

REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL
September 26, 2005

The **REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL** was held on Monday **September 26, 2005**, at 7:07 p.m., in the Assembly Room of the Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina.

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

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

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

Without objection from Council, Chairman Rozier acknowledged Master Ronald Bronakoski, resident of Tramway and a member of Boy Scout Troop #787. Council welcomed Master Bronakoski, in attendance this night to fulfill a qualification in earning a merit badge pertaining to government.

CALL TO ORDER

Chairman Rozier called the meeting to order.

APPROVAL OF MINUTES

Chairman Rozier asked for approval of minutes from: Special Meeting of Council held August 8, 2005; Public Hearings held August 29, 2005; and Regular Meeting of Council held August 29, 2005.

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

PUBLIC DISCUSSION - none

EXECUTIVE SESSION

It was moved by Council Member Fish and seconded by Council Member Spooner to enter into Executive Session to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the County; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney – client privilege, settlement of legal claim, or the position of the County in other adversary situations involving the assertion against the County of a claim. The motion passed by unanimous voice vote of Council.

Council entered into Executive Session at 7:11 p.m., and returned to Regular Session at 8:21 p.m.

Mrs. Nicole Scott Ewing, Deputy County Attorney, reported that Council went into Executive Session for reasons stated in the motion, and no formal action was taken.

Chairman Rozier stated that he had presented Council with information, and without objection from Council, he would share it with the public. Chairman Rozier turned the gavel over to Council Member Crosby and approached the podium.

Supervisor Rozier stated that Berkeley County had concerns with tax bills to be sent out in the near future, and the citizens of Berkeley County may have concerns also. Every five years, the state requires the County to reassess property. Property values in the County increased an average of 46% since the last assessment. Taxes have increased significantly, and Supervisor Rozier recommended to Council that the County send, along with the tax bills, a notice containing information with regard to this increase in taxes. The notice would contain the following:

- Comparison Chart reflecting County taxes 1991 thru 2005 lowered by 5%, from 54.0 mills to 51.5 mills. Berkeley County School District taxes increased by 54%, from 123.0 mills to 190.0 mills in that same time period of 1991 thru 2005.
- List of Berkeley County elected School Board Members and telephone numbers for questions pertaining to "School District" taxes.
- List of Berkeley County Council Members and Supervisor and their telephone numbers for any questions pertaining to "County" taxes.

Supervisor Rozier explained that in 1991, one mill was valued at \$173,000.00. One mill in 2005 is valued at \$481,000.00. While mills for the County have decreased, the value of a mill has increased. Mills for the School District have increased in addition

to an increase in the value of a mill. In 1991, the 123.0 mills to the School District created revenues of approximately \$21,279,000.00. This year, at 190 mills, the School District is collecting approximately \$91,390,000.00. This reflects an approximate \$70,000,000.00 increase in revenues to the School District (329 percent increase). The Berkeley County School District began the 2005 school year with 26,211 students, which reflects 1,905 fewer students than there was in 1993.

In conclusion, Supervisor Rozier stated that the 54 mills in 1991 for Berkeley County totaled approximately \$9,342,000.00. This year, the 51 mills will create revenues of approximately \$24,771,000.00. Population of the County has increased by approximately 28,000 people. This is not an interpretation, but merely information on facts to be provided to the citizens of Berkeley County.

It was moved by Council Member Fish and seconded by Council Member Spooner for Berkeley County to include, along with its tax bills mailed to citizens, a notice containing information regarding the increase in taxes for 2005. In addition, the news media will be informed of the contents of this notice. The motion passed by unanimous voice vote of Council.

Vice Chairman Crosby returned the gavel to Chairman Rozier.

THIRD READING

“BILL NO. 05-63, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #161-15-00-032.”
(Minnis Brenner)

It was moved by Council Member Spooner and seconded by Council Member Pinckney to approve **Bill No. 05-63** for **Third Reading**. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-09-67 is attached to these minutes.)

“BILL NO. 05-64, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #250-00-00-038.”
(Mary Ann Lattrell)

It was moved by Council Member Steve Davis and seconded by Council Member Pinckney to approve **Bill No. 05-64** for **Third Reading**. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-09-68 is attached to these minutes.)

"BILL NO. 05-65, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES FOR TMS #232-00-01-042."

(Greg Sarver)

It was moved by Council Member Crosby and seconded by Council Member Spooner to approve **Bill No. 05-65** for **Third Reading**. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-09-69 is attached to these minutes.)

"BILL NO. 05-66, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES FOR TMS #235-13-03-020 AND 021."

(S.E. Felkel)

It was moved by Council Member Farley and seconded by Council Member Fish to approve **Bill No. 05-66** for **Third Reading**. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-09-70 is attached to these minutes.)

"BILL NO. 05-67, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES FOR TMS #233-00-00-037."

(Jessco Homes)

It was moved by Council Member Fish and seconded by Council Member Spooner to approve **Bill No. 05-67** for **Third Reading**. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-09-71 is attached to these minutes.)

"BILL NO. 05-68, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES FOR TMS #242-00-01-019."

(Barry Baker)

It was moved by Council Member Fish and seconded by Council Member Spooner to approve **Bill No. 05-68** for **Third Reading**. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-09-72 is attached to these minutes.)

"BILL NO. 05-69, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES FOR TMS #263-00-03-042 AND 043."

(Frank Oakley)

It was moved by Council Member Crosby and seconded by Council Member Fish to approve **Bill No. 05-69** for **Third Reading**. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-09-73 is attached to these minutes.)

"BILL NO. 05-70, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES FOR TMS #233-00-00-015 AND 062."

(Beazer Homes)

It was moved by Council Member Fish and seconded by Council Member Crosby to approve **Bill No. 05-70** for **Third Reading**. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-09-74 is attached to these minutes.)

"BILL NO. 05-72, AN ORDINANCE AMENDING ORDINANCE NUMBER 05-06-45, PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2005, AND ENDING JUNE 30, 2006, FOR THE OPERATIONAL BUDGET OF THE BERKELEY COUNTY SPECIAL FIRE TAX DISTRICT WITHIN THE UNINCORPORATED PORTIONS OF BERKELEY COUNTY; PROVIDING FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE SPECIAL FIRE TAX DISTRICT DURING THE FISCAL YEAR; AND AMENDING ORDINANCES NUMBERED 96-7-35 AND 03-06-37 ESTABLISHING THE UNIFORM SERVICE CHARGE TO BE ASSESSED AND COLLECTED IN THE SPECIAL TAX DISTRICT."

It was moved by Council Member Fish and seconded by Council Member Farley to approve **Bill No. 05-72** for **Third Reading**. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-09-75 is attached to these minutes.)

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

SECOND READING

It was moved by Council Member Spooner and seconded by Council Member Steve Davis to allow **Bills Numbered 05-62, 05-73, 05-74, 05-75, 05-76, 05-77 and 05-78** to be given **Second Reading** by one motion as a collective group. The motion passed by unanimous voice vote of Council.

"BILL NO. 05-62, AN ORDINANCE GRANTING A FRANCHISE RENEWAL FOR THE CONSTRUCTION, ACQUISITION, OPERATION AND MAINTENANCE OF A CABLE TELEVISION SYSTEM WITHIN SPECIFIC

UNINCORPORATED AREAS OF THE COUNTY OF BERKELEY TO TIME WARNER CABLE, INC."

"BILL NO. 05-73, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES FOR TMS #105-00-00-052."
(Teresa F. Hood Clemmons)

"BILL NO. 05-74, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES FOR TMS #268-00-00-124."
(Tony Berenyi)

"BILL NO. 05-75, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES FOR TMS #157-00-00-003."
(County Council)

"BILL NO. 05-76, AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-I-LIEU OF TAX AGREEMENT BY AND AMONG BERKELEY COUNTY AND BOONEDOCK, LLC.; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE-IN-LIEU OF TAXES."

"BILL NO. 05-77, AN ORDINANCE ESTABLISHING A REGISTRATION SYSTEM FOR BUSINESSES LOCATED WITHIN BERKELEY COUNTY, INCLUDING BUSINESSES LOCATED WITHIN THE CORPORATE BOUNDARIES OF MUNICIPALITIES WITHIN THE COUNTY, PURSUANT TO SC CODE OF LAWS § 12-37-135 (2005); ESTABLISHING A FEE TO DEFRAY THE ADMINISTRATIVE EXPENSES OF SAID REGISTRATION; AND OTHER MATTERS RELATING THERETO."

"BILL NO. 05-78, AN ORDINANCE TO AMEND CHAPTER 65, ARTICLE 2, OF THE BERKELEY COUNTY CODE OF ORDINANCES, ESTABLISHING A PROHIBITION AGAINST THE USE OF PUBLIC AND PRIVATE WASTEWATER COLLECTION AND TREATMENT SYSTEMS FOR CERTAIN AREAS WITHIN BERKELEY COUNTY; AND ESTABLISHING CERTAIN EXCEPTIONS THERETO."

It was moved by Council Member Spooner and seconded by Council Member Pinckney to approve **Bills Numbered 05-62, 05-73, 05-74, 05-75, 05-76, 05-77 and 05-78 for Second Reading.** The motion passed by unanimous voice vote of Council.

FIRST READING

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

"BILL NO. 05-79, AN ORDINANCE ESTABLISHING A PROCEDURE FOR COUNTY RESPONSE TO FALSE ALARMS; SETTING FINES AND ACTIONS ASSOCIATED WITH FALSE ALARMS; AND OTHER MATTERS RELATED THERETO."

"BILL NO. 05-80, AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF TAX AGREEMENT AND CERTAIN INSTRUMENTS RELATING THERETO BY AND BETWEEN BERKELEY COUNTY AND UNION UNDERWEAR COMPANY, INC., WHEREBY, BERKELEY COUNTY WILL ENTER INTO A FEE-IN-LIEU OF TAXES ARRANGEMENT WITH UNION UNDERWEAR COMPANY, INC.; PROVIDING FOR PAYMENT BY UNION UNDERWEAR COMPANY, INC., OF CERTAIN FEES IN LIEU OF AD VALOREM TAXES; AND OTHER MATTERS RELATING THERETO."

"BILL NO. 05-81, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO APPROVED USES FOR TMS #142-00-01-073."
(Pointe North Community Church)

"BILL NO. 05-82, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO APPROVED USES FOR TMS #211-00-02-096."
(Mt. Holly Commerce Park)

"BILL NO. 05-83, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO APPROVED USES FOR TMS #240-00-00-013."
(Charles and Katie Koth)

"BILL NO. 05-84, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO APPROVED USES FOR TMS #271-00-02-060."
(HGBD, Inc.)

"BILL NO. 05-85, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO APPROVED USES FOR TMS #271-00-01-094 AND 004."
(Ruby J. Fields)

"BILL NO. 05-86, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO APPROVED USES FOR TMS (SCPSA)."
(DRR Developers)

RESOLUTIONS

"RESOLUTION PROVIDING FOR THE TRANSFER OF FUNDS IN THE 2005-2006 BERKELEY COUNTY BUDGET FOR COUNTY PURPOSES OTHER THAN AS SPECIFIED IN SAID BUDGET."

It was moved by Council Member Crosby and seconded by Council Member Fish to approve the Resolution providing for the Transfer of Funds in the 2005-2006 Berkeley County Budget. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. 05-40 is attached to these minutes.)

"RESOLUTION AUTHORIZING (A) RELEASE OF LAND CURRENTLY SUBJECT TO AN EXISTING FEE-IN-LIEU OF TAXES LEASE AGREEMENT BETWEEN BERKELEY COUNTY, SOUTH CAROLINA, AND NAMASCO CORPORATION, AND (B) SUBJECTING THE SAME LAND TO AN EXISTING FEE-IN-LIEU OF TAXES LEASE AGREEMENT BETWEEN BERKELEY COUNTY, SOUTH CAROLINA, AND JM STEEL CORPORATION."

