

March 25, 2014
Charleston, S. C.

A meeting of County Council of Charleston County was held on the 25th day of March, 2014, in the Beverly T. Craven Council Chambers, Second Floor of the Lonnie Hamilton, III Public Services Building, located at 4045 Bridge View Drive, Charleston, South Carolina.

Present at the meeting were the following members of Council: Teddie E. Pryor, Sr., Chairman, who presided; Colleen Condon; Henry E. Darby; Anna Johnson; A. Victor Rawl; Herbert R. Sass, III; Dickie Schweers and J. Elliott Summey. Council Member Joseph K. Quale was absent due to a death in his family.

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

Council Member Sass gave the invocation. Council Member Johnson led in the pledge to the flag.

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

Recognitions

The Chairman stated that the next item on the agenda was employee recognition and requested Deputy Administrator for Finance Keith Bustraan to come forward to make the presentations.

**Finance
Department**

**Budget
Department**

Mr. Bustraan recognized Finance Director Corine Altenhein and Assistant Finance Director Carla Ritter. He said the Finance Department has been awarded its 25th consecutive Certificate of Achievement for Excellence in Financial Reporting for its FY 2012 Comprehensive Annual Financial report (CAFR) or, "the audit," from the Government Finance Officers Association (GFOA). The Certificate of Achievement is the highest form of recognition for excellence in state and local government financial reporting and is evidence of a spirit of transparency and full disclosure.

Next, Mr. Bustraan recognized Budget Director Mack Gile and Assistant Budget Director LoElla Smalls. Mr. Bustraan pointed out that the department has been awarded its 25th consecutive Distinguished Budget Presentation Award for its FY 2014 Annual Budget from the Government Finance Officers Association (GFOA). The award is the only national awards program in governmental budgeting and demonstrates the County's commitment to meeting the highest principles of governmental budgeting and adherence to the County's stringent financial guidelines.

An Ordinance amending the County's Zoning and Land Development Number 1202 was given third reading by title only.

**Multi-Use
Zoning
Overlay
District**

AN ORDINANCE

**Ordinance
3rd Reading**

AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE NUMBER 1202, AS AMENDED, CHAPTER 5, OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS ANED CHAPER 112 DEFINITIONS.

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

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

WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least 1 public hearing, and after close of the public hearing, County Council approves the proposed text amendments based on the Approval Criteria of Section 3.3.6 of Article 3.3 of the ZLDR; and

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

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

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

SECTION I. FINDINGS INCORPORATED

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

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

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

SECTION III. SEVERABILITY

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

SECTION IV. EFFECTIVE DATE

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

ADOPTED and APPROVED in meeting duly assembled this 25th day of March, 2014.

CHARLESTON COUNTY COUNCIL

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

ATTEST

Beverly T. Craven
Clerk to Charleston County Council

First Reading: February 25, 2014
Second Reading: March 11, 2014
Third Reading: March 25, 2014

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

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

The vote being eight (8) ayes and one (1) absent, the Chairman declared the Ordinance to have received third reading approval.

An Ordinance amending the County Zoning and Land Development regulations to allow for the St. Andrews Area Overlay District was given second reading by title only.

AN ORDINANCE

AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202 AS AMENDED: CHAPTER 6, OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS

St. Andrews
Overlay
District

Ordinance
2nd Reading

THE ORDINANCE IN ITS ENTIRETY WILL APPEAR IN THE MINUTES OF CHARLESTON COUNTY COUNCIL AT THIRD READING.

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

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

The vote being eight (8) ayes and one (1) absent, the Chairman declared the Ordinance to have received second reading approval.

An Ordinance accepting transfer of municipal elections authority from James Island to Charleston County was given second reading by title only

AN ORDINANCE

**James Island
Election
Authority**

TO ACCEPT THE TRANSFER OF AUTHORITY TO THE BOARD OF ELECTIONS AND VOTER REGISTRATION OF CHARLESTON COUNTY TO CONDUCT MUNICIPAL ELECTIONS FOR THE TOWN OF JAMES ISLAND, SOUTH CAROLINA .

**Ordinance
2nd Reading**

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

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

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

The vote being eight (8) ayes and one (1) absent, the Chairman declared the Ordinance to have received second reading approval.

An Ordinance to provide for the issuance of not exceeding \$36,500,000 General obligation bonds was given second reading by title only.

