

COMMITTEE ON FINANCE
(Standing Committee of Berkeley County Council)

Chairman: Mr. Dennis L. Fish, Council Member District No. 5

A **meeting** of the **COMMITTEE ON FINANCE**, Standing Committee of Berkeley County Council, was held on Monday **August 29, 2005**, in the Assembly Room of the Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina, at 6:07 p.m.

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

Chairman Fish called the meeting to order and asked for approval of minutes from the meeting of the Committee on Finance held July 25, 2005.

APPROVAL OF MINUTES

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

With no objection from the Committee, Chairman Fish commended Chief Magistrate Ava Ayers for her success in collecting over \$1,000,000.00 in outstanding warrants from August 2003 thru August 2005.

Supervisor Rozier informed the Committee that the funds were collected at a minimal cost from letters mailed to defendants, letters mailed notifying defendants of the Debt Set-Off Program and monies collected by the South Carolina Department of Revenue by means of the Debt Set-Off Program. A percentage of all monies collected for fines by Berkeley County are forwarded to the State of South Carolina in the form of fees due the state.

A. **Consideration of a resolution** authorizing the execution and delivery of an inducement agreement by and between Berkeley County, South Carolina, **AAI Corporation** and **API Properties 812, LLC**, whereby, under certain conditions, Berkeley County will enter into agreements pursuant to Title 4, Chapter 12 of the Code of Laws of South Carolina and/or Title 12, Chapter 44 of the Code of Laws of South Carolina.

Supervisor Rozier informed the Committee that AAI is a manufacturer of flight simulators for C-17's and one type of fighter jet. AAI will locate its facility in a building previously owned by Corning in the Crowfield Area. The approximate \$7,000,000 investment will create an estimated 50 jobs in Berkeley County.

It was moved by Council Member Crosby and seconded by Council Member Charles Davis to approve the consideration of a resolution authorizing execution and delivery of an inducement agreement between Berkeley County, AAI Corporation and API Properties 812, LLC. The motion passed by unanimous voice vote of the Committee.

B. **Consideration of a resolution** authorizing the execution and delivery of an inducement agreement by and between Berkeley County, South Carolina, and **BooneDock, LLC**, whereby, under certain conditions, Berkeley County will execute a fee-in-lieu of tax agreement for a project involving not less than a five million dollar (\$5,000,000) investment.

Supervisor Rozier informed the Committee that BooneDock is the name of the development company selling property to NanoScreen, a distributor of pipettes. NanoScreen is an existing facility located on Clements Ferry Road in Berkeley County. The \$7,000,000 expansion will initially create 10 new jobs in Phase I of a three-phase project, resulting in a total of 45 new positions at the project's end.

It was moved by Council Member Crosby and seconded by Council Member Spooner to approve the consideration of a resolution authorizing the execution and delivery of an inducement agreement between Berkeley County and BooneDock, LLC. The motion passed by unanimous voice vote of the Committee.

C. **Consideration prior to First Reading** of 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.

It was moved by Council Member Crosby and seconded by Council Member Spooner to approve consideration, prior to First Reading, of an ordinance authorizing the execution and delivery of a fee-in-lieu of tax agreement between Berkeley County and BooneDock, LLC. The motion passed by unanimous voice vote of the Committee.

D. Consideration prior to First Reading of 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, Section 12-37-135 (1976, as amended); establishing a fee to defray the administrative expenses of said registration; and other matters related thereto.

Chairman Fish stated that South Carolina State passed legislation, allowing counties to charge businesses a fee to operate.

Supervisor Rozier stated that an annual fee of \$15.00 per business would absorb administrative costs associated with collecting this fee. There is approximately 3.3 million dollars in delinquent taxes on business personal property throughout Berkeley County at this time. The purpose of the "business permit" fee would allow the County the ability to collect delinquent taxes due. If the taxes are not paid, the business permit would be revoked.

Council Member Steve Davis expressed his disapproval of a city and county fee (dual fees), charged to those businesses located in the incorporated areas of Berkeley County (i.e., Town of Moncks Corner).

