

March 3, 2009
Charleston, SC

A regular meeting of County Council of Charleston County was held on the 3rd day of March, 2009, at 7:00 p.m. in Council Chambers, Second Floor, Lonnie Hamilton, III Public Services Building, 4045 Bridge View Drive, Charleston, South Carolina.

Present at the meeting were the following members of Council: Teddie E. Pryor, Sr., Chairman, who presided: Colleen Condon; Henry E. Darby; Curtis B. Inabinett; Joe McKeown; A. Victor Rawl; Dickie Schweers; J. Elliott Summey and Paul R. Thurmond.

Also present were: Allen O'Neal, County Administrator; Joseph Dawson, County Attorney; and Joel Evans, of the Planning Department.

Council Member Darby gave the invocation. Council Member Schweers led in the pledge to the flag.

Mr. Thurmond moved approval of the minutes of February 17, 2009, seconded by Mr. Inabinett, and carried.

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

The Chairman stated that he was moving item 8 up to this point of the meeting due to the lengthy public hearing that preceded Council's meeting.

A report was read from the Finance Committee under date of February 26, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and Vice Chairman Paul Thurmond regarding a request for Council to approve a Resolution commending Mr. Al Thompson for his Community services.

Committee recommended that Council approve a Resolution honoring Mr. Al Thompson for his outstanding service to the Citizens of Charleston County.

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

The Chairman requested the Clerk to read the Resolution, asked Mr. and Mrs. Thompson and Judge Irv Condon to come forward to receive the Resolution from Mr. Thurmond.

The Resolution is as follows:

**A RESOLUTION
OF CHARLESTON COUNTY COUNCIL
HONORING THE COMMUNITY SERVICE OF
AL THOMPSON**

WHEREAS, Charleston County Council recognizes that the foundation of our community is grounded in those who give of themselves selflessly to help others; and

WHEREAS, Charleston County Council from time to time has the privilege of recognizing an individual who exemplifies such a commitment; and

WHEREAS, Al Thompson has been a longtime supporter of the Charleston County Adult Drug Court and Mental Health Court Programs; and

WHEREAS, over the past seven years, Mr. Thompson, owner of two Chick-Fil-A stores in West Ashley, has employed a number of Drug Court graduates, has held jobs for some graduates for months when they have been jailed for sanctions, and has been a key asset to the success of the program; and

WHEREAS, Mr. Thompson has also supported his community by providing food during times of crisis and need, such as the Sofa Super Store fire, Red Cross blood drives, and innumerable community events; and

WHEREAS, it has been said that, "There are a lot of wonderful people in the community that will help out when asked; Mr. Thompson will help without being asked whenever he sees the need."

NOW THEREFORE, BE IT RESOLVED by the County Council of Charleston County, that Al Thompson be commended for outstanding service to his community and the genuine appreciation of Charleston County Council be extended to him on behalf of all the citizens of this County; and

BE IT FURTHER RESOLVED that a copy of this Resolution be provided to Al Thompson and recorded in the official minutes of Charleston County Council.

CHARLESTON COUNTY COUNCIL

Teddie E. Pryor, Chairman

March 3, 2009

An Ordinance rezoning property at 130 Main Road was given third reading by title only.

**AN ORDINANCE REZONING PROPERTIES LOCATED AT 130 MAIN ROAD,
ST. ANDREWS FROM PLANNED DEVELOPMENT (PD) 106 TO
PLANNED DEVELOPMENT (PD) 106A**

WHEREAS, the properties located at **130 MAIN ROAD**, identified as Tax Map Parcel Numbers **285-07-00-012** and (is/are) currently zoned **PLANNED DEVELOPMENT (PD) 106**; and

WHEREAS, the applicant requests the parcels be rezoned to Planned Development (PD) and has submitted a complete application for PD Development

Plan approval pursuant to Article 4.27 of the Charleston County Zoning and Land Development Regulations (ZLDR); and

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

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

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

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

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

SECTION I. FINDINGS INCORPORATED

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

SECTION II. REZONING OF PROPERTIES

A. Charleston County Council rezones the properties located at **130 MAIN ROAD**, identified as Tax Map Parcel Numbers **285-07-00-012**, from **PLANNED DEVELOPMENT (PD) 106** to **Planned Development (106-A)**; and