AN ORDINANCE

TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING \$36,500,000 GENERAL OBLIGATION BONDS OF CHARLESTON COUNTY, SOUTH CAROLINA, TO PRESCRIBE THE PURPOSES FOR WHICH PROCEEDS SHALL BE EXPENDED TO PROVIDE FOR THE PAYMENT THEREFOR.

COPS Bond Refinancing

Ordinance 2nd Reading

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

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

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

The vote being eight (8) ayes and one (1) absent, the Chairman declared the Ordinance to have received second reading approval.

The Chairman announced that Item 8, Town of James Island LOST Credit, had been removed from the agenda.

ZLDR Text Amendment – Microbreweries and Brewbars

**A) Request to Approve
B) Ordinance 1st Reading**

A report was read from the Planning Public Works Committee under date of March 20, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Zoning and Planning Director Dan Pennick regarding proposed text amendments allowing microbreweries and brewbars in the Community Commercial (CC) and Industrial Zoning (I) to Charleston County Zoning and Land Development Ordinance.

Committee recommended approval.

Mr. Rawl moved approval of requested change, seconded by Mr. Summey, and carried.

An Ordinance amending the Charleston County Zoning and Land Development Regulations to allow for microbreweries and brewbars was given first reading by title only.

AN ORDINANCE

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

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

ZLDR Text Amendment - LED Signs

A report was read from the Planning Public Works Committee under date of September 20, 2014 that it considered the information furnished by County Administrator Kurt Taylor and Dan Pennick, Director of Zoning and Planning, regarding proposed text amendments to Charleston County Zoning and Land Development Ordinance which would allow light emitting diode (LED).

**A) Request to Approve
B) Ordinance
1st Reading**

Mr. Rawl moved approval, seconded by Ms. Condon, and carried.

An ordinance amending the Charleston County Zoning and Land Development Regulations to allow for LED signs was given first reading by title only.

AN ORDINANCE

AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE NUMBER 1202, AS AMENDED, CHAPTER 9, DEVELOPMENT STANDARDS AND CHAPTER 12 DEFINITIONS

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

Housing Needs Assessment

A report was read from the Planning/Public Works Committee under date of September 20, 2014 that it considered the information furnished by County Administrator Kurt Taylor and Zoning and Planning Director Dan Pennick regarding a Housing Needs Assessment. It was stated that in March 2011, Charleston County requested that BCD Council of Governments complete a Housing Needs Assessment for the County. It was stated that COG had agreed to perform this task, but had not completed it, and that Charleston County Zoning and Planning had taken on the project in 2013 and completed it with coordination from the public, private, and non-profit sectors in the area.

Recommendation

It was shown that the Housing Needs Assessment identifies current and emerging housing trends and needs; generates a greater understanding of local housing issues; and provides direction for addressing housing-related issues in the County.

Committee recommended that Council approve the Housing Needs Assessment.

After much discussion, Mr. Darby moved to send this matter back to the Planning Commission for further discussion. This motion was seconded by Ms. Johnson, and carried. Mr. Rawl voted nay.

The Chairman announced that the next item was the consent agenda. Mr. Rawl moved approval of the Consent Agenda, seconded by Ms. Condon, and carried.

The consent agenda is as follows:

A report was read from the Finance Committee under date of March 20, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Assistant County Administrator for Community Services Christine DuRant regarding the month of April being designated as National Fair Housing Month. It was shown that the Fair

Fair Housing
Month
Resolution

Request to
Adopt

Housing Act, passed into law in 1969, protects all citizens. It states that no one can be denied housing because of their race, color, religion, sex, national origin, familial status, age, or disability. This month serves as a time to celebrate the progress made in opening the doors of housing opportunity to every citizen. It is also a time to acknowledge the fair housing challenges that still remain, and collectively commit to finding viable solutions to those challenges.

Committee recommended that Council adopt a resolution declaring April 2014 Fair Housing Month in Charleston County.

The Resolution is as follows:



**A RESOLUTION
OF CHARLESTON COUNTY COUNCIL**

WHEREAS, Charleston County is designated as an Urban Entitlement Community and is a grantee of funds from the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, HUD-funded grant recipients are obligated under various laws and regulations not to discriminate in housing or services directly or indirectly on the basis of race, color, religion, sex, national origin, age, familial status or disability, and provide equal access without regard to actual or perceived sexual orientation, gender identity or marital status; and

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

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

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

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

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

WHEREAS, Charleston County reaffirms its policy to ensure equal opportunity for all persons without regard to race, color, religion, gender, sexual orientation, national origin, marital status, age or disability.