Chairman Fish recommended that Berkeley County develop a procedure similar to Dorchester County, wherein, the City of Summerville will not allow an individual to renew his/her business license unless Dorchester County taxes are paid. Chairman Fish concurred with Council Member Steve Davis that it was a form of dual taxation.

Supervisor Rozier stated that Chairman Fish's recommendation would need to be explored.

Deputy County Nicole Scott Ewing stated that the proposed \$15.00 annual fee was not a tax, but rather a fee. The state statute allows a business registration or business tax, but not both.

Supervisor Rozier stated that this would be a fee, which would aid in the collection of delinquent business personal property taxes. He recommended the County adopt an annual fee, even if it were \$1.00 versus \$15.00.

Deputy Supervisor Robbie Metts recommended further exploration of working together with other municipalities as recommended by Chairman Fish.

Ms. Markie Smith, Berkeley County Auditor's Department, stated that there were approximately 1,781 businesses that did not comply in the payment of business personal property taxes, which were due Berkeley County on April 30, 2005. This estimate includes multi-million dollar businesses.

Supervisor Rozier stated that Berkeley County would continue to have no recourse in the collection of these taxes without a business registration system, whether the fee be \$1.00 or \$15.00 charged per year per business.

It was moved by Council Member Crosby and seconded by Council Member Spooner to **approve** consideration, **prior to First Reading**, of an ordinance establishing a **registration system for businesses** located within Berkeley County, including businesses located within the corporate boundaries of municipalities within the County. The motion passed by unanimous voice vote of the Committee.

E. Review prior to Second Reading of Bill No. 05-72, an ordinance amending Ordinance No. 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 Crosby and seconded by Council Member Spooner to **approve** review, **prior to Second Reading**, of **Bill No. 05-72**. The motion passed by unanimous voice vote of the Committee.

It was moved by Council Member Crosby and seconded by Council Member Spooner to **adjourn** the meeting of the Committee on Finance. The motion passed by unanimous voice vote of the Committee.

Meeting adjourned at 6:28 p.m.

September 26, 2005
Date Approved

FINANCE
(Standing Committee of Berkeley County Council)

Chairman: Mr. Dennis L. Fish, District No. 5

Members: Mr. Phillip Farley, District No. 1
Mrs. Judith K. Spooner, District No. 2
Mr. William E. Crosby, District No. 3
Mr. Charles E. Davis, District No. 4
Mrs. Judy C. Mims, District No. 6
Mr. Caldwell Pinckney, Jr., District No. 7
Mr. Steve C. Davis, District No. 8
Mr. James H. Rozier, Jr., Supervisor, ex officio

A **meeting** of the **COMMITTEE ON FINANCE**, Standing Committee of Berkeley County Council, will be held on **Monday August 29, 2005**, following the meeting of the Committee on Water and Sanitation in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina, at **6:00 pm**.

AGENDA

APPROVAL OF MINUTES

July 25, 2005

A. Consideration of a **Resolution** authorizing the execution and delivery of an inducement agreement by and between Berkeley County, South Carolina, **AAI Corporation** and **API Properties 812, LLC**, whereby, under certain conditions, Berkeley County will enter into agreements pursuant to Title 4, Chapter 12 of the Code of Laws of South Carolina and/or Title 12, Chapter 44 of the Code of Laws of South Carolina

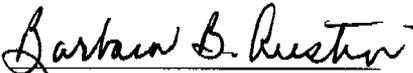
B. Consideration of a **Resolution** authorizing the execution and delivery of an Inducement Agreement by and between Berkeley County, South Carolina, and **BooneDock, LLC** whereby, under certain conditions, Berkeley County will execute a Fee-In-Lieu of Tax Agreement for a project involving not less than a Five Million Dollar (\$5,000,000) investment.

C. Consideration prior to **First Reading** of 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.

D. Consideration prior to **First Reading** of 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 (1976, as amended); establishing a fee to defray the administrative expenses of said registration; and other matters related thereto.

E. Review prior to **Second Reading of Bill No. 05-72**, an ordinance **amending Ordinance No. 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.

August 24, 2005


Barbara B. Austin, CCC
Clerk of County Council