B. The PD Development Plan submitted by the applicant and identified as the "Planned Development District Guidelines for(**PD-106-A**), Charleston County, South Carolina Dated **11-12-08**", including the changes thereto and conditions, if any, approved by County Council as Planned Development **PD-106-A**, is incorporated herein by reference, and shall constitute the PD Development Plan for the parcels identified above; and

C. Any and all development of PD-**106-A** must comply with the PD Development Plan, ZLDR, and all other applicable ordinances, rules, regulations, and laws; and

D. The zoning map for Tax Map Parcel Numbers **285-07-00-012** is amended to PD-**106-A** in accordance with Section 3.4.7 of Article 3.4 of the ZLDR.

SECTION III. SEVERABILITY

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

SECTION IV. EFFECTIVE DATE

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

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

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

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

**SCE&G
Easement
Detention
Center
Ordinance
3rd Reading**

An Ordinance granting an easement to the SCE&G was given third reading by title only.

AN ORDINANCE

APPROVING AND AUTHORIZING THE GRANT OF A UTILITY EASEMENT TO THE SOUTH CAROLINA ELECTRIC AND GAS COMPANY ON A PORTION OF THE COUNTY PROPERTY KNOWN AS THE CHARLESTON COUNTY DETENTION CENTER.

WHEREAS, the South Carolina Electric and Gas Company (SCE&G) has requested the grant of a ten (10) foot utility easement across a portion of Charleston County's real property identified by parcel identification number 412-00-00-011 known as the Charleston County Detention Center, located at 3841 Leeds Avenue, in

North Charleston, South Carolina, to allow SCE&G to relocate a part of its utility and operate and maintain its lighting at this facility; and

WHEREAS, Charleston County Council finds that granting the easement is an appropriate public use for this property; and

WHEREAS, Charleston County Council also finds that the easement will allow SCE&G to provide and maintain flood lighting at the Charleston County Detention Center, and it consents to SCE&G having a utility easement across the property owned by the County; and

NOW, THEREFORE, be it ordained by Charleston County Council, in meetings 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. EASEMENT GRANTED; AUTHORITY TO EXECUTE DOCUMENTS

A. Charleston County Council grants a ten (10) foot utility easement across a portion of Charleston County's real property identified by parcel identification number 412-00-00-011 known as site of the Charleston County Detention Center, located at 3841 Leeds Avenue, in North Charleston, South Carolina, to allow SCE&G to relocate a part of its utility and operate and maintain its lighting at this facility. The location of the utility easement is shown on the attached drawing, which is incorporated by reference as Exhibit A.

B. The Chairman of Council is authorized to execute and deliver all documents and instruments necessary for the grant of this easement.

SECTION III. SEVERABILITY

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

SECTION IV. EFFECTIVE DATE

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

ADOPTED and APPROVED in meeting duly assembled this 3rd day of March, 2009.

CHARLESTON COUNTY COUNCIL

Teddie E. Pryor, Sr., Chairman

ATTEST:

Beverly T. Craven, Clerk

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

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

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

An Ordinance granting an easement to the SCE&G was given third reading by title only.

**SCE&G
Easement
K-9 Unit
Ordinance
3rd Reading**

AN ORDINANCE

APPROVING AND AUTHORIZING THE GRANT OF A UTILITY EASEMENT TO THE SOUTH CAROLINA ELECTRIC AND GAS COMPANY ON A PORTION OF COUNTY PROPERTY KNOWN AS THE CHARLESTON COUNTY K-9 FACILITY.

