

December 9, 2014
Charleston, SC

A meeting of County Council of Charleston County was held on the 9th day of December, 2014, in the Beverly T. Craven Council Chambers, Second Floor of the Lonnie Hamilton, III Public Services Building, located at 4045 Bridge View Drive, Charleston, South Carolina.

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

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

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.

Mr. Qualey moved approval of the minutes of November 18, 2014, seconded by Mr. Rawl, and carried.

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

AN ORDINANCE

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

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

The roll was called and votes recorded as follows:

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

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

Rezoning
2456
Savannah
Highway
2nd Reading

Amending
Mt. Pleasant
Overlay
District

2nd Reading

An ordinance amending the Mt. Pleasant 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 5, OVERLAY AND SPECIAL
PURPOSE ZONING DISTRICTS.**

The roll was called and votes recorded as follows:

Condon	- aye
Darby	- aye
Johnson	- aye
Qualey	- aye
Rawl	- aye
Sass	- aye
Schweers	- aye
Summey	- absent
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 amending the Folly Road Overlay District was given second reading by title only.

Amending
Folly Road
Corridor
Overlay
District

2nd Reading

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

The roll was called and votes recorded as follows:

Condon	- aye
Darby	- aye
Johnson	- aye
Qualey	- aye
Rawl	- aye
Sass	- aye
Schweers	- aye
Summey	- absent
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 amending use regulations and definitions regarding towing and salvage yards was given second reading by title only.

Towing &
Salvage Yare
Use
Amendments

2nd Reading

**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 roll was called and votes recorded as follows:

Condon	- aye
Darby	- aye
Johnson	- aye
Qualey	- aye
Rawl	- aye
Sass	- aye
Schweers	- aye
Summey	- absent
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 approving a fee-in-lieu of taxes agreement and other financial incentives for Kapstone Charleston Kraft, LLC was given second reading by title only.

Kapstone
Charleston
Kraft
Financial
Incentives

2nd Reading

CHARLESTON COUNTY

AN ORDINANCE AUTHORIZING (1) THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT BY AND BETWEEN CHARLESTON COUNTY, SOUTH CAROLINA (THE "COUNTY") AND KAPSTONE CHARLESTON KRAFT, LLC, ACTING FOR ITSELF, ONE OR MORE AFFILIATES OR OTHER PROJECT SPONSORS (THE "COMPANY"), PURSUANT TO WHICH THE COUNTY SHALL COVENANT TO ACCEPT CERTAIN NEGOTIATED FEES IN LIEU OF AD VALOREM TAXES WITH RESPECT TO THE ESTABLISHMENT AND/OR EXPANSION OF CERTAIN FACILITIES IN THE COUNTY (COLLECTIVELY, THE "PROJECT"); (2) THE BENEFITS OF A MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK TO BE MADE AVAILABLE TO THE COMPANY AND THE PROJECT; (3) PROVIDING FOR THE ALLOCATION OF

FEES IN LIEU OF AD VALOREM TAXES PAID WITH RESPECT TO THE PROJECT; AND (4) OTHER MATTERS RELATING THERETO.

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

The roll was called and votes recorded as follows:

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

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

A report was read from the Planning and Public Works Committee under date of December 9, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Zoning and Planning Director Dan regarding proposed amendments to the Charleston County Comprehensive Plan to implement the Five-Year Review. It was stated that beginning in November 2012, the Planning Commission had completed a five-year review of the Comprehensive Plan focusing on the following objectives:

- Refining the location of the Urban Growth Boundary for consistency with the Urban Growth Boundaries adopted by the City of Charleston and Town of Mount Pleasant, parcel boundaries, and geographic features;
- Reviewing and revising the Future Land Use designations to reflect current demographic trends and community needs and desires;
- Ensuring the goals, needs, and strategies of all Plan elements are relevant; and
- Updating the Annual Work Program.

Committee recommended that Council approve the Comprehensive Plan amendments recommended by the Planning Commission to implement the Five-Year Review and give first reading to the requested ordinance.

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

**Comp. Plan 5
Year Review**

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

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

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

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

Ms. Condon moved approval of the Consent Agenda, seconded by Mr. Rawl, and carried.

The Consent agenda is as follows:

**John Blais,
Inc. Funding/
Sheriff's
Office**

**Request to
Accept**

A report was read from the Finance Committee under date of December 9, 2014 that it considered the information furnished by County Administrator Kurt Taylor and Charleston County Sheriff J. Al Cannon regarding the contribution of \$1,000.00 to the Charleston County Sheriff's Office (CCSO) offered by John Blais, Inc. It was stated that John Blais, Inc. was granted permission to use the location of the Detention Center for photographing the Sheriff Al Cannon Detention Center and that pending Council approval, CCSO will be awarded \$1,000.00 to offset officer overtime expenses. It was further shown that the funds will be remitted to the CCSO to be made available for expenditure at that time, has no stated expiration date and no FTE's or match is required.

Committee recommended that Council allow the Sheriff's Office to accept the amount of \$1,000.00 from John Blas, Inc. for the Sheriff's Office with the understanding that:

- Funding will be available for expenditure upon approval and has no stated expiration date.
- No FTE's or matching funds are associated with this funding.