NOW, THEREFORE, BE IT RESOLVED, that Charleston County Council, does hereby proclaim April 2014 as Fair Housing Month in Charleston County, and urges all citizens of Charleston County to join in this effort to reaffirm fair housing opportunities for all people and to practice the letter and spirit of the Fair Housing Law.

CHARLESTON COUNTY COUNCIL

Teddie E. Pryor, Sr., Chairman

**Clemson
Extension
Lease
Amendment**

**Request to
Approve**

A report was read from the Finance Committee under date of March 20, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Facilities Director Dan Chandler regarding the need to enter into a lease with the Clemson Extension in order to provide operating space for Extension Programs locally. It was stated that it is customary for counties to provide the Extension Programs local operating space and Clemson has leased approximately 6,550 square feet of space in the County's Senior Citizen's Building located at 259 Meeting Street at no charge since 1976. It was shown that last year a formal Lease Agreement between the County and Clemson Extension was executed for the first time in the amount of one (\$1.00) dollar per year, and the parties now would like to enter into a long term Lease Agreement. The term will begin on May 1, 2014, with the initial term to be for five (5) years with the option to renew for an additional five (5) year period.

Committee recommended that Council authorize Chairman of County Council to execute an Amendment to the Lease Agreement to extend the terms of the Lease Agreement for space located at 259 Meeting Street, for five (5) years, with the option to renew for an additional five (5) year period with the understanding that:

- The Lease will begin May 1, 2014, for one (\$1.00) dollar per year.
- The Lease Amendment to be reviewed by the Legal Department.
- If approved, authorize the County Administrator to approve the exercise of future options, and all other matters related thereto.

**Paul Coverdell
Forensic
Science Grant
- Coroner**

**Request to
Approve**

A report was read from the Finance Committee under date of March 20, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Charleston County Coroner Rae Wooten regarding a request for permission to apply for the FY 2014 Paul Coverdell Forensic Science Improvement Grants Program. It was stated that the Charleston County Coroner's Office is seeking funding to hire a Forensic Death Investigator who will investigate deaths in Charleston County and all required

equipment/supplies for this position to include a computer package, telecommunications package, and associated training. It was shown that the Coroner is requesting \$90,000.00 to fund the Forensic Death Investigator and to purchase equipment and supplies needed for this position to be successful, and that there is no match associated with this grant. It was further stated that there is one grant funded FTE associated with this request, and the grant period is October 1, 2014 through September 30, 2015.

Committee recommended that Council approve the Coroner’s Office request to apply for the Paul Coverdell Forensic Science Improvement Grants Program in the amount of \$90,000.00 to hire a Forensic Death Investigator and purchase the needed equipment for that position, with the understanding that:

- the grant period is October 1, 2014 through September 30, 2015.
- there is no match associated with the grant.
- there is no ongoing commitment for the County associated with this request.

The next item on the agenda was appointments to boards and commissions. Mr. Summey moved approval of the Finance Committee recommendations regarding boards and commissions, seconded by Mr. Rawl, and carried. Appointments to boards and commissions are as follows:

Awendaw Consolidated Fire District

Appointment (1)

A report was read from the Finance Committee meeting of March 20, 2014, that it considered the information furnished by Deputy Clerk of Council Kristen L. Salisbury regarding appointments to the Awendaw Consolidated Fire District Advisory Board. It was stated that the Awendaw Consolidated Fire District was established by County Ordinance and consists of nine members comprised of seven residents of the East Cooper area and a representative from the Towns of Awendaw of McClellanville. The purpose of the Board is to advise Charleston County Council of the nature and level of fire services to be provided in the Awendaw Consolidated Fire District. It was shown that an announcement of vacancies for the Awendaw Consolidated Fire District Advisory Board was previously made and an application for appointment was received from Margie Hardwick.

Committee recommended that Council appoint Margie Hardwick to the Awendaw Consolidated Fire District Advisory Board.

Awendaw Firemen’s Insurance and Inspection Fund

Appointments (4)

A report was read from the Finance Committee meeting of March 20, 2014, that it considered the information furnished by Deputy Clerk of Council Kristen L. Salisbury regarding appointments to the Awendaw Firemen’s Insurance and Inspection Fund. It was stated that an announcement of vacancies for the Firemen’s Insurance and Inspection Fund was previously made.