It was moved by Council Member Spooner and seconded by Council Member Fish to approve the Resolution authorizing release of land from a Fee-in-Lieu of Taxes Lease Agreement with Namasco and subjecting same to a Fee-in-Lieu of Taxes Lease Agreement with JM Steel. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. 05-41 is attached to these minutes.)

"RESOLUTION AUTHORIZING THE COUNTY SUPERVISOR TO EXECUTE A CONTRACT FOR THE PURCHASE OF PROPERTY LOCATED AT 282 DAIRY FARM ROAD, MONCK'S CORNER, SOUTH CAROLINA, MORE PARTICULARLY DESCRIBED AS TMS #142-00-00-004."

It was moved by Council Member Spooner and seconded by Council Member Fish to approve the Resolution authorizing execution of a contract for the purchase of property located at 282 Dairy Farm Road in Moncks Corner. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. 05-42 is attached to these minutes.)

"RESOLUTION PROCLAIMING THE WEEK OF OCTOBER 23-31, 2005, AS NATIONAL RED RIBBON WEEK IN BERKELEY COUNTY."

It was moved by Council Member Spooner and seconded by Council Member Fish to approve the Resolution proclaiming the week of October 23-31, 2005, as National Red Ribbon Week in Berkeley County. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. 05-43 is attached to these minutes.)

REPORTS FROM STANDING COMMITTEES

COMMITTEE ON FINANCE

Mr. Dennis L. Fish, Chairman

Chairman Fish reported that the Committee on Finance met earlier this night. Many of the matters before the Committee were addressed on this night's agenda.

Public Defender for Magistrate's Court

On recommendation of the Committee, Chairman Fish moved to approve a \$12,000.00 increase in the annual contract for the Public Defender's Department, with funds to come from Contingency. (No second required.)

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

COMMITTEE ON LAND USE

Mr. Phillip Farley, Chairman

Chairman Farley reported that the Committee on Land Use met on September 12, 2005. All matters before the Committee were addressed on this night's agenda. *(That concluded Chairman Farley's report.)*

COMMITTEE ON PUBLIC WORKS AND PURCHASING

Mr. Caldwell Pinckney, Jr., Chairman

Chairman Pinckney reported that the Committee on Public Works and Purchasing met on September 12, 2005, and earlier this night.

a. Change Order 2003 Renovation and Replacement Project

On recommendation of the Committee, Chairman Pinckney moved to approve a Professional Service Change Order with ERC in the amount of \$439,755.00 for the 2003 Renovation and Replacement Project. (No second required.)

The motion passed by unanimous voice vote of Council.

b. Change Order Lower Berkeley WWTP Expansion

On recommendation of the Committee, Chairman Pinckney moved to approve a Professional Service Change Order with Davis & Floyd, Inc., in the amount of \$86,077.00 for the Lower Berkeley Wastewater Treatment Plant expansion. (No second required.)

The motion passed by unanimous voice vote of Council.

c. East Cooper Meter Replacement Project

On recommendation of the Committee, Chairman Pinckney moved to award the contract for the East Cooper Meter Replacement Project to McMahan Brothers Pipeline, Inc., in the amount of \$49,644.00. (No second required.)

The motion passed by unanimous voice vote of Council.

d. Bonneau Area Meter Replacement Project

On recommendation of the Committee, Chairman Pinckney moved to award the contract for the Bonneau Meter Replacement Project to McMahan Brothers Pipeline, Inc., in the amount of \$81,018.00. (No second required.)

The motion passed by unanimous voice vote of Council.

e. St. Stephen Meter Replacement Project

On recommendation of the Committee, Chairman Pinckney moved to award the contract for the St. Stephen Meter Replacement Project to McMahan Brothers Pipeline in the amount of \$79,380.00. (No second required.)

The motion passed by unanimous voice vote of Council.

f. Pump Stations 009, 013 and 068 Eliminations

On recommendation of the Committee, Chairman Pinckney moved to reject all bids for the Pump Station 009, Pump Station 013 and Pump Station 068 eliminations. (No second required.)

The motion passed by unanimous voice vote of Council.

g. Sangaree Library

On recommendation of the Committee, Chairman Pinckney moved to award the contract for the Sangaree Library to Lucas Alexander Group, LLC, in the amount of \$811,333.00. (No second required.)

The motion passed by unanimous voice vote of Council.

h. Metal Retro-Fit Roofing System – Voter Registration Building

On recommendation of the Committee, Chairman Pinckney moved to award the contract for the Metal Retro-fit Roofing System, Voter Registration Building, to Roofco, Inc., in the amount of \$58,800.00. (No second required.)

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

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

Chairman Crosby reported that the Committee on Justice and Public Safety met on September 12, 2005. Several of the matters before the Committee were addressed on this night's agenda.

Purchase of Three (3) Vehicles from Surplus – Sheriff's Department

On recommendation of the Committee, Chairman Crosby moved to approve the purchase of three vehicles from surplus for the Sheriff's Department. (No second required.)

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

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

Chairman Spooner reported that the Committee on Water and Sanitation met on September 12, 2005. Several of the matters before the Committee were addressed on this night's agenda.

Appointment to BCWSA Grievance Committee

On recommendation of the Committee, Chairman Spooner moved to appoint Ms. Stacy Pinckney to the Berkeley County Water and Sanitation Authority Grievance Committee, with her term to expire September 24, 2008. (No second required.)

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

COMMITTEE ON PLANNING AND DEVELOPMENT

Mr. Steve C. Davis, Chairman

No report.

COMMITTEE ON COMMUNITY SERVICES

Mr. Charles E. Davis, Chairman

Acting Chairman Farley reported that the Committee on Community Services met on September 12, 2005.

Transfer of Personnel Funds – Farm and Land Services Department

On recommendation of the Committee, Acting Chairman Farley moved to approve the transfer of \$686.00 from outside temporary workers line item to the student intern line item in the Farm and Land Services Department. (No second required.)

The motion passed by unanimous voice vote of Council.

COMMITTEE ON HUMAN SERVICES

Mrs. Judy C. Mims, Chairman

No report.

NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.

Council Member Crosby nominated Mr. James H. Rozier, Jr., and Mr. Bo Beauchemin, Jr., for re-appointments to serve on the Berkeley-Charleston-Dorchester Rural Transportation Management Association (RTMA).

The nominations of Mr. Rozier and Mr. Beauchemin to the Berkeley-Charleston-Dorchester RTMA were passed by unanimous voice vote of Council.

CORRESPONDENCE – none

UNFINISHED BUSINESS – none

NEW BUSINESS

Chairman Rozier announced that the South Carolina Department of Health and Environmental Control (DHEC) honored Berkeley County with a plaque in recognition of the County's participation in the eight-hour ozone early action process.

Mrs. Ewing recommended Council's approval for the transfer of \$150,000.00 from Contingency to the Legal Department to settle a claim in Bass vs. Dubis, to include Berkeley County.

It was moved by Council Member Spooner and seconded by Council Member Fish to approve the transfer of \$150,000.00 from Contingency to the Legal Department in settlement of a claim. The motion passed by unanimous voice vote of Council.

Mr. Robbie Metts, Deputy County Supervisor, recommended Council's approval for the purchase of computer software at the Berkeley County Water and Sanitation Authority (BCWSA) in the amount of \$107,000.00. This software is contingent upon the County's consent order with DHEC, as mandated by the state, to install an environmental management system.

It was moved by Council Member Fish and seconded by Council Member Spooner to approve the purchase of computer software for the BCWSA in the amount of \$107,000.00. These funds will be provided from a transfer from the capital line item of the BCWSA Budget. The motion passed by unanimous voice vote of Council.

Mr. Metts recommended Council's approval of \$152,577.00 to be earmarked in Personnel Services within the BCWSA Budget to address deficiencies in the pay scales of some positions at the Authority.

It was moved by Council Member Steve Davis and seconded by Council Member Spooner to approve a total of \$152,577.00 for the Personnel Services line item in the BCWSA Budget.

In discussion, Council Member Crosby requested that Council be provided the information regarding BCWSA salary adjustments in comparison to Berkeley County employees prior to them becoming effective. Mr. Metts stated that Council would be kept informed of the changes proposed.

The motion passed by unanimous voice vote of Council.

ANNOUNCEMENTS

The **October 2005 Regular Meeting of Berkeley County Council** will be held on **Monday October 24, 2005**, immediately following Public Hearings and the meeting of the Committee on Finance at **6:00 p.m.** in the **Assembly Room** of the **Berkeley County Administration Building**, 1003 Highway 52, Moncks Corner, South Carolina.

ADJOURNMENT

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

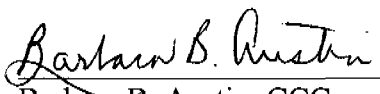
Meeting adjourned at 8:47 p.m., for the execution of documents by Council.

PUBLIC DISCUSSION

Mr. Walt Martin, residing at 2716 Canebreak Lane, Mt. Pleasant, addressed Council and stated that he is a property owner in Berkeley County with a concern regarding the water and sewer fee increase, which was imposed on July 1st. In conclusion, Mr. Martin asked Council to consider using the old fees versus the new, increased fees for those projects already in the system for approval with the BCWSA prior to July 1st. Mr. Martin's project had been in the system since March 2005.

Mr. Steve Blackwell, representing Seamon Whiteside & Associates, Mt. Pleasant, addressed Council and stated that he wanted to reiterate the same concern of Mr. Martin regarding increased water and sewer fees for projects already in the system for approval with the BCWSA prior to July 1st. Mr. Blackwell represents the owners of two projects, Liberty Village (in the system for approval since December 2004) and Brick Hope Greens (in the system for approval since January 2005). In conclusion, Mr. Blackwell asked Council to consider a grandfathering clause using the older fee rate schedule for projects already in the system for approval with the BCWSA prior to July 1, 2005.

Public Discussion ended at 9:09 p.m.


Barbara B. Austin, CCC
Clerk of Council

October 24, 2005
Date Approved

REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL is scheduled to be held on **Monday September 26, 2005**, to begin immediately following Public Hearings, the meeting of the Committee on Finance, and the Committee on Public Works and Purchasing at **6:00 P.M.**, in the **ASSEMBLY ROOM, BERKELEY COUNTY ADMINISTRATION BUILDING, 1003 HIGHWAY 52, MONCKS CORNER, S. C.**

CALL TO ORDER

APPROVAL OF MINUTES:

Special Meeting of Council	August 8, 2005
Public Hearing Bills Numbered: 05-44, 05-55, 05-56, 05-57, 05-58, 05-59, 05-60 and 05-61	August 29, 2005
Regular Council Meeting	August 29, 2005

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

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

CHAIRMAN OF COUNTY COUNCIL

THIRD READING:

- 1. Bill No. 05-63, an ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Minnis Brenner**, Gaillard Road and Hwy 17A, Moncks Corner, **TMS #161-15-00-032** (.876 acres), **from F-1, Agriculture District to R-2, Manufactured Residential District**. Council District No. 6.
[Recommended by Committee on Land Use]
- 2. Bill No. 05-64, an ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Mary Ann Lattrell**, United Drive and Wildflower Lane, Huger, **TMS #250-00-00-038** (5 acres), **from R-2, Manufactured Residential District to F-1, Agriculture District**. Council District No. 8.
[Recommended by Committee on Land Use]
- 3. Bill No. 05-65, an ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Greg Sarver**, 114 Berkeley Circle, Summerville,

TMS #232-00-01-042 (<1 acre), from R-1, Single Family Residential District to RNC, Rural and Neighborhood Commercial District. Council District No. 7.

[Recommended by Committee on Land Use]

4. **Bill No. 05-66, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: S. E. Felkel, Corner of Blossom and Hollywood, Goose Creek, TMS #235-13-03-020 and 021 (.547 acres), from R-1, Single Family Residential District to OI, Office and Institutional District.** Council District No. 3.