WHEREAS, the South Carolina Electric and Gas Company (SCE&G) has requested the grant of a 10' x 135' utility easement across a portion of Charleston County's real property identified by parcel identification number 412-00-00-067, and known as the Charleston County K-9 Facility, located at 3715 Leeds Avenue, in North Charleston, South Carolina, to allow SCE&G to provide operations and maintenance of the electrical service; and

WHEREAS, Charleston County Council finds that granting the easement is an appropriate public use for this property; and

WHEREAS, Charleston County Council also finds that the easement will allow SCE&G to provide operations and maintenance of the electrical utility service at the site of the Charleston County K-9 Facility, and it consents to SCE&G having a utility easement across the property owned by the County; and

NOW, THEREFORE, be it ordained by Charleston County Council, in meetings 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. EASEMENT GRANTED; AUTHORITY TO EXECUTE DOCUMENTS

A. Charleston County Council grants a 10' x 135' utility easement across a portion of Charleston County's real property identified by parcel identification number 412-00-00-067, and known as the Charleston County K-9 Facility, located at 3715 Leeds Avenue, in North Charleston, South Carolina, to allow SCE&G to provide operations and maintenance of the electrical service. The location of the easement shall be located as shown on the attached drawing, which is incorporated by reference as Exhibit A.

B. The Chairman of Council is authorized to execute and deliver all documents and instruments necessary for the grant of this easement.

SECTION III. SEVERABILITY

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

SECTION IV. EFFECTIVE DATE

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

ADOPTED and APPROVED in meeting duly assembled this 3rd day of March, 2009.

CHARLESTON COUNTY COUNCIL

Teddie E. Pryor, Sr., Chairman

ATTEST:

Beverly T. Craven, Clerk of Council

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

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

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

An Ordinance extending the time that a boat can be in Charleston County without taxation was given third reading by title only.

AN ORDINANCE

PURSUANT TO SOUTH CAROLINA CODE OF LAWS SECTION 12-37-714(2) TO EXTEND THE PERIOD OF TIME THAT A BOAT NOT USED EXCLUSIVELY IN INTERSTATE COMMERCE CAN BE IN CHARLESTON COUNTY FROM SIXTY (60) CONSECUTIVE DAYS OR FOR NINETY (90) DAYS IN THE AGGREGATE IN A PROPERTY TAX YEAR TO ONE HUNDRED EIGHTY (180) DAYS IN THE AGGREGATE IN A PROPERTY TAX YEAR.

WHEREAS, the Code of Laws of South Carolina 1976 Annotated provides pursuant to S.C. Code Annotated Section 12-37-714(2) that a boat, including its motor if the motor is separately taxed, which is not currently taxed in this State and is not used exclusively in interstate commerce, is subject to property tax in this State if it is present within this State for sixty consecutive days or for ninety days in the aggregate in a property tax year, or upon an ordinance passed by the local governing body, one hundred eighty days in the aggregate in a property tax year. Upon written request by a tax official, the owner must provide documentation or logs relating to the whereabouts of the boat in question. Failure to produce requested documents creates a rebuttable presumption that the boat in question is taxable within this State; and

WHEREAS, other costal counties to include Beaufort and Horry have adopted ordinances extending the time a boat and its motor may be present in those counties without being subject to taxation from sixty (60) consecutive days or for ninety (90) days in the aggregate in a property tax year to one hundred eighty (180) days in the aggregate in a property tax year; and

WHEREAS, Charleston County Council desires to adopt, authorize and improve tax relief for owners of watercraft and watercraft motors to maintain a competitive relationship with similar coastal communities; and

WHEREAS, the provisions of this Ordinance apply to tax years beginning after December 31, 2008;

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

SECTION I. Findings Incorporated

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

SECTION II. Boat with Situs in Charleston County

In addition to any other provisions of law subjecting watercraft and motors to property tax in this State:

Watercraft Not Used Exclusively in Interstate Commerce. A boat, including its motor if the motor is separately taxed, which is not currently taxed in the State and is not used exclusively in interstate commerce, is subject to property tax in this State if it is present within this State for one hundred eighty (180) days in the aggregate in a property tax year. Upon written request by a tax official, the owner must provide documentation or logs relating to the whereabouts of the boat in question. Failure to produce requested documents creates a rebuttable presumption that the boat in question is taxable within this State.

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 applies to property tax years beginning after December 31, 2008.

Adopted and Approved in a meeting duly assembled this 3rd day of March, 2009.

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

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

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

An Ordinance amending Charleston County Zoning Ordinance was given second reading by title only.