Applications for appointment to the Awendaw Firemen’s Insurance and Inspection Fund were received from Marcia Baker, Dennis Donovan, Deborah Hattaway, and JoAnne Jackson.

The Firemen's Insurance and Inspection Fund (1% Commission) is comprised of 21 members: the County Treasurer and 4 representatives from each of the five fire districts in the County (Awendaw, St. John's, St. Paul's, St. Andrews PSD, and James Island PSD). Members are appointed by the Treasurer upon recommendation of County Council for four year terms. All insurance companies doing business in South Carolina must report to the Department of Insurance the amount of fire insurance premiums written for improvements to all assessed property in each county and is then assessed a 1% tax for the fire insurance premiums written per county. That money is deposited into the 1% Fund and is dispersed to each County Treasurer. The Fund is then distributed to each fire district by the County Treasurer through the Firemen's Insurance & Inspection Fund (1%) Commission. The role of the 1% Commission is to ensure that expenditures from the fund are consistent with state statutes that regulate the fund.

Committee recommended that Council recommend that the Treasurer to appoint Marcia Baker, Dennis Donovan, Deborah Hattaway, and JoAnne Jackson to the Awendaw Firemen's Insurance and Inspection Fund.

A report was read from the Finance Committee under date of March 20, 2014, that it considered the information furnished Deputy Clerk of Council Kristen L. Salisbury regarding appointments to the St. John's Firemen's Insurance and Inspection Fund. It was stated that an announcement of vacancies for the Firemen's Insurance and Inspection Fund was previously made.

**St. Johns
Firemen's
Insurance and
Inspection
Fund**

An application for appointment to the St. John's Firemen's Insurance and Inspection Fund was received from Frank Broccolo.

**Appointment
(1)**

The Firemen's Insurance and Inspection Fund (1% Commission) is comprised of 21 members: the County Treasurer and 4 representatives from each of the five fire districts in the County (Awendaw, St. John's, St. Paul's, St. Andrews PSD, and James Island PSD). Members are appointed by the Treasurer upon recommendation of County Council for four year terms. All insurance companies doing business in South Carolina must report to the Department of Insurance the amount of fire insurance premiums written for improvements to all assessed property in each county and is then assessed a 1% tax for the fire insurance premiums written per county. That money is deposited into the 1% Fund and is dispersed to each County Treasurer. The Fund is then distributed to each fire district by the County Treasurer through the Firemen's Insurance & Inspection Fund (1%) Commission. The role of the 1% Commission is to ensure that expenditures from the fund are consistent with state statutes that regulate the fund.

Committee recommended that Council recommend that the Treasurer to appoint Frank Broccolo to the St. John's Firemen's Insurance and Inspection Fund.

A report was read from the Finance Committee under date of March 20, 2014, that it considered the information furnished by Deputy Clerk to Council Kristen L. Salisbury regarding appointments to the Charleston Center Advisory Board. It was stated that an announcement of vacancies for the Charleston Center Advisory Board was previously made.

**Charleston
Center
Advisory
Board**

**Appointments
(3)**

Applications for reappointment were received from Phillip Botham and Kevin Chadbourne Downs. Applications for appointment were received from Carl Piontek and Gregory Payton.

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

Committee recommended that Council appoint Philip Botham, Kevin Downs, and Gregory Payton to the Charleston Center Advisory Board.

A report was read from the Finance Committee under date of March 20, 2014, that it considered the information furnished by Deputy Clerk of Council Kristen L. Salisbury regarding appointments to the Construction Board. It was stated that an announcement of vacancies for general contractor, civil engineer, architect seats on the Construction Board of Adjustment and Appeals was previously made.

Construction Board

Appointments (3)

Applications for appointment were received from:

- Chris Biggers – general contractor
- Ray Gay – civil engineer
- Michael Powers – architect

The Construction Board of Assessment and Appeals is charged with determining grounds for revocation and re-issuance of general contracting licenses, hearing charges and making decisions on those charges, determining probationary offenses, and reviewing responsibilities of Code updates. The eleven member board shall be composed of two architects, two civil engineers, one structural engineer, general contractor, one mechanical or plumbing contractor, one electrical contractor, one residential homebuilder, one mechanical engineer, and one resident state fire marshal. Initial member terms are staggered and subsequent terms are for four years.

Committee recommended that Council appoint Chris Biggers to the general contractor seat, Ray Gay to the civil engineer seat, and Michael Powers to the architect seat on the Construction Board of Adjustment and Appeals.