[Recommended by Committee on Land Use]

5. **Bill No. 05-67, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Jessco Homes, Treeland Drive and Plantation Pine Road, Ladson, TMS #233-00-00-037 (10.95 acres), from OI, Office and Institutional District to R-4, Multi-Family (Small Scale) (6.25 acres), to GC, General Commercial (4.7 acres).** Council District No. 4.

[Recommended by Committee on Land Use]

6. **Bill No. 05-68, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Barry Baker, 173 College Park Road, Summerville, TMS #242-00-01-019 (3.893 acres), from R-2, Manufactured Residential District to GC, General Commercial District.** Council District No. 5.

[Recommended by Committee on Land Use]

7. **Bill No. 05-69, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Frank Oakley, 2695 Highway 41, Wando, TMS #263-00-03-042 and 043 (.68 acres) from R-2, Manufactured Residential to GC, General Commercial District.** Council District No. 2.

[Recommended by Committee on Land Use]

8. **Bill No. 05-70, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Beazer Homes, Discovery Drive and Royle Road, Ladson, TMS #233-00-00-015 and 062 (7.343 acres), from R-1, Single Family Residential to R-4, Multi Family Small Scale District.** Council District No. 4.

[Recommended by Committee on Land Use]

9. **Bill No. 05-72, an ordinance amending Ordinance Number 05-06-45, providing for the fiscal year beginning July 1, 2005, and ending June 30, 2006, for the operational budget of the Berkeley County Special Fire Tax District within the unincorporated portions of Berkeley County; providing for the expenditures of the revenues received by the Special Fire Tax District during the fiscal year; and amending Ordinances numbered 96-7-35 and 03-06-37 establishing the uniform service charge to be assessed and collected in the special tax district.**

[Recommended by Committee on Finance]

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

SECOND READING:

1. **Bill No. 05-62**, an **ordinance** granting a franchise renewal for the construction, acquisition, operation, and maintenance of a cable television system within specific unincorporated areas of the County of Berkeley to **Time Warner Cable, Inc.**

[Recommended by Committee on Finance]

2. **Bill No. 05-73**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Teresa F. Hood Clemmons**, 1950 Cane Gully Road, Moncks Corner, **TMS #105-00-00-052** (9.74 acres), **from GC, General Commercial District to F-1, Agriculture District**. Council District No. 6.

[Recommended by Committee on Land Use]

3. **Bill No. 05-74**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Tony Berenyi**, Clements Ferry Road, Charleston, **TMS #268-00-00-124** (12.94 acres), **from GC, General Commercial District to R-4, Multi-Family District (Small Scale)**. Council District No. 2.

[Recommended by Committee on Land Use]

4. **Bill No. 05-75**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **County Council**, 1376 Old Gilliard Road, Ridgeville, **TMS #157-00-00-003** (3,500 acre portion of 7,675 acres), **from F-1, Agriculture District to HI, Heavy Industrial District**. Council District No. 7.

[Recommended by Committee on Land Use]

5. **Bill No. 05-76**, an **ordinance** authorizing the execution and delivery of a **Fee-In-Lieu of Tax Agreement** by and among Berkeley County and **BooneDock, LLC**; and other matters relating thereto including, without limitation, payment of a Fee-In-Lieu of taxes.

[Recommended by Committee on Finance]

6. **Bill No. 05-77**, an **ordinance** establishing a **registration system for businesses located within Berkeley County**, including businesses located within the corporate boundaries of municipalities within the county, pursuant to S. C. Code of Laws § 12-37-135 (2005); establishing a fee to defray the administrative expenses of said registration; and other matters related thereto.

[Recommended by Committee on Finance]

7. **Bill No. 05-78**, an **ordinance** to amend Chapter 65, Article 2, of the Berkeley County Code of Ordinances, establishing a prohibition against the use of public and private wastewater collection and treatment systems for certain areas within Berkeley County; and establishing certain exceptions thereto.

[Recommended by Committee on Water & Sanitation]

FIRST READING

1. **Bill No. 05-79**, an **ordinance** establishing a procedure for County response to **false alarms**; setting fines and actions associated with false alarms; and other matters related thereto.
[Recommended by Committee on Justice and Public Safety]

2. **Bill No. 05-80**, an **ordinance** authorizing the execution and delivery of a **Fee-In-Lieu of tax agreement** and certain instruments relating thereto by and between Berkeley County and **Union Underwear Company, Inc.**, whereby, Berkeley County will enter into a fee-in-lieu of taxes arrangement with Union Underwear Company, Inc.; providing for payment by Union Underwear Company, Inc. of certain fees in lieu of ad valorem taxes; and other matters relating thereto.
[Recommended by Committee on Finance]

3. **Bill No. 05-81**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Pointe North Community Church**, Old Highway 52, Moncks Corner, **TMS #142-00-01-073** (22 acre portion of 28 acres), **from GC, General Commercial to R-4, Multi-Family** (Small Scale). Council District No. 8.
[Recommended by Committee on Land Use]

4. **Bill No. 05-82**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Mt. Holly Commerce Park**, Moncks Corner, **TMS #211-00-02-096** (Lot 21), (19.2 acres), **from HI, Heavy Industry to GC, General Commercial District**. Council District No. 3.
[Recommended by Committee on Land Use]

5. **Bill No. 05-83**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Charles and Katie Koth**, 1494 Charity Church Road, Huger, **TMS #240-00-00-013** (2.81 acres), **from RNC, Rural and Neighborhood Commercial District to F-1, Agriculture District**. Council District No. 8.
[Recommended by Committee on Land Use]

6. **Bill No. 05-84**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **HGBD, Inc.**, 567 Sanders Farm Road, Charleston, **TMS #271-00-02-060** (20.39 acres), **from F-1, Agriculture District to R-1, Single Family District**. Council District No. 8.
[Recommended by Committee on Land Use]

7. **Bill No. 05-85**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Ruby J. Fields**, 2466 Clements Ferry, Charleston, **TMS #271-00-01-094, -004** (2.604 and .941 acres, Total 3.545 acres), **from R-2, Manufactured Residential District to GC, General Commercial District**. Council District No. 8.
[Recommended by Committee on Land Use]

8. **Bill No. 05-86**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **DRR Developers**, West Dike Road, Pinopolis, TMS (SCPSA) (36.087 acres), **from F-1, Agricultural District to R-1, Single Family Residential District**. Council District No. 6.
[Recommended by Committee on Land Use]

RESOLUTIONS

1. **RESOLUTION** providing for the Transfer of Funds in the 2005-2006 Berkeley County Budget for County purposes other than as specified in said Budget.
[Recommended by Committee on Finance]

2. **RESOLUTION** authorizing (a) release of land currently subject to an existing **Fee-In-Lieu of taxes lease agreement** between **Berkeley County, South Carolina** and **Namasco Corporation**, and (b) subjecting the same land to an existing fee in lieu of taxes lease agreement between Berkeley County, South Carolina and **JM Steel Corp.**
[Recommended by Committee on Finance]

3. **RESOLUTION** authorizing the County Supervisor to execute a contract for the **purchase of property** located at 282 Dairy Farm Road, Moncks Corner, South Carolina, more particularly described as a 0.82 portion of **TMS #142-00-00-004**.
[Recommended by Committee on Finance]

4. **RESOLUTION** proclaiming the week of October 23 - 31, 2005, as **National Red Ribbon Week in Berkeley County**.

REPORTS FROM STANDING COMMITTEES:

1. **Committee on Finance.**
Council Member, Mr. Dennis L. Fish, Chairman.
 - a. Public Defender for Magistrate's Court.
2. **Committee on Land Use.**
Council Member, Mr. Phillip Farley, Chairman.
3. **Committee on Public Works and Purchasing.**
Council Member, Mr. Caldwell Pinckney, Jr., Chairman.
Bids and Recommendations:
 - a. Change Order 2003 Renovation and replacement project.
 - b. Change Order Lower Berkeley WWTP Expansion.
 - c. East Cooper meter replacement project.
 - d. Bonneau area meter replacement project.
 - e. St. Stephen meter replacement project.

- f. Pump Station 009, Pump Station 013, and Pump Station 068 Eliminations.
 - g. Sangaree Library
 - h. Metal Retro-Fit Roofing System – Voter Registration Building.
- 4. **Committee on Justice and Public Safety.**
Council Member, Mr. William E. Crosby, Chairman.
 - a. Purchase of three (3) vehicles from surplus – Sheriff's Dept.
- 5. **Committee on Water and Sanitation.**
Council Member, Mrs. Judith K. Spooner, Chairman.
 - a. Appointment to BCW&SA Grievance Committee
- 6. **Committee on Planning and Development.**
Council Member, Mr. Steve C. Davis, Chairman.
- 7. **Committee on Community Services.**
Council Member, Mr. Charles E. Davis, Chairman.
 - a. Transfer of personnel funds – Farm and Land Dept.
- 8. **Committee on Human Services.**
Council Member, Mrs. Judy C. Mims, Chairman.

NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.

ACCOMMODATIONS TAX ADVISORY COMMITTEE
BERKELEY COUNTY AERONAUTICS COMMISSION
BERKELEY-CHARLESTON-DORCHESTER COUNCIL OF GOVERNMENTS
BERKELEY COUNTY LIBRARY BOARD
BERKELEY COUNTY PLANNING COMMISSION
BERKELEY-CHARLESTON-DORCHESTER RTMA
BERKELEY COUNTY WATER AND SANITATION APPEALS BOARD
CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS
DEVON FOREST SPECIAL TAX DISTRICT
GOOSE CREEK RECREATION COMMISSION
HOUSING BOARD OF ADJUSTMENTS AND APPEALS
MENTAL HEALTH BOARD
SPIERS LANDING COMMISSION
TAX ASSESSMENT REVIEW BOARD
WORKFORCE INVESTMENT BOARD

CORRESPONDENCE

UNFINISHED BUSINESS

NEW BUSINESS

ANNOUNCEMENTS

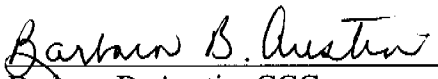
THE OCTOBER 2005, REGULAR MEETING OF BERKELEY COUNTY COUNCIL WILL BE HELD ON MONDAY OCTOBER 24, 2005, IMMEDIATELY FOLLOWING PUBLIC HEARINGS AND THE MEETING OF THE COMMITTEE ON FINANCE AT 6:00 PM, IN THE ASSEMBLY ROOM, OF THE BERKELEY COUNTY ADMINISTRATION BUILDING, 1003 HIGHWAY 52, MONCKS CORNER, S. C.

ADJOURNMENT

EXECUTION OF DOCUMENTS BY COUNCIL

PUBLIC DISCUSSION

September 21, 2005


Barbara B. Austin, CCC
Clerk of County Council

ORDINANCE NO. 05 - 09 - 67

AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #161-15-00-032 (.876 acres).

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

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

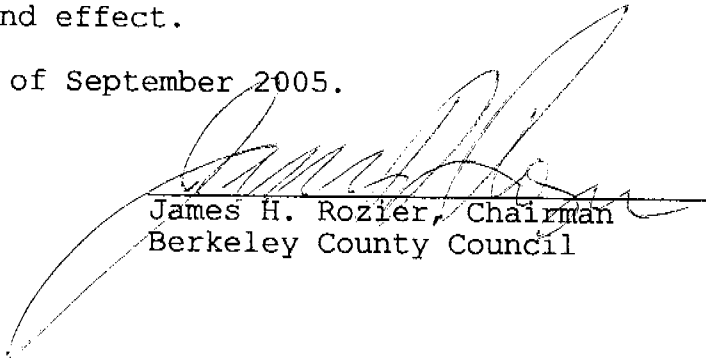
WHEREAS, the Berkeley County Council has determined that the rezoning or reclassification of the land designated herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was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

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

That portion of the official Zoning Map which contains that property identified as TMS#161-15-00-032 (.876 acres) as is more clearly shown on "Exhibit A", which is attached hereto and made a part hereof. This property has previously been designated and approved as F-1, Agricultural District, and will hereafter upon approval of this ordinance be reclassified as R-2, Manufactured Residential District.