AN ORDINANCE REZONING PROPERTIES LOCATED AT 6775 BEARS BLUFF ROAD FROM PD-94 DISTRICT TO PLANNED DEVELOPMENT DISTRICT PD 94-A

WHEREAS, the properties located at **6775 BEARS BLUFF ROAD**, identified as Tax Map Parcel Numbers **133-00-00-041** and (is/are) currently zoned **PD-94**); and

WHEREAS, the applicant requests the parcels be rezoned to Planned Development (PD) and has submitted a complete application for PD Development Plan approval pursuant to Article 4.27 of the Charleston County Zoning and Land Development Regulations (ZLDR); and

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

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

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

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

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

SECTION I. FINDINGS INCORPORATED

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

SECTION II. REZONING OF PROPERTIES

A. Charleston County Council rezones the properties located at **6775 BEARS BLUFF ROAD**, identified as Tax Map Parcel Numbers **133-00-00-041**, from **PD-94** to Planned Development **PD-94-A**; and

B. The PD Development Plan submitted by the applicant and identified as the "Planned Development District Guidelines for **PD-94-A**, Charleston County, South Carolina Dated **JULY 24, 2008**", including the changes thereto and conditions, if any, approved by County Council as Planned Development **94-A** or **PD-94-A**, is

Incorporated herein by reference, and shall constitute the PD Development Plan for the parcels identified above; and

C. Any and all development of PD-**94-A** must comply with the PD Development Plan, ZLDR, and all other applicable ordinances, rules, regulations, and laws; and

D. The zoning map for Tax Map Parcel Numbers **133-00-00-041** is amended to PD-**XXX** in accordance with Section 3.4.7 of Article 3.4 of the ZLDR.

SECTION III. SEVERABILITY

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

SECTION IV. EFFECTIVE DATE

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

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

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

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

The Chairman announced that the next item on the agenda was Council's Consent Agenda.

Mr. McKeown moved approval of Committee recommendations for the Consent Agenda, seconded by Ms. Condon, and carried.

The items are as follows:

A report was read from the Finance Committee meeting of January 26, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and Gregg S. Varner, Director of Solid Waste & Recycling, regarding a request from the Solid Waste & Recycling Department for permission to submit grant applications to

the South Carolina Department of Health & Environmental Control, Office of Solid Waste Reduction and Recycling for Fiscal Year 2010, which extends from July 1, 2009 to June 30, 2010.

Committee recommended that Council approve submissions to the SC Department of Health and Environmental Control for three grant applications totaling \$235,000, with the understanding that no matching funds or additional FTE's are required. The grant submissions are for:

1. A Solid Waste and Recycling Grant in the amount of \$120,000
2. A Waste Tire/Auto Dismantler Grant in the amount of \$99,249
3. A Used Oil Grant in the amount of \$15,800

A report was read from the Finance Committee under date of January 26, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and Jason Patton, Director of the Emergency Management Department of Charleston County, regarding the WalMart Foundation grant funding available to assist community emergency services organizations. It was stated that eligible applicants include fire, 3mergency medical and law enforcement departments, and if received, the Awendaw District Fire Department would use the grant funding to pay for repairs to the department's thermal imaging camera. It was shown that there is not a performance period associated with this grant program.

Committee recommended that Council approve the grant application submission to WalMart's Public Safety Grant Program for \$5,000, with the understanding that if received grant funding will be used to fund the repairs to the Awendaw Fire Department's thermal Imaging Camera, and that no matching funds on behalf of the Awendaw District Fire Department are required.

A report was read from the Finance Committee under date of January 26, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and Scarlett Wilson, Solicitor for the Ninth Judicial Circuit, regarding the Solicitor's Office request for permission to apply for FY 2010 funding through the South Carolina Department of Public Safety. It was stated that Charleston County is ranked #1 overall in the amount of collisions and has the highest number of property damage only crashes and also in the highest number of injuries crashes. It was shown that a large number of these crashes involve drivers who are impaired by the use of alcohol or other drugs. It was further stated that the grant period runs from October 1, 2009 through September 30, 2010, and that no cash match is associated with this grant.