A report was read from the Finance Committee under date of March 20, 2014, that it considered the information furnished by Deputy Clerk of Council Kristen L. Salisbury regarding an appointment to the community-based representative on the Community Development Advisory Board. It was stated that an announcement of vacancies for the community based representative on the Community Development Advisory Board was previously made.

Community Development Advisory Board

Appointment (1)

An application for appointment was received from Henrietta Woodward.

The Community Development Advisory Committee provides policy guidance for and exercises oversight with respect to activities and services provided under the Housing and Community Development Act of 1974. The Committee makes recommendations to County Council on matters affecting the Consolidated Plan and other related matters as the common interest of the participating governments may dictate. The Committee consists of representatives from 9 (nine) local governments and 4 (four) non-government

partners. The non-government partners must be one representative from each the financial, legal, and construction fields as well as one community-based representative. Terms of the Community Development Advisory Committee are two years.

Committee recommended that Council appoint Henrietta Woodward to the community based representative seat on the Community Development Advisory Board.

A report was read from the Finance Committee under date of March 20, 2014, that it considered the information furnished by Deputy Clerk of Council Kristen L. Salisbury regarding appointments to the Charleston Development Corporation. It was stated that an announcement of vacancies for the Charleston Development Corporation was previously made.

**Charleston
Development
Corporation**

**Appointment
(1)**

Applications for appointment were received from Karyn Houston Haynes, Lorena Jordan, and William Henry Kleindienst.

The Charleston Development Corporation (CDC) is a 501(c)(3) nonprofit organization whose purpose is to further human, social and economic development in the County of Charleston and to promote a healthier and safer community. The Board of Directors of the CDC consists of five (5) members; one member is the Chairman of the County Council's Economic Development Committee, one member is the Chief Deputy County Administrator, one member is the Charleston County Grants Administrator, and the other two (2) members are private citizens appointed by County Council who shall serve terms of two (2) years.

Committee recommended that Council appoint Lorena Jordan and William Henry Kleindienst to the Charleston Development Corporation.

The next item on the agenda was engineering services for the landfill.

A report was read from the Finance Committee under date of March 20, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Contracts and Procurement Director Barrett Tolbert regarding the need to award a contract for engineering services at the Bees Ferry Landfill. It was stated that the County requested qualifications from design/engineering firms for the purpose of providing design/engineering services for various solid waste projects. The selected firm shall provide the professional engineering and related services necessary to design, permit and provide construction administration and construction quality assurance of solid waste projects in accordance with all applicable local, state and federal laws, rules, and regulations and the South Carolina Solid Waste Policy and Management Act of 1991, as amended. It has been determined that services for closure of an existing cell and design and permitting for a new cell are necessary immediately. The other services will be solicited in a separate RFQ at a later date.

**Landfill
Engineering
Services**

**Award of
Contract**

Submittals were received in accordance with the terms and conditions of Request for Qualifications No. 4826-14W from the following firms:

- Andrews & Burgess, Inc.
- Joyce Engineering, Inc.
- Civil and Engineering Consultants, Inc. (CEC)
- SCS Engineers

- Davis & Floyd, Inc.
- Smith Gardner, Inc.
- Garrett & Moore, Inc.
- Terracon Consultants, Inc.
- HDR Engineering, Inc. of the Carolinas
- URS Corporation

It was shown that County Council has recently adopted a policy of approving all contracts resulting from Request for Qualifications (RFQ). Therefore, submittals have been reviewed by staff, and all of the firms are qualified to do the work. Therefore, the above list of qualified firms is being forwarded to Council for direction concerning the firm with which to begin negotiations.

Committee recommended that Council authorize staff to enter into contract negotiations for landfill engineering services with Terracon Consultants, Inc.

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

A report was read from the Finance Committee under date of March 20, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Chief Deputy Administrator for Finance Keith Bustraan regarding legislation being considered by the state legislature which will affect the County financially.

Local
Government
Fund
Resolution

Request to
Adopt

Committee recommended that Council adopt a resolution **REQUESTING THE SOUTH CAROLINA ASSOCIATION OF COUNTIES TO PERFORM ANY AND ALL ACTIONS IT DEEMS NECESSARY AND APPROPRIATE TO CAUSE THE SOUTH CAROLINA GENERAL ASSEMBLY TO COMPLY WITH TITLE 6, CHAPTER 27, STATE AID TO SUBDIVISIONS ACT, SECTIONS 6-27-10, ET SEQ., CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED**

Mr. Rawl moved approval of Committee recommendation with the understanding that a copy of the resolution would be distributed to the South Carolina Association of Counties with the request that SCAC furnish the resolution to the County Councils of all 46 counties in South Carolina to consider for adoption and also furnished to all Members of the Charleston County Legislative Delegation. The motion was seconded by Mr. Sass and carried unanimously.