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

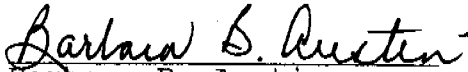
ADOPTED this 26th of September 2005.



James H. Rozier, Chairman
Berkeley County Council

(SEAL)

ATTEST:


Barbara B. Austin
CLERK OF COUNTY COUNCIL

First Reading:	July 25, 2005
Second Reading:	August 29, 2005
Public Hearing:	September 26, 2005
Third Reading:	September 26, 2005

05-09-67

MEMBERS OF COUNTY COUNCIL

Phillip Farley

PHILLIP FARLEY Voting yes

Judith K. Spooner

JUDITH K. SPOONER Voting yes

William E. Crosby

WILLIAM E. CROSBY Voting yes

Excused 9-26-05

CHARLES E. DAVIS Voting _____

Dennis L. Fish

DENNIS L. FISH Voting yes

Excused 9-26-05

JUDY C. MIMS Voting _____

Caldwell Pinckney, Jr.

CALDWELL PINCKNEY, JR. Voting yes

Steve C. Davis

STEVE C. DAVIS Voting yes

TMS# - 161-15-00-032



Berkeley County GIS Department
223 N. Live Oak Drive
Moncks Corner, SC 29461
(843) 719-4038 | fax (843) 719-4190
e-mail: chauck@co.berkeley.sc.us
BCGIS online: <http://gis.co.berkeley.sc.us>
5/25/2011



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ORDINANCE NO. 05 - 09 - 68

AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #250-00-00-038 (5 acres).

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

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

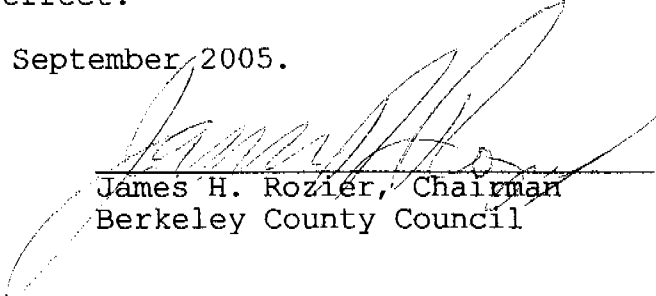
WHEREAS, the Berkeley County Council has determined that the rezoning or reclassification of the land designated herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was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

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

That portion of the official Zoning Map which contains that property identified as TMS#250-00-00-038 (5 acres) as is more clearly shown on "Exhibit A", which is attached hereto and made a part hereof. This property has previously been designated and approved as R-2, Manufactured Residential District, and will hereafter upon approval of this ordinance be reclassified as F-1, Agricultural District.

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

ADOPTED this 26th of September 2005.



James H. Rozier, Chairman
Berkeley County Council

(SEAL)

ATTEST:



Barbara B. Austin
CLERK OF COUNTY COUNCIL

First Reading:	July 25, 2005
Second Reading:	August 29, 2005
Public Hearing:	September 26, 2005
Third Reading:	September 26, 2005

05-09-68

MEMBERS OF COUNTY COUNCIL

Phillip Farley

PHILLIP FARLEY Voting yes

Judith K. Spooner

JUDITH K. SPOONER Voting yes

William E. Crosby

WILLIAM E. CROSBY Voting yes

Excused 9-26-05

CHARLES E. DAVIS Voting _____

Dennis L. Fish

DENNIS L. FISH Voting yes

Excused 9-26-05

JUDY C. MIMS Voting _____

Caldwell Pinckney, Jr.

CALDWELL PINCKNEY, JR. Voting yes

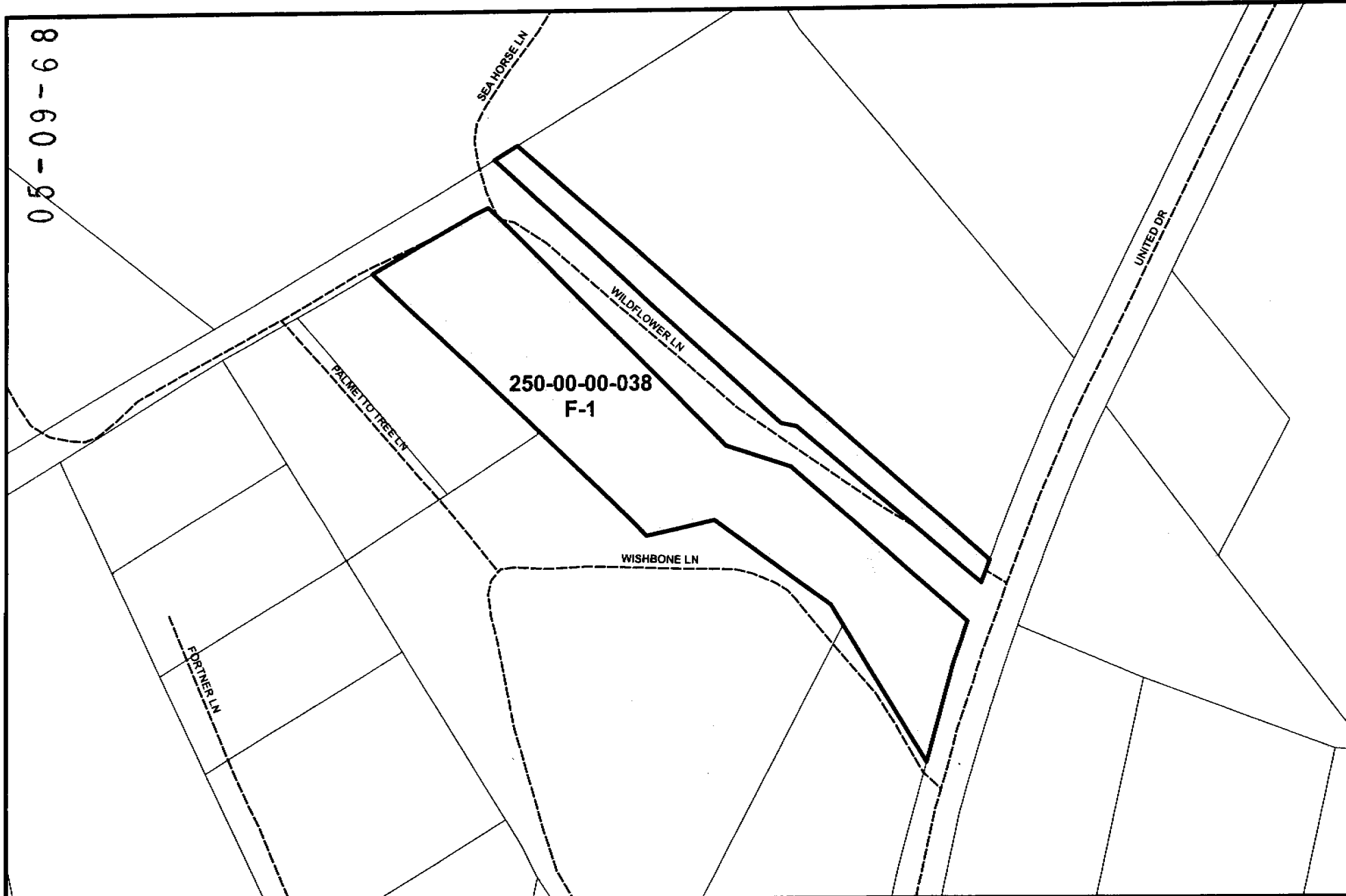
Steve C. Davis

STEVE C. DAVIS Voting yes

TMS# - 250-00-00-038



05-09-68



Berkeley County GIS Department
223 N. Live Oak Drive
Moncks Corner, SC 29461
(843) 719-4038 | fax (843) 719-4190
e-mail: hauck@co.berkeley.sc.us
BC GIS online: <http://gis.co.berkeley.sc.us>
5/23/2008



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ORDINANCE NO. 05 - 09 - 69

AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #232-00-01-042 (<1 acre).

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

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

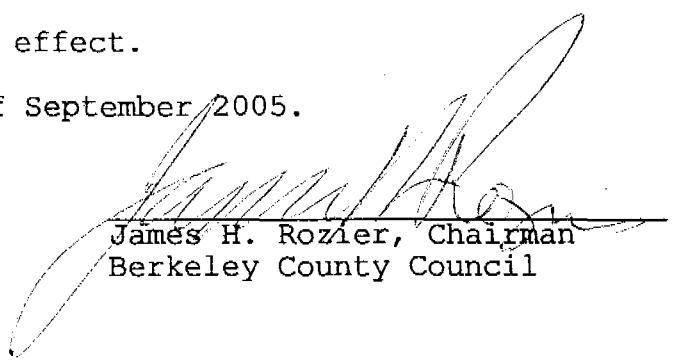
WHEREAS, the Berkeley County Council has determined that the rezoning or reclassification of the land designated herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was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

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

That portion of the official Zoning Map which contains that property identified as TMS#232-00-01-042 (<1 acre) as is more clearly shown on "Exhibit A", which is attached hereto and made a part hereof. This property has previously been designated and approved as R-1, Single-Family Residential District, and will hereafter upon approval of this ordinance be reclassified as RNC, Rural Neighborhood Commercial District.

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

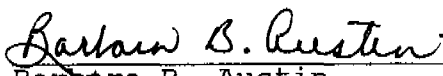
ADOPTED this 26th of September 2005.



James H. Rozier, Chairman
Berkeley County Council

(SEAL)

ATTEST:


Barbara B. Austin
CLERK OF COUNTY COUNCIL

First Reading:	July 25, 2005
Second Reading:	August 29, 2005
Public Hearing:	September 26, 2005
Third Reading:	September 26, 2005

05-09-69

MEMBERS OF COUNTY COUNCIL

Phillip Farley

PHILLIP FARLEY Voting yes

Judith K. Spooner

JUDITH K. SPOONER Voting yes

William E. Crosby

WILLIAM E. CROSBY Voting yes

Excused 9-26-05

CHARLES E. DAVIS Voting _____

Dennis L. Fish

DENNIS L. FISH

Voting yes

Excused 9-26-05

JUDY C. MIMS

Voting _____

Caldwell Pinckney, Jr.

CALDWELL PINCKNEY, JR. Voting yes

Steve C. Davis

STEVE C. DAVIS

Voting yes

TMS# - 232-00-01-042



05-09-69

232-00-01-042
RNC

BERKELEY CIR

N MAIN ST

N CUM ST



Berkeley County GIS Department
223 N. Live Oak Drive
Moncks Corner, SC 29461
(843) 719-4038 | fax (843) 719-4190
e-mail: shauck@co.berkeley.sc.us
BQ online: <http://gis.co.berkeley.sc.us>
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ORDINANCE NO. 05 - 09 - 70

AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #235-13-03-020 and 021 (.547 acres).

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

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

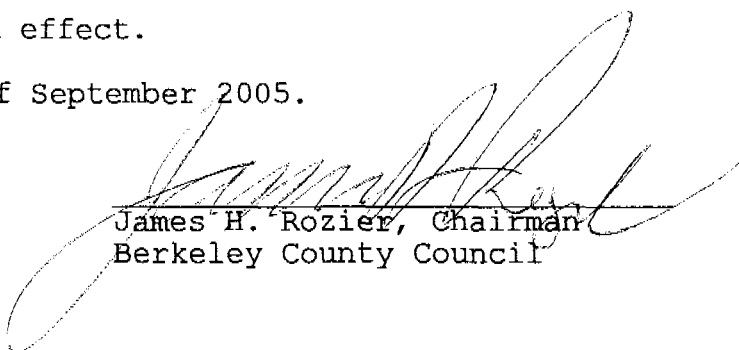
WHEREAS, the Berkeley County Council has determined that the rezoning or reclassification of the land designated herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was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

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

That portion of the official Zoning Map which contains that property identified as TMS#235-13-03-020 and 021 (.547 acres) as is more clearly shown on "Exhibit A", which is attached hereto and made a part hereof. This property has previously been designated and approved as R-1, Single-Family Residential District, and will hereafter upon approval of this ordinance be reclassified as OI, Office Institutional District.