Committee recommended that Council approve the submission of the Solicitor's grant application for FY 2010 Highway Safety Funding to the South Carolina Department of Public Safety for \$158,263, with the funding to be used for a DUI Prosecutor, a DUI Investigator, training and mileage, and with the further understanding that there is no match associated with this grant and that applicants for these positions are advised that continuance of these positions are contingent upon continued State funding.

A report was read from the Finance Committee under date of February 26, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and Julie Armstrong, Clerk of Court for Charleston County, regarding a request for permission to apply to the South Carolina State Historical Records Advisory Board (SC SHRAB) 2009 Regrant Program for funding to conduct a microfilming project of Charleston County records of permanent value. It was stated that the purpose of the project is to preserve and microfilm Charleston County Court documents dating from 1907 to 1915 and to make these records accessible for use by the public. It was further stated that the grant is for \$10,000, and that there is a 100 percent required match associated with this request with a minimum 50 percent cash match which will come from the Clerk of Court's Internal Service Fund (ISF) for Records Service.

Committee recommended that Council approve the Clerk of Court's application submission to the South Carolina State Historical Records Advisory Board (SC SHRAB) 2009 Regrant Program in the amount of \$10,000, with the understanding that if the grant is awarded a 50 percent cash match of \$5,000 will come from the Clerk of Court's Internal Service Fund (ISF) for Record Service, and that there are no FTE's associated with this request.

A report was read from the Finance Committee under date of February 26, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and Irvin G. Condon, Probate Judge for Charleston County, regarding the Probate Court's request to apply to the U. S. Bureau of Justice and Mental Health Collaboration Program for funding for the Mental Health Court. It was stated that the mission of the program is to engage participants in mental health treatment in order to increase self sufficiency and reduce recidivism. It was further stated that the Probate Court is requesting \$52,379 for the Mental Health Court to fund a third of the Special Services Coordinator's salary, psychiatrist time, case management services, housing assistance, bus passes, incentives and staff training that is provided by the Charleston/Dorchester Community Mental Health Center.

Committee recommended that Council approve the submission of the Probate Court's application for 52,379 to the u. S. Bureau of Justice 2009 Justice and Mental Health Collaboration Program, with the understanding that:

1. No FTE's are associated with this request;
2. The required 20 percent match will come from the Charleston/Dorchester Community Mental Health Center;
3. The grant period runs from October 1, 2009 through September 30, 2011; and
4. The County is under no obligation to continue the services funded by this grant beyond the end date of the grant.

A report was read from the Finance Committee meeting under date of January 26, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and E. Steven Taylor, Director of Procurement, regarding sealed bids received for the purchase of three ambulances to be utilized by the EMS Department. It was stated that the County's Equipment Review Committee recommended that three of the County's existing ambulances be replaced per the County's replacement

policy with respect to age and mileage. it was shown that these units have been experiencing increased downtime due to engine emission control related problems.

Committee recommended that Council authorize award of a bid for the purchase of three ambulances to the lowest responsive and responsible bidder, Custom Trucks & Body Works, Inc., in the amount of \$403,889.00, with the understanding that these ambulances will be used by the EMS Department and were approved as replacement equipment in the FY 09 budget.

A report was read from the Finance Committee under date of February 26, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and E. Steven Taylor, Director of Procurement, regarding sealed bids received for the purchase of three ambulances to be utilized by the EMS Department. It was stated that the County's Equipment Review Committee recommended that three of the County's existing ambulances be replaced per the County's replacement policy with respect to age and mileage. it was shown that these units have been experiencing increased downtime due to engine emission control related problems.

Committee recommended that Council authorize award of a bid for the purchase of three ambulances to the lowest responsive and responsible bidder, Custom Trucks & Body Works, Inc., in the amount of \$403,889.00, with the understanding that these ambulances will be used by the EMS Department and were approved as replacement equipment in the FY 09 budget.

A report was read from the Finance Committee under date of February 26, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and Council Chairman, Teddie Pryor, regarding a vacancy on the Charleston County Planning Commission. It was stated that Dr. Jim Southard has submitted a letter of resignation and Mr. Pryor is recommending the appointment of George Freeman as his replacement.

Committee recommended that Council approve the nomination by Council Chairman Teddie Pryor of George Freeman to the Planning Commission for a term ending on December 31, 2010.

