faber Place Drive. It was also shown that funds were available in the Multi-County Industrial Park revenues to accommodate such expansion and restructuring. It was also stated that as a result of this expansion, the County could expect that the Economic Development Department would leverage more relocations and expansions as well as create a firm and sustainable foundation for the department well into the future.

Committee recommended that Council approve the proposed Economic Development Department Restructuring Plan.

**Council  
Member  
Comments**

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

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

Mr. Qualey wished everyone a safe, happy, and prosperous holiday season.

Mr. Rawl stated that Council is only as good as staff makes them look and he is happy to know that Charleston County has the best staff around.

Mr. Summey and Mr. Sass both wished everyone a Merry Christmas.

Ms. Johnson stated that she was sad to announce that Saint John's Fire Commissioner Don Rivers of Wadmalaw Island had recently passed away and that she would be attending the funeral on Council's behalf.

Mr. Darby thanked Patricia Henley for her work with the Summer Youth Employment Program.

Ms. Condon wished everyone a Merry Christmas.

Mr. Taylor wished everyone Happy Holidays and thanked Council for allowing him to serve the citizens of Charleston County.

Mr. Pryor asked that an update on the EMS Personal Protective Equipment and the County Administrator's salary be placed on the next agenda.

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

Kristen L. Salisbury  
Deputy Clerk of Council