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

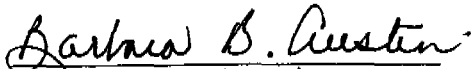
ADOPTED this 26th of September 2005.



James H. Rozier, Chairman
Berkeley County Council

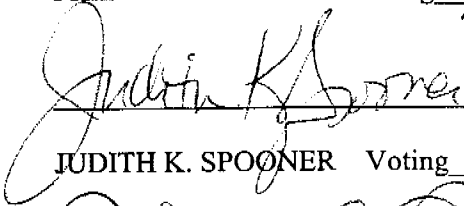
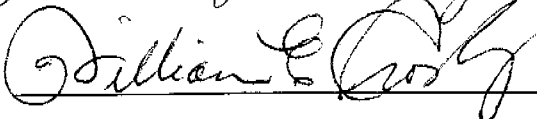
(SEAL)

ATTEST:

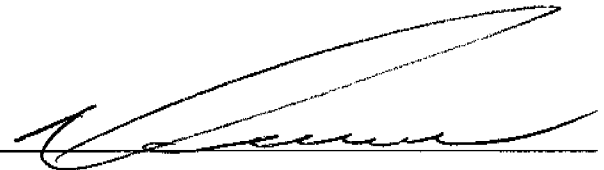

Barbara B. Austin
CLERK OF COUNTY COUNCIL

First Reading:	July 25, 2005
Second Reading:	August 29, 2005
Public Hearing:	September 26, 2005
Third Reading:	September 26, 2005

MEMBERS OF COUNTY COUNCIL

PHILLIP FARLEY Voting yesJUDITH K. SPOONER Voting yesWILLIAM E. CROSBY Voting yesExcused 9-26-05

CHARLES E. DAVIS Voting _____

DENNIS L. FISH Voting yesExcused 9-26-05

JUDY C. MIMS Voting _____

CALDWELL PINCKNEY, JR. Voting yesSTEVE C. DAVIS Voting yes

TMS# - 235-13-03-021



Berkeley County GIS Department
223 N. Live Oak Drive
Moncks Corner, SC 29461
(843) 719-4038 | fax (843) 719-4190
e-mail: rhauck@co.berkeley.sc.us
BCGIS online: <http://gis.co.berkeley.sc.us>
5/25



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ORDINANCE NO. 05 - 09 - 71

AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #233-00-00-037 (10.95 acres).

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

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

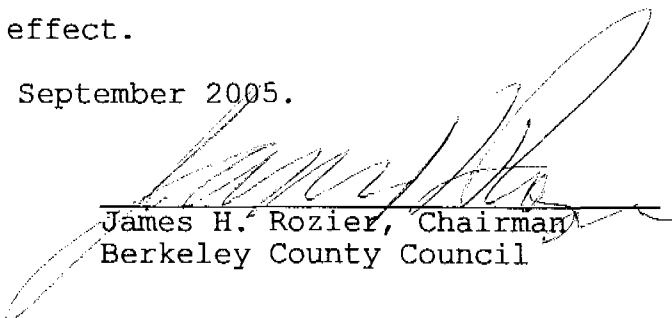
WHEREAS, the Berkeley County Council has determined that the rezoning or reclassification of the land designated herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was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

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

That portion of the official Zoning Map which contains that property identified as TMS#233-00-00-037 (10.95 acres) as is more clearly shown on "Exhibit A", which is attached hereto and made a part hereof. This property has previously been designated and approved as OI, Office Institutional District and will hereafter upon approval of this ordinance be reclassified as R-4, Multi-Family (Small Scale, 6.25 acres) and GC, General Commercial District (4.7 acres).

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

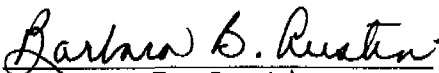
ADOPTED this 26th of September 2005.



James H. Rozier, Chairman
Berkeley County Council

(SEAL)

ATTEST:


Barbara B. Austin
CLERK OF COUNTY COUNCIL

First Reading:	July 25, 2005
Second Reading:	August 29, 2005
Public Hearing:	September 26, 2005
Third Reading:	September 26, 2005

05-09-71

MEMBERS OF COUNTY COUNCIL

Phillip Farley

PHILLIP FARLEY Voting yes

Judith K Spooner

JUDITH K. SPOONER Voting yes

William E Crosby

WILLIAM E. CROSBY Voting yes

Excused 9-26-05

CHARLES E. DAVIS Voting _____

Dennis L. Fish

DENNIS L. FISH Voting yes

Excused 9-26-05

JUDY C. MIMS Voting _____

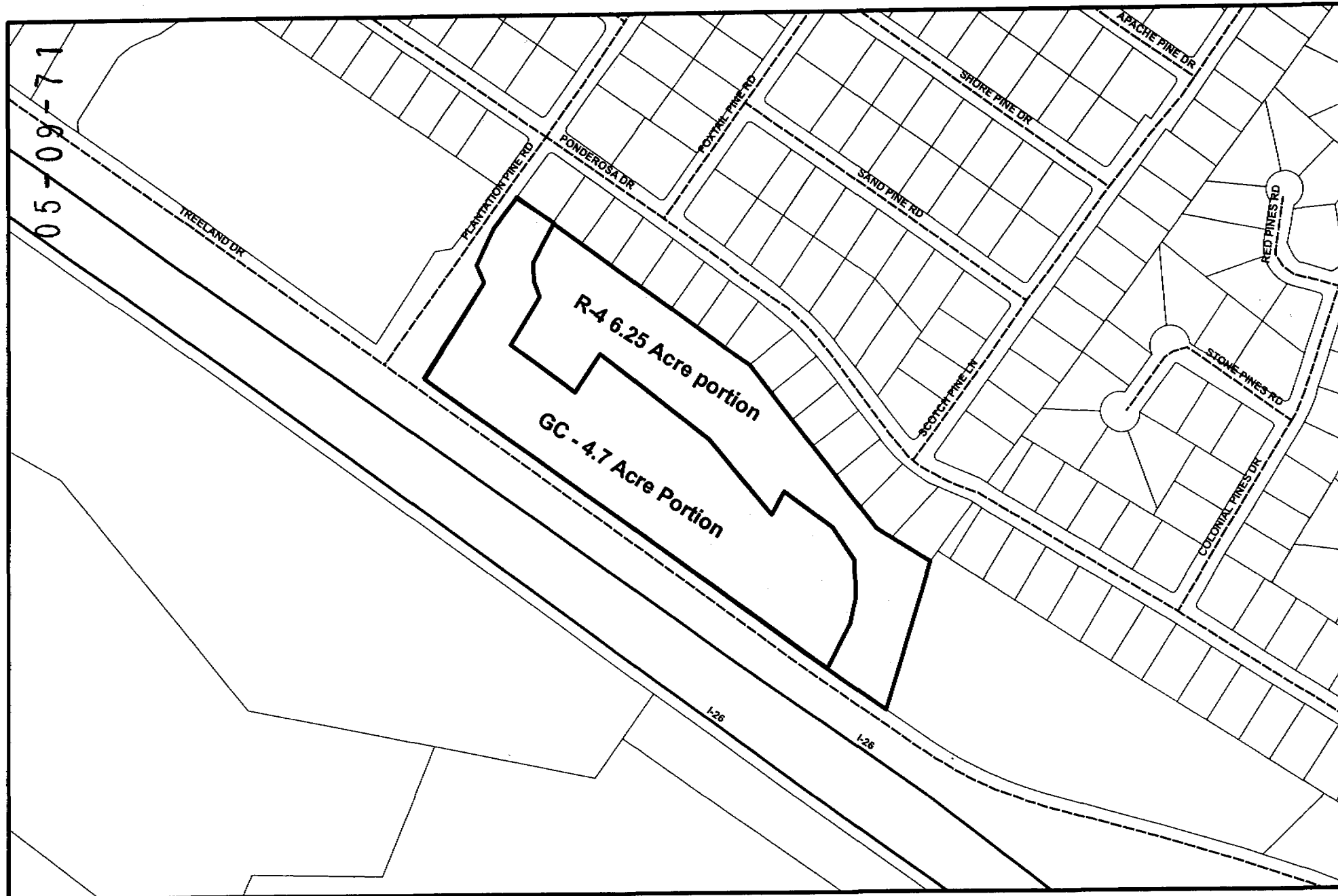
Caldwell Pinckney, Jr.

CALDWELL PINCKNEY, JR. Voting yes

Steve C. Davis

STEVE C. DAVIS Voting yes

TMS# - 233-00-00-037



Berkeley County GIS Department
223 N. Live Oak Drive
Moncks Corner, SC 29461
(843) 719-4038 | fax (843) 719-4190
e-mail: chauck@co.berkeley.sc.us
800 online: <http://gis.co.berkeley.sc.us>
5/15/05



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ORDINANCE NO. 05 - 09 - 72

AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #242-00-01-019 (3.893 acres).

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

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

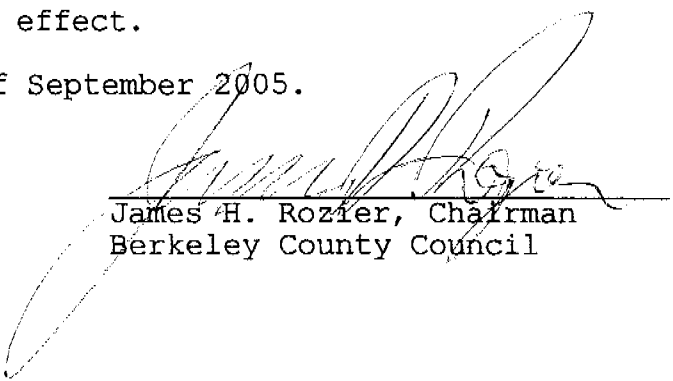
WHEREAS, the Berkeley County Council has determined that the rezoning or reclassification of the land designated herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was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

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

That portion of the official Zoning Map which contains that property identified as TMS#242-00-01-019 (3.893 acres) as is more clearly shown on "Exhibit A", which is attached hereto and made a part hereof. This property has previously been designated and approved as R-2, Manufactured Residential District and will hereafter upon approval of this ordinance be reclassified as GC, General Commercial District.

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

ADOPTED this 26th of September 2005.



James H. Rozier, Chairman
Berkeley County Council

(SEAL)

ATTEST:


Barbara B. Austin
CLERK OF COUNTY COUNCIL

First Reading:	July 25, 2005
Second Reading:	August 29, 2005
Public Hearing:	September 26, 2005
Third Reading:	September 26, 2005

05-09-72

MEMBERS OF COUNTY COUNCIL

Phillip Farley

PHILLIP FARLEY Voting yes

Judith K. Spooner

JUDITH K. SPOONER Voting yes

William E. Crosby

WILLIAM E. CROSBY Voting yes

Excused 9-26-05

CHARLES E. DAVIS Voting _____

Dennis L. Fish

DENNIS L. FISH Voting yes

Excused 9-26-05

JUDY C. MIMS Voting _____

Caldwell Pinckney, Jr.