A report was read from the Finance Committee under date of February 26, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and Council Member Colleen Condon, regarding a vacancy on the Transportation Advisory Board. It was stated that Ms. Condon was recommending Mr. Thomas G. Jones for this position.

Committee recommended that Council approve the nomination of Thomas G. Jones to the Transportation Advisory Board for a term to run co-terminus with Council Member Condon's term.

A report was read from the Finance Committee under date of February 26, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and E. Steven Taylor, Director of Procurement, regarding bids received for three intersection projects that were funded in the fy 2007 intersection improvement allocation category

of the Charleston County Sales Tax Program. It was stated that the three projects are:

1. US 17/Tumbleston Road located South of Ravenel on US 17. This project consists of adding a right turn/deceleration lane on the Southbound lane of Highway 17 to make right turns onto Tumbleston Road safe.
2. US17/Longpoint Road is located in Mount Pleasant. The project consists of extending the existing right turn lane located on the Southbound lane of Highway 17 at Longpoint Road.
3. Park West Blvd/Thomas Carlo Blvd is located in Mount Pleasant. The Project consists of providing turn lanes and storage lanes on Park West Blvd. to help reduce the impact of traffic from the three schools located on Thomas Carlo Blvd.

Committee recommended that Council authorize award of a contract for Transportation Intersection Construction Projects to the lowest responsive bidder, Landscape Pavers, LLC, in the amount of \$285,127.14, with the understanding that funding is available through the Transportation Sales Tax.

Ms. Condon moved approval of Committee recommendation, seconded by Mr. Inabinett, and carried. Mr. McKeown voted nay.

A report was read from the Finance Committee meeting of February 26, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and E. Steven Taylor, Director of Procurement, regarding bids received for the Morrison Street Drainage Project. It was stated that this project was requested by the Town of McClellanville as part of the fy 2007 Drainage Allocations from the Charleston County Transportation Sales Tax Program. It was shown that the project involves draining water from a low lying area east of Morrison Street to the west side of Morrison, and then empties into the marsh.

Committee recommended that Council:

1. Authorize award of a contract for Morrison Street Drainage Project to the lowest responsive and responsible bidder W. E. Davis Construction Company, Inc., in the amount of \$63,915.00.
2. Authorize Staff to prepare an amendment to the Charleston County Procurement Ordinance, and bring this proposed amendment change back to a meeting of the Finance Committee.

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

Mr. Thurmond abstained and furnished the Clerk with a Statement of Conflict of Interest saying that he had a business relationship with Charles Blanchard Construction Company.

A report was read from the Finance Committee under date of February 26, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and Bill Tunick, Technology Services Director, regarding the City of Charleston's desire to begin full time operations in the County's digital radio network. It was stated that the City has approximately 1,300 emergency responder radios and the primary reasons for wanted to come over to the County System are: 1. Vastly improved radio coverage over their existing one tower analog system, and 2. a less costly alternative to upgrading their own tower sites to digital and needing to add additional towers. It was shown that in order to support an additional 1,300 primary radios and maintain our current grade of service on the County radio network, the County would need to add four radio channels on top of our existing 20 channels at each of our six simulcast tower sites, and Motorola has provided a pricing proposal of \$1,388,287 for capital equipment and services to add these four channels. It was further shown that that the City has agreed in principal to this over a three or four year period as well as agreed in principal to begin making radio user fee payments of \$25.00 per month, per radio.

Committee recommended that Council authorize Staff to negotiate an agreement with the City of Charleston for use of the County Radio system and with Motorola for the capital lease of the equipment to support the City's financial agreement in principal, and return to Council for final approval.

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

A report was read from the Finance Committee meeting of February 26, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and Steve Dykes, Economic Development Director, regarding Council approval of an Ordinance and fee-in-lieu-of-tax Agreement. It was stated that at its December 16, 2008 meeting County Council approved an inducement agreement authorizing the use of fee-in-lieu-of-taxes (FILOT) incentives for Project "Fossil", a confidential \$20 million, 60 person expansion.