The resolution is as follows:

**RESOLUTION OF THE COUNTY COUNCIL OF CHARLESTON COUNTY
REQUESTING THE SOUTH CAROLINA ASSOCIATION OF COUNTIES
PERFORM ANY AND ALL ACTIONS IT DEEMS NECESSARY AND
APPROPRIATE TO CAUSE THE SOUTH CAROLINA GENERAL
ASSEMBLY TO COMPLY WITH TITLE 6, CHAPTER 27, STATE AID TO
SUBDIVISIONS ACT, SECTIONS 6-27-10, ET SEQ., CODE OF LAWS OF
SOUTH CAROLINA, 1976, AS AMENDED**

WHEREAS, Charleston County, South Carolina is a political subdivision of the State of South Carolina as that term is defined and used in Title 6, Local Government - Provisions

Applicable to Special Purpose Districts and Other Political Subdivisions, Code of Laws of South Carolina, 1976, as amended; and,

WHEREAS, in 1991, the General Assembly passed into law by Act No. 171, the State Aid to Subdivisions Act, S.C. Code Ann. § 6-27-10 et seq., providing that the Local Government Fund is not part of the general fund of the State with the intent that the fund not be subject to mid-year cuts; however, if mid-year cuts are mandated by the State Budget and Control Board to avoid a year-end deficit, the fund is not subject to such cuts, except by a majority vote of the entire State Budget and Control Board which is separate and apart from any other reduction. These cuts are permitted only to the extent that counties and municipalities do not receive less funding than received in the immediate preceding fiscal year; and,

WHEREAS, S.C. Code Ann. § 6-27-30 provides that an amount equal to not less than four and one-half percent of general fund revenues of the latest completed fiscal year must be appropriated to the Local Government Fund; and,

WHEREAS, the revenues of the general fund of the State have increased for the past three fiscal years 2013, 2012, 2010, but the appropriations to the Local Government Fund have not increased accordingly, and since fiscal year 2009, the South Carolina General Assembly has failed to fund the Local Government Fund according to the mandates of the Act; and

WHEREAS, the amount of funds Charleston County has received from the Local Government Fund fails to cover Charleston County's net cost of State mandated expenditures; and full and complete funding of the Local Government Fund ensures lower ad valorem property taxes and the provision of services for the health, safety and welfare of the citizens and taxpayers of the County; and

WHEREAS, Charleston County requests the South Carolina Association of Counties perform any and all actions it deems necessary and appropriate to cause the South Carolina General Assembly to comply with the State Aid to Subdivisions Act, to include inviting all counties and municipalities in South Carolina to join in its pursuit to receive distributions of monies appropriated to the Local Government Fund in accordance with the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CHARLESTON COUNTY:

Charleston County Council requests that the South Carolina Association of Counties perform any and all actions it deems necessary and appropriate to cause the South Carolina General Assembly to comply with the State Aid to Subdivisions Act, to include inviting all counties and municipalities in South Carolina to join in its pursuit to receive distributions of monies appropriated to the Local Government Fund in accordance with the Act.

Passed and approved this 25th day of March, 2014.

CHARLESTON COUNTY, SOUTH CAROLINA

By: _____

Teddie E. Pryor, Sr., Chairman

Charleston County Council
Attest:

Clerk to County Council
Charleston County, South Carolina

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

Mr. Rawl stated that regarding the Local Government Fund resolution, Council is working toward correcting the policy, not substance. He also congratulated the Finance and Budget staff for achieving excellence.

**Council
Comments**

Mr. Sass also congratulated the Finance and Budget departments.

Mr. Schweers thanked the Public Works staff for their dedication to the rural East Cooper area during recent storms.

Mr. Darby stated that his heart goes out to the families of the Malaysia flight which has gone missing.

Chairman Pryor requested that Mr. Bustraan provide Council with information regarding how many employees work for Charleston County who make less than \$10/hour and what the financial impact would be to bring all employees' wages up to at least \$10/hour. The Chairman also asked Mr. Taylor to have firms developing emerging technologies in solid waste come make a presentation.

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

Beverly T. Craven
Clerk of Council