CALDWELL PINCKNEY, JR. Voting yes

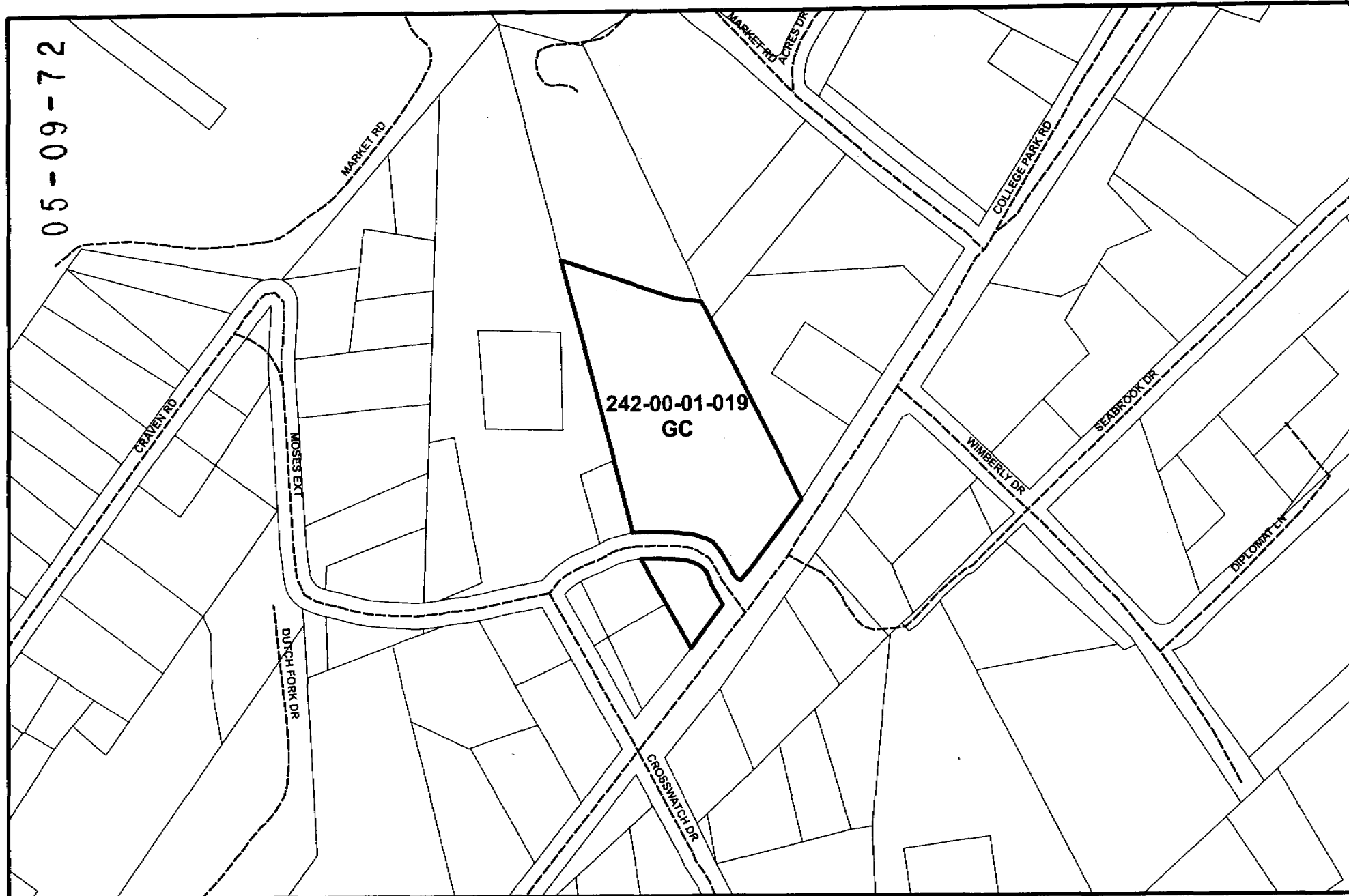
Steve C. Davis

STEVE C. DAVIS Voting yes

TMS# - 242-00-01-019



05-09-72



Berkeley County GIS Department
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Moncks Corner, SC 29461
(843) 719-4038 | fax (843) 719-4190
e-mail: gis@co.berkeley.sc.us
Online: <http://gis.co.berkeley.sc.us>
5/2/2005



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ORDINANCE NO. 05 - 09 - 73

AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #263-00-03-042 and 043 (.68 acres).

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

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

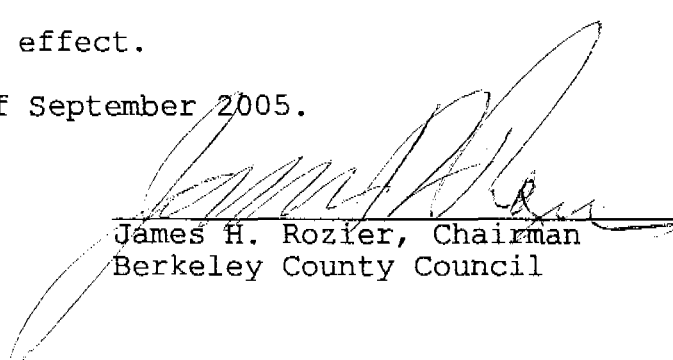
WHEREAS, the Berkeley County Council has determined that the rezoning or reclassification of the land designated herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was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

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

That portion of the official Zoning Map which contains that property identified as TMS#263-00-03-042 and 043 (.68 acres) as is more clearly shown on "Exhibit A", which is attached hereto and made a part hereof. This property has previously been designated and approved as R-2, Manufactured Residential District and will hereafter upon approval of this ordinance be reclassified as GC, General Commercial District.

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

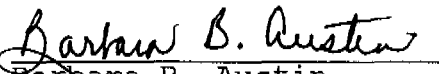
ADOPTED this 26th of September 2005.



James H. Rozier, Chairman
Berkeley County Council

(SEAL)

ATTEST:



Barbara B. Austin
CLERK OF COUNTY COUNCIL

First Reading:	July 25, 2005
Second Reading:	August 29, 2005
Public Hearing:	September 26, 2005
Third Reading:	September 26, 2005

05-09-73

MEMBERS OF COUNTY COUNCIL

Phillip Farley
PHILLIP FARLEY Voting yes

Judith K. Spooner
JUDITH K. SPOONER Voting yes

William E. Crosby
WILLIAM E. CROSBY Voting yes

Excused - 9-26-05
CHARLES E. DAVIS Voting _____

Dennis L. Fish
DENNIS L. FISH Voting yes

Excused 9-26-05
JUDY C. MIMS Voting _____

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

Steve C. Davis
STEVE C. DAVIS Voting yes

TMS# - 263-00-03-042 and 043



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223 N. Live Oak Drive
Moncks Corner, SC 29461
(843) 719-4038 | fax (843) 719-4190
e-mail: gis@co.berkeley.sc.us
BC online: <http://gis.co.berkeley.sc.us>
5/25/2005



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ORDINANCE NO. 05 - 09 - 74

AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #233-00-00-015 and 062 (7.343 acres).

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

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

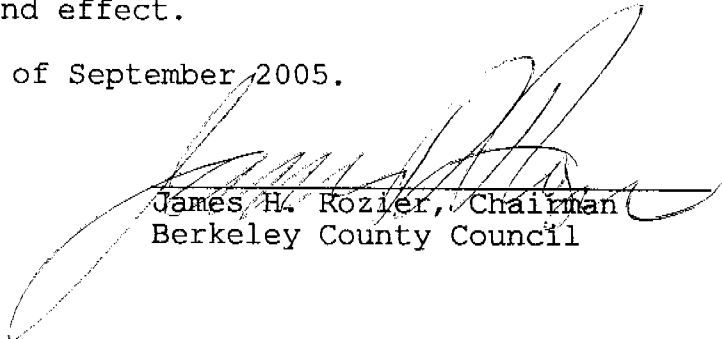
WHEREAS, the Berkeley County Council has determined that the rezoning or reclassification of the land designated herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was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

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

That portion of the official Zoning Map which contains that property identified as TMS#233-00-00-015 and 062 (7.343 acres) as is more clearly shown on "Exhibit A", which is attached hereto and made a part hereof. This property has previously been designated and approved as R-1, Single-Family Residential District and will hereafter upon approval of this ordinance be reclassified as R-4, Multi-Family District, Small Scale District.

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


ADOPTED this 26th of September 2005.



James H. Rozier, Chairman
Berkeley County Council

(SEAL)

ATTEST:



Barbara B. Austin
CLERK OF COUNTY COUNCIL

First Reading:	July 25, 2005
Second Reading:	August 29, 2005
Public Hearing:	September 26, 2005
Third Reading:	September 26, 2005

05-09-74

MEMBERS OF COUNTY COUNCIL

Phillip Farley

PHILLIP FARLEY Voting yes

Judith K. Spooner

JUDITH K. SPOONER Voting _____

William E. Crosby

WILLIAM E. CROSBY Voting yes

Excused 9-26-05

CHARLES E. DAVIS Voting _____

Dennis L. Fish

DENNIS L. FISH Voting yes

Excused 9-26-05

JUDY C. MIMS Voting _____

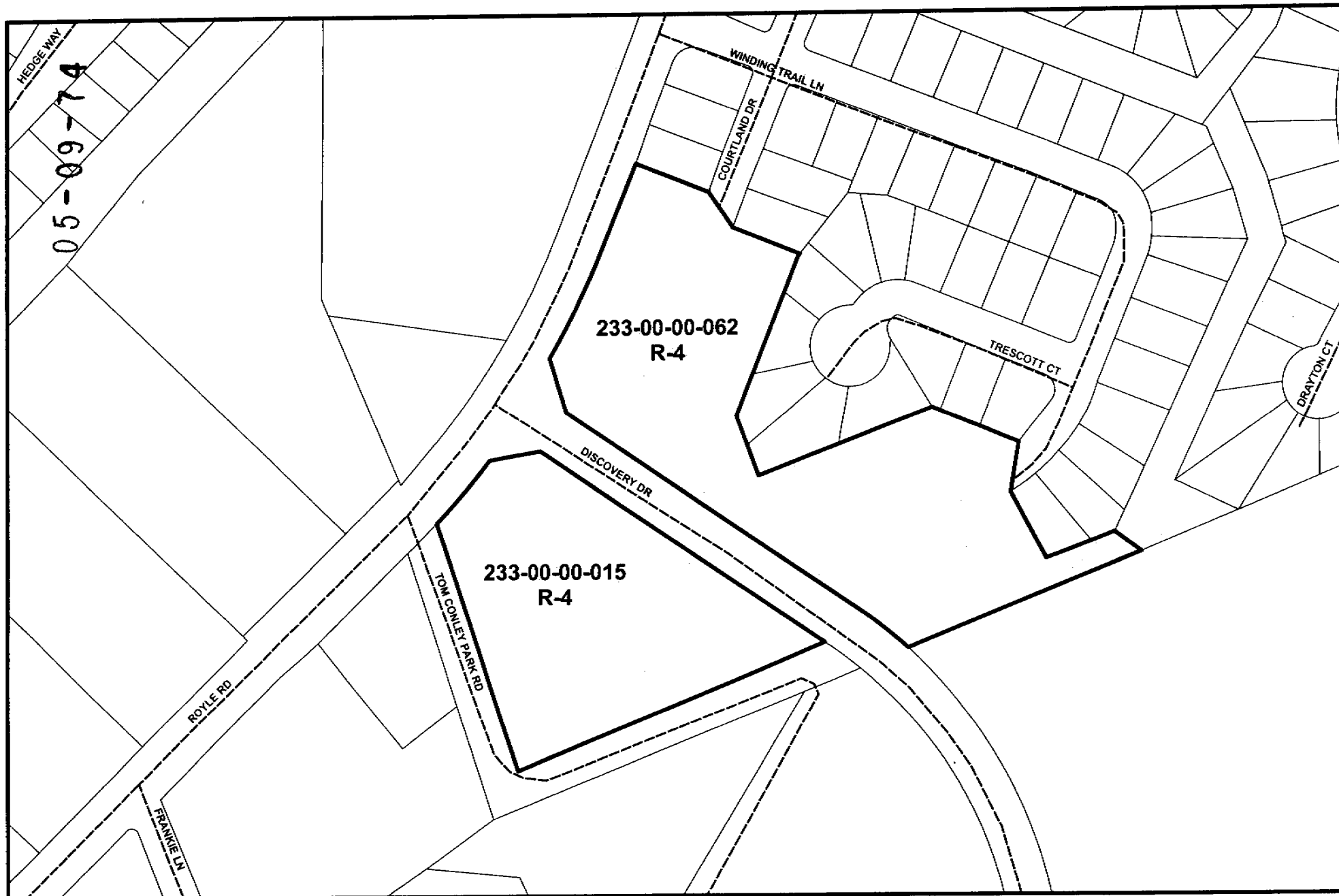
Caldwell Pinckney, Jr.