Committee recommended that Council approve an Ordinance and fee-in-lieu-of-taxes (FILOT) Agreement authorizing the execution and delivery of FILOT incentives to Charles River Labs for their \$20 million 60 person expansion in West Ashley. FILOT terms include: property assessment ratio at 6%, and millage fixed at the 2007 level of 243.8 over the next twenty years.

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

An Ordinance authorizing a Fee In Lieu of Tax Agreement was given first reading by title only.

AN ORDINANCE

AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT AND CERTAIN INSTRUMENTS RELATING THERETO BY AND BETWEEN CHARLESTON COUNTY AND CHARLES RIVER LABORATORIES, INC. WHEREBY CHARLESTON COUNTY WILL ENTER INTO A FEE-IN-LIEU OF TAXES ARRANGEMENT WITH CHARLES RIVER LABORATORIES, INC.; PROVIDING FOR PAYMENT BY CHARLES RIVERS LABORATORIES, INC. 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 at the time of third reading.

A report was read from the Finance Committee under date of February 26, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and Steve Dykes, Economic Development Director, regarding the need to amend Ordinance 972 as amended to add real and personal property to the Charleston Colleton Multi County Industrial Park. It was stated that since 1995 Charleston County has utilized an economic development tool known as the "multi-county industrial park" (MCIP) designation to leverage the location or expansions of 47 companies, and that these companies have invested \$2.1 Billion in Charleston County, while creating some 7,266 new jobs within its borders. It was shown that the MCIP agreement with Colleton County has been amended nine times since 1995, with the most recent previous amendment occurring in 2007.

Committee recommended that Council approve an Ordinance amending Ordinance 972, adopted on September 19, 1995 as previously amended) to add: real and personal property owned by Gen Phar, Inc.; Mediterranean Shipping Company (USA); East Cooper Community Hospital (Tenet Healthcare Corporation); Charles River Labs; and Delfin Group USA, LLC to the Charleston-Colleton Multi-County Industrial Park (MCIP).

Ms. Condon moved approval of Committee recommendation, seconded by Mr. McKeown, and carried. Mr. Thurmond abstained and furnished the Clerk with a statement of conflict of interest for the file citing his business relationship with Gen Phar.

An Ordinance amending the County's Multi County Industrial Park Ordinance was given first reading by title only.

AN ORDINANCE

AN ORDINANCE TO FURTHER AMEND THE AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK, BY AND BETWEEN CHARLESTON COUNTY, SOUTH CAROLINA AND COLLETON COUNTY, SOUTH CAROLINA FOR THE DEVELOPMENT OF A JOINTLY OWNED AND OPERATED INDUSTRIAL BUSINESS PARK, SO AS TO INCLUDE ADDITIONAL PROPERTY IN CHARLESTON COUNTY AS PART OF THE JOINT COUNTY INDUSTRIAL PARK.

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 meeting of January 26, 2009 that it considered the information furnished by Allen O'Neal, County Administrator; Beverly T. Craven and Kristen L. Salisbury, from the Clerk of Council's Office, as well as the discussions among Members of the Finance Committee, regarding proposed changes to the Charleston County Council's Applications for Appointment to Boards and Commissions.

Committee recommended that Council approve the two page application for appointment form recommended by the Finance Committee at its meeting of February 26, 2009.

Mr. Thurmond moved approval of Committee recommendation, with one change, the omission of the requirement that stated Committee Members could only serve on one County Board or Commission.

This motion was seconded by Mr. Schweers, and carried.

Ms. Condon moved for Council to go into executive session to discuss a personnel matter.

This motion was seconded by Mr. McKeown and carried.

The Chairman said that Council would go into executive session immediately following remarks from the Audience and Council.

The Chairman asked if any Member of the Audience wished to address Council. There was no affirmative response.

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

Ms. Condon spoke regarding Post and Courier Writer Ken Burger's characterizations.

Mr. Inabinett stated that the low hanging on Main Road, down to the Betsy Kerrison Parkway need to be trimmed, and were causing damage to trucking vehicles.

Judge Rawl thanked the Administrator and Staff for the information furnished regarding the economic outlook/what happened and why.

The Chairman announced that Council would go into executive session in order to discuss a personnel matter.

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

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

Beverly T. Craven
Clerk of Council