CALDWELL PINCKNEY, JR. Voting yes

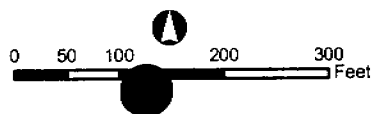
Steve C. Davis

STEVE C. DAVIS Voting YES

TMS# - 233-00-00-015 & 062



Berkeley County GIS Department
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 Moncks Corner, SC 29461
 (843) 719-4038 | fax (843) 719-4190
 e-mail: hauck@co.berkeley.sc.us
 B. online: <http://gis.co.berkeley.sc.us>
 5/2/2005



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ORDINANCE NO. 05 - 09 - 75

AN ORDINANCE AMENDING ORDINANCE NUMBER 05-06-45, PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2005, AND ENDING JUNE 30, 2006, FOR THE OPERATIONAL BUDGET OF THE BERKELEY COUNTY SPECIAL TAX DISTRICT WITHIN THE UNINCORPORATED PORTIONS OF BERKELEY COUNTY; PROVIDING FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE SPECIAL FIRE TAX DISTRICT DURING THE FISCAL YEAR; AND AMENDING ORDINANCE NUMBERS 96-7-35 AND 03-06-37 ESTABLISHING THE UNIFORM SERVICE CHARGE TO BE ASSESSED AND COLLECTED IN THE SPECIAL TAX DISTRICT.

WHEREAS, the Advisory Commission for the Special Fire Tax District has presented to the Berkeley County Council its recommendations for revenues and expenditures as acquired by the Special Fire Tax District pursuant to a uniform service charge; and

WHEREAS, on July 11, 2005, the Committee on Justice and Public Safety passed a resolution recommending that the Berkeley County Council adopt the Advisory Commission's recommendations; and

WHEREAS, the Berkeley County Council, in accordance with Section 4-9-140 of the Code of Laws of South Carolina, 1976, as amended, desires to adopt the Commission's recommendations as and for the budget of the Special Fire Tax District for the fiscal year beginning July 1, 2005, and ending June 30, 2006; and

WHEREAS, on July 29, 1996, the Berkeley County Council enacted Ordinance Number 96-7-35, thereby creating the Berkeley County Rural Fire Tax District and designating the uniform service charges in the Special Tax District; and

WHEREAS, on June 16, 2003, the Berkeley County Council enacted Ordinance No. 03-06-37, thereby increasing the uniform service charge in the Special Tax District; and

WHEREAS, on June 20, 2005, the Berkeley County Council enacted Ordinance No. 05-06-45, providing for the operational budget of the Berkeley County Special Fire Tax District within the unincorporated portions of Berkeley County; and

WHEREAS, Berkeley County Council has determined that an increase in the uniform service fees would be in the best interests of Berkeley County residents.

NOW, THEREFORE, BE IT ENACTED that there is hereby projected for the fiscal year 2005-2006 the following revenues from the levy of uniform service charges in the Special Fire Tax District and the following expenditures as set forth in Exhibit "A" attached hereto and made a part hereof by this reference, and which shall be allocated pro rata among the twenty-six (26) representative fire districts; and

BE IT FURTHER ENACTED that Ordinance Number 96-7-35 Ordinance, No. 03-06-37, and 05-06-45 shall be amended to read as follows:

For the year 2005 the uniform service charge to be assessed and collected in the Special Tax District shall not exceed:

Seventy (\$70.00) Dollars per year per residential unit (including mobile homes and each unit of a multi-family dwelling unit, including but not limited to townhouses, apartments, and/or condominiums);

Seventy (\$70.00) Dollars per year for non-residential establishments having up to 3,000 square feet of floor space;

One Hundred Three (\$103.00) Dollars per year for non-residential establishments with floor space of 3,001 square feet to 5,000 square feet;

Two Hundred Seven (\$207.00) Dollars per year for non-residential establishments with 5,001 square feet to 10,000 square feet;

Two Hundred Seventy-Six (\$276.00) Dollars per year for non-residential establishments with 10,001 square feet to 20,000 square feet; and over

20,000 square feet but not greater than 532,000 square feet shall be a maximum base of Five Hundred Fifty-Two (\$552.00) Dollars plus Fourteen (\$14.00) Dollars for each additional 1,000 square feet increment or portion thereof of floor space in excess of 20,000 square feet;

However, the rate cannot exceed a maximum charge of Seven Thousand Seven Hundred Twenty-Eight (\$7,728.00) Dollars for any structure greater than 532,000 square feet to 1,000,000 square feet;

A maximum total charge not to exceed Nine Thousand Two Hundred (\$9,200.00) Dollars per year for non-residential establishments having floor space in excess of 1,000,000 square feet.

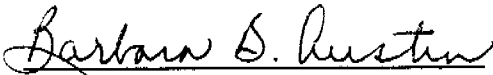
ADOPTED this 26th day of September 2005.

(SEAL)



JAMES H. ROZIER, JR., CHAIRMAN
BERKELEY COUNTY COUNCIL

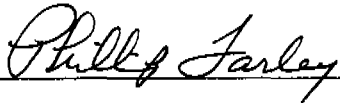
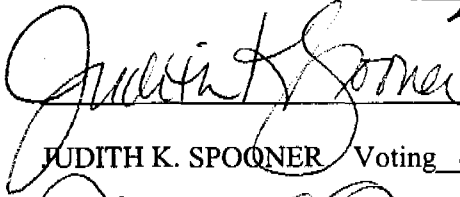
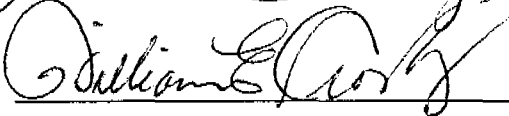
ATTEST:



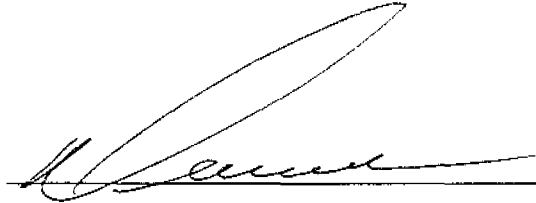
Barbara B. Austin, CCC
Clerk of County Council

First Reading:	July 25, 2005
Second Reading:	August 29, 2005
Public Hearing:	September 26, 2005
Third Reading:	September 26, 2005

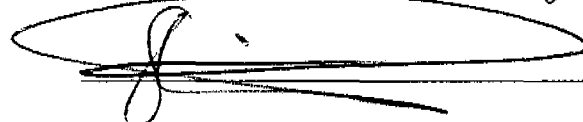
MEMBERS OF COUNTY COUNCIL

PHILLIP FARLEY Voting yesJUDITH K. SPOONER Voting yesWILLIAM E. CROSBY Voting yesExcused 9-26-85

CHARLES E. DAVIS Voting _____

DENNIS L. FISH Voting yesExcused 9-26-85

JUDY C. MIMS Voting _____

CALDWELL PINCKNEY, JR. Voting yesSTEVE C. DAVIS Voting yes

**PROVIDING FOR THE TRANSFER OF FUNDS APPROPRIATED IN
THE 2005-2006 BUDGET FOR BERKELEY COUNTY FOR COUNTY
PURPOSES OTHER THAN AS SPECIFIED IN SAID BUDGET**

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

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

NOW, THEREFORE, BE IT RESOLVED:

SECTION ONE

There is hereby transferred from budget line items designated in the 2005-2006 Berkeley County Budget the sum of **ONE HUNDRED EIGHTY EIGHT THOUSAND SEVEN DOLLARS AND NO/100 (\$188,007.00)** as set forth in Exhibit "A" attached hereto and made a part hereof by this reference.

SECTION TWO

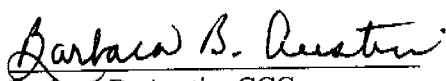
Allocations to budget line items as designated in the 2005-2006 Berkeley County Budget and as set forth in Exhibit "A" and Exhibit "B" attached hereto and made a part hereof by this reference, are approved herein.

ADOPTED this 26th day of September A. D. 2005.

(SEAL)

ATTEST:


JAMES H. ROZIER, JR., Chairman
BERKELEY COUNTY COUNCIL


Barbara B. Austin, CCC
Clerk of County Council

MEMBERS OF COUNTY COUNCIL

Phillip Farley

PHILLIP FARLEY Voting yes

Judith K. Spooner

JUDITH K. SPOONER Voting yes

William E. Crosby

WILLIAM E. CROSBY Voting yes

Excused 9-26-05

CHARLES E. DAVIS Voting _____

Dennis L. Fish

DENNIS L. FISH Voting yes

Excused 9-26-05

JUDY C. MIMS Voting _____

Caldwell Pinckney, Jr.

CALDWELL PINCKNEY, JR. Voting yes

Steve C. Davis

STEVE C. DAVIS Voting yes

TRANSFER FROM:

47010	Contingency Fund		
	Contingency Fund (5101 - Salaries)	\$20,634	
	Contingency Fund (5108 - Health Insurance)	\$654	
	Contingency Fund (5109 - Worker's Comp Insurance)	\$865	
	Contingency Fund (5110 - Retirement Contrib - Regular)	\$1,589	
	Contingency Fund (5112 - FICA)	\$1,579	
Total transfer from Contingency			\$25,321
47010	Contingency Fund (5542 - Special Contract)	\$12,000	
Total transfer from Contingency			\$12,000
47010	Contingency Fund (5560 - Other Operating Expenses)	\$150,000	
Total transfer from Contingency			\$150,000
44405	Farm & Land Services		
	5107 Outside agencies - temp worker	\$686	
Total transfer from Farm & Land Services			\$686
TOTAL TRANSFERRED FROM:			\$188,007

TRANSFER TO:

41206	Magistrate Court		
5101	Salaries	\$16,169	
5109	Workers' Comp Insurance	\$844	
5110	Retirement Contribution - Regular	\$1,245	
5112	FICA	\$1,237	
Total transfer to Magistrate Court			\$19,495
41207	Public Defender		
5542	Special Contract	\$12,000	
Total transfer to Public Defender			\$12,000
41502	Legal		
5560	Other Operating Expenses	\$150,000	
Total transfer to Legal			\$150,000
44405	Farm & Land Services		
5106	Student Interns	\$592	
5109	Workers' Comp Insurance	\$3	
5110	Retirement Contribution-Regular	\$46	
5112	FICA taxes	\$45	
Total transfer to Farm & Land Services			\$686
00100	General Fund Administration		
7151	Operating Transfer Out	\$5,826	
			\$5,826
TOTAL TRANSFERRED TO:			\$188,007

INCREASE ESTIMATED REVENUE:

45502	7101	Library - Operating Transfer In	5,826	
Total increase to Library				5,826
42105	4350	Sheriff's Forestry - Carryover from Prior Fiscal Year	22,000	
Total increase to Sheriff's Forestry				22,000

TOTAL INCREASE IN ESTIMATED REVENUE:	27,826
---	---------------

INCREASE APPROPRIATIONS:

45502	Library			
	5101	Salaries	\$4,465	
	5108	Health Insurance	\$654	
	5109	Workers' Comp Insurance	\$21	
	5110	Retirement Contrib - Regular	\$344	
	5112	FICA	\$342	
Total increase in Library				\$5,826
42105	6106	Sheriff's Forestry - Capital Outlay - Vehicle	22,000	
Total increase in Sheriff's Forestry				22,000

TOTAL INCREASE IN APPROPRIATIONS:	27,826
--	---------------

RESOLUTION

AUTHORIZING (A) RELEASE OF LAND CURRENTLY SUBJECT TO AN EXISTING FEE IN LIEU OF TAXES LEASE AGREEMENT BETWEEN BERKELEY COUNTY, SOUTH CAROLINA AND NAMASCO CORPORATION, AND (B) SUBJECTING THE SAME LAND TO AN EXISTING FEE IN LIEU OF TAXES LEASE AGREEMENT BETWEEN BERKELEY COUNTY, SOUTH CAROLINA AND JM STEEL CORP.

WHEREAS, Namasco Corporation ("Namasco"), formerly known as Klockner Namasco Corporation, a corporation organized and existing under the laws of the State of Delaware, entered into a fee-in-lieu-of-taxes arrangement (the "Namasco Arrangement") with Berkeley County, South Carolina (the "County"), effective December 31, 1999; and

WHEREAS, as part of the Namasco Arrangement, Namasco conveyed certain land to the County, which land (the "Namasco Land") was concurrently leased back to Namasco by the County pursuant to a Lease Purchase Agreement between County and Namasco (the "Namasco Lease Purchase Agreement"); and

WHEREAS, JM Steel Corp. ("JM Steel"), a corporation organized and existing under the laws of the State of South Carolina, entered into a fee-in-lieu-of-taxes arrangement (the "JM Steel Arrangement") with Berkeley County, South Carolina (the "County"), effective December 9, 1999, which JM Steel Arrangement is unrelated to the Namasco Arrangement; and

WHEREAS, as part of the JM Steel Arrangement, JM Steel conveyed certain land to the County, which land (the "JM Steel Land") was concurrently leased back to JM Steel by the County pursuant to a Lease Purchase Agreement between County and JM Steel (the "JM Steel Lease Purchase Agreement"); and

WHEREAS, the Namasco Land is adjacent to the JM Steel Land, and Namasco and JM Steel desire to allow JM Steel to expand its operations by utilizing approximately two (2) acres of the Namasco Land (the "Expansion Land") for a portion of such expansion; and

WHEREAS, in order for Namasco to allow JM Steel to expand its operations on the Expansion Land, it is necessary that the County and Namasco release the Expansion Land from the Namasco Lease Purchase Agreement and the County re-convey the Expansion Land back to Namasco; and

WHEREAS, after JM Steel completes the expansion of its operations on the Expansion Land, JM Steel desires to subject the Expansion Land and the improvements thereon to the JM Steel Arrangement; and

WHEREAS, the JM Steel Arrangement was amended to permit additional investment by JM Steel through December 31, 2009, pursuant to Berkeley County Ordinance No. 04-12-87 enacted December 13, 2004; as implemented by a First Amendment of Inducement Agreement and Lease Agreement and a First Amendment of Memorandum of Lease Agreement executed by the County and JM Steel concurrently with the adoption of Ordinance No. 04-12-87.

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

1. That the County authorizes (a) the release by the County of the Expansion Land from the Namasco Lease Purchase Agreement, (b) the re-conveyance by the County to Namasco of the Expansion Land, and (c) if Namasco conveys the Expansion Land to JM Steel, and JM Steel completes the expansion of its facilities thereon prior to the end of the December 31, 2009 investment period for the JM Steel Arrangement, then JM Steel shall be authorized to subject the Expansion Land and the improvements thereon (the "Expansion Property") to the JM Steel Arrangement by conveying the Expansion Property to the County and amending the JM Steel Lease Purchase Agreement to include the Expansion Property.

2. In order to implement the actions set forth in Section 1, above, the Supervisor of the County Council and the Clerk of the County Council are authorized, after consultation by the Supervisor with the County Attorney, to execute and deliver such documents as may be required from time-to-time to accomplish the intent of this Resolution. JM Steel shall be responsible for all legal fees and expenses incurred by the County in implementing the actions set forth in Section 1.

3. County Council and its duly elected officers shall take any and all further action as may become necessary to effectuate the intent of this Resolution.

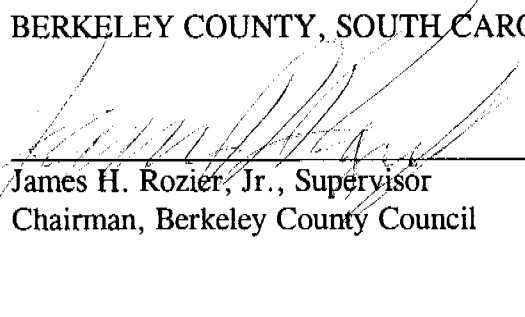
4. All of the undertakings of the County hereunder and in the Related Documents shall not cause the County to incur any pecuniary liability or any charge against its general credit or taxing powers as a result of such undertakings.

5. This Resolution shall take effect immediately.

Passed and approved this 26th day of September 2005.

BERKELEY COUNTY, SOUTH CAROLINA

By:

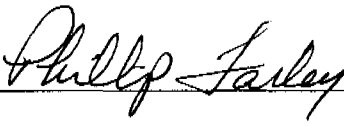

James H. Rozier, Jr., Supervisor
Chairman, Berkeley County Council

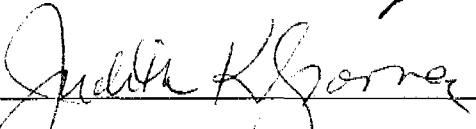
ATTEST:

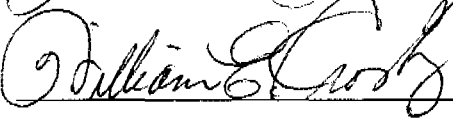


Barbara B. Austin
Clerk to Berkeley County Council

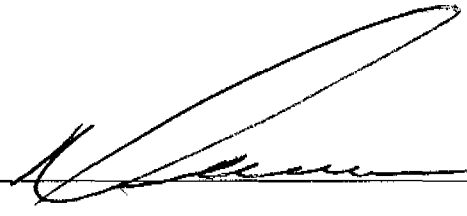
MEMBERS OF COUNTY COUNCIL


PHILLIP FARLEY Voting yes



JUDITH K. SPOONER Voting yes



WILLIAM E. CROSBY Voting yes

Excused 9-26-05
CHARLES E. DAVIS Voting _____


DENNIS L. FISH Voting yes

Excused 9-26-05
JUDY C. MIMS Voting _____


CALDWELL PINCKNEY, JR. Voting yes


STEVE C. DAVIS Voting yes

Resolution

A RESOLUTION AUTHORIZING THE COUNTY SUPERVISOR TO EXECUTE A CONTRACT FOR THE PURCHASE OF PROPERTY LOCATED AT 282 DAIRY FARM ROAD, MONCK'S CORNER, SOUTH CAROLINA MORE PARTICULARLY DESCRIBED AS TMS # 142-00-00-004

WHEREAS, the American Legion Berkeley Post 126 owns property located at 282 Dairy Farm Road, Moncks Corner, South Carolina, and has indicated a desire to sell such property; and

WHEREAS, Berkeley County Council desires to authorize the County Supervisor to negotiate and execute a contract for the purchase of the property;

NOW, THEREFORE, BE IT RESOLVED by Berkeley County Council, in a meeting duly assembled, that the County Supervisor is authorized to execute a contract for the purchase of property located at 282 Dairy Farm Road, Moncks Corner, South Carolina.

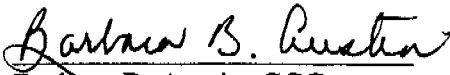
DONE this 26th day of September, 2005.

BERKELEY COUNTY, SOUTH CAROLINA



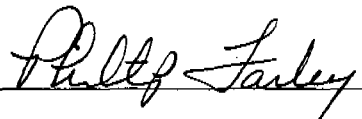
JAMES H. ROZIER, JR., CHAIRMAN
BERKELEY COUNTY COUNCIL

ATTEST:

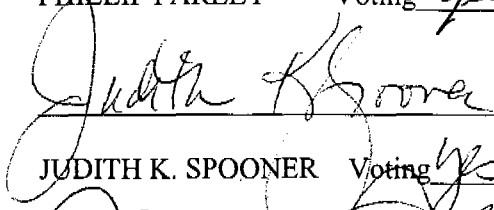


Barbara B. Austin, CCC
Clerk of Council

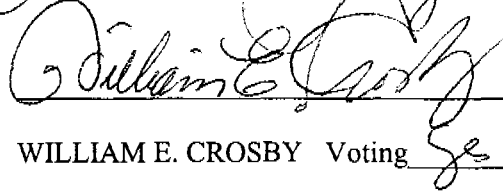
MEMBERS OF COUNTY COUNCIL



PHILLIP FARLEY Voting yes



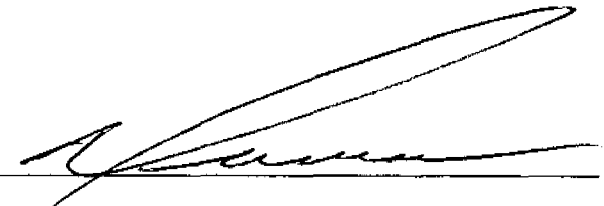
JUDITH K. SPOONER Voting yes



WILLIAM E. CROSBY Voting yes

Excused 9-26-05

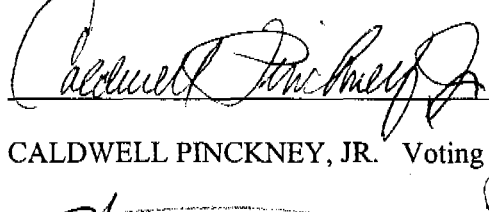
CHARLES E. DAVIS Voting _____



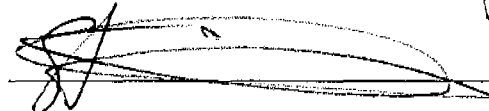
DENNIS L. FISH Voting yes

Excused 9-26-05

JUDY C. MIMS Voting _____



CALDWELL PINCKNEY, JR. Voting yes



STEVE C. DAVIS Voting yes

**RESOLUTION PROCLAIMING THE WEEK OF OCTOBER 23 - 31, 2005
AS NATIONAL RED RIBBON WEEK IN BERKELEY COUNTY**

WHEREAS, substance abuse in our country is a serious and growing problem; and

WHEREAS, children today are using drugs at a younger age than ever before; and

WHEREAS, Red Ribbon Week is a campaign designed to present a unified and visible commitment toward the creation of a Drug Free America by encouraging everyone to wear red ribbons to show their support in reducing the demand for drugs; and

WHEREAS, the Red Ribbon symbol is the commitment to live a drug-free, healthy lifestyle; and

WHEREAS, the theme for this year's 20th annual Red Ribbon Celebration is "**MAKE A DIFFERENCE**"; and

WHEREAS, citizens of all ages and backgrounds will demonstrate their commitment to drug-free, healthy lifestyles by wearing and displaying red ribbons during the week-long celebration.

NOW, THEREFORE, BE IT RESOLVED that Berkeley County Council does hereby proclaim the week of **October 23-31, 2005**, as **NATIONAL RED RIBBON WEEK** in Berkeley County, and encourages all citizens to wear Red Ribbons throughout that week in support of a drug-free America; and


BE IT FURTHER RESOLVED that all businesses, public and private agencies, media, religious and educational institutions are called upon to join with Berkeley County in the promotion of **National Red Ribbon Week** and in the encouragement of all employees and citizens to show their support for a drug-free America.

ADOPTED this 26th day of September, AD 2005.

(SEAL)


JAMES H. ROZIER, Chairman
BERKELEY COUNTY COUNCIL

ATTEST:


Barbara B. Austin, CCC
Clerk of County Council

MEMBERS OF COUNTY COUNCIL

Phillip Farley
PHILLIP FARLEY Voting yes

Judith K. Spooner
JUDITH K. SPOONER Voting yes

William E. Crosby
WILLIAM E. CROSBY Voting yes

Excused 9-26-05
CHARLES E. DAVIS Voting _____

Dennis L. Fish
DENNIS L. FISH Voting yes

Excused 9-26-05
JUDY C. MIMS Voting _____

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

Steve C. Davis
STEVE C. DAVIS Voting YES