**Firehouse
Subs Public
Safety
Foundation
Grant/Sheriff**

**Request to
Accept**

A report was read from the Finance Committee under date of December 9, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Charleston County Sheriff J. Al Cannon regarding a grant awarded by the Firehouse Subs Public Safety Foundation. It was stated that Firehouse Subs Public Safety Foundation is dedicated to improving the life-saving capabilities of first responders and public safety organizations in communities served by Firehouse Subs by providing funding, resources and support. It was shown that according to the American Heart Association, sudden cardiac arrest is a leading cause of death in the United States and that using an AED greatly increases survival rates by up to 60 percent according to OSHA, which in many cases can be the difference between life and death. It was stated that the Sheriff's Office is requesting permission to accept this public safety grant in order to purchase 10 Zoll Plus AED and accessories, which include pediatric CPR pads, extra CPR pads, batteries, carry covers and cases, gloves, mask, scissors, and razors, and hard large Pelican Cases to protect and store AEDs in patrol vehicles. It was further shown that there are no FTE's requested in this funding and no match is required.

Committee recommended that Council allow the Sheriff's Office to accept the amount of \$13,981 from Firehouse Subs Public Safety Foundation Public Safety Foundation for the Sheriff's Office with the understanding that the grant period is December 01, 2014 through November 30, 2015 and no FTE's or matching funds are associated with this funding.

A report was read from the Finance Committee meeting of December 9, 2014 that it considered the information furnished by County Administrator Kurt Taylor and Building Inspection Services Director Carl Simmons regarding the Building Inspections Services Department's request to apply for and accept, if awarded, federal funding in the amount of \$26,792.00 from the South Carolina Emergency Management Division under FEMA's Hazard Mitigation Grant Program (HMPG). It was stated that this funding will allow the Building Inspections Services Department to promote public awareness of the natural hazards affecting our area via direct mail campaign to Charleston County residents and educate children in the County through Project Impact and that particular emphasis will be placed on an educational plan to create brochures and videos that can be used for several years from kindergarten through middle school grades for the students and teachers of Charleston County and brochures will also be distributed and the videos will be shown at the many expos and public events that the Building Inspections Services Department participates in on a regular basis.

It was further stated that an additional benefit of this public outreach project is that Charleston County will earn additional credit for the National Flood Insurance Program's (NFIP) Community Rating System (CRS) rating. The CRS recognizes community floodplain management practices that exceed minimum standards, resulting in lower flood insurance premiums for Charleston County property owners.

It was shown that there is a 25% match requirement for this grant which will be met in-kind via staff time, no FTEs or any items that involve re-occurring costs are associated with this grant, and the grant performance period is July 2016 through November 2016.

Committee recommended that Council approve the Building Inspections Services Department's request to apply for and accept, if awarded, federal funding in the amount of \$26,792.00 from the South Carolina Emergency Management Division under FEMA's Hazard Mitigation Grant Program (HMPG) with the understanding that:

- These funds will allow the Building Inspections Services Department to promote public awareness of the natural hazards via a direct mail campaign and a video series to Charleston County homeowners, students, and teachers through Project Impact. This public outreach project will also enable the County to earn additional credit for the National Flood Insurance Program's (NFIP) Community Rating System (CRS) rating.
- There is a 25% match requirement for this grant which will be met in-kind via Building Inspections Services staff time. There are no FTEs or any items that involve re-occurring costs associated with this request.
- The grant performance period is July 2016 through November 2016.

Hazard
Mitigation
Grant Project
Impact
Public
Outreach

Request to
Approve

**Hazard
Mitigation
Grant Flood
Public
Outreach**

**Request to
Approve**

A report was read from the Finance Committee under date of December 9, 2014 that it considered the information furnished by County Administrator Kurt Taylor and Building Inspection Services Director Carl Simmons regarding a request to apply for and accept, if awarded, federal funding in the amount of \$47,700.00 from the South Carolina Emergency Management Division under FEMA's Hazard Mitigation Grant Program (HMPG). It was stated that this funding will allow the Building Inspections Services Department to promote public awareness of the hazards of flooding via a direct mail campaign to Charleston County residents living in flood zones. Particular emphasis will be placed on what to do before, during, and after a flooding event. Brochures will also be distributed at the many expos and public events that the Building Inspections Services Department participates in on a regular basis. It was shown that an additional benefit of this public outreach project is that Charleston County will earn additional credit for the National Flood Insurance Program's (NFIP) Community Rating System (CRS) rating. The CRS recognizes community floodplain management practices that exceed minimum standards, resulting in lower flood insurance premiums for Charleston County property owners. It was further stated there is a 25% match requirement for this grant which will be met in-kind via Building Inspections Services staff time, and that there are no FTEs or any items that involve re-occurring costs associated with this request. The grant performance period is April 2015 through April 2017

Committee recommended that Council approve the Building Inspections Services Department request to apply for and accept, if awarded, federal funding in the amount of \$47,700.00 from the South Carolina Emergency Management Division under FEMA's Hazard Mitigation Grant Program (HMPG) with the understanding that:

- These funds will allow the Building Inspections Services Department to promote public awareness of the hazards of flooding via a direct mail campaign to Charleston County homeowners living in flood zones. This public outreach project will also enable the County to earn additional credit for the National Flood Insurance Program's (NFIP) Community Rating System (CRS) rating.
- There is a 25% match requirement for this grant which will be met in-kind via Building Inspections Services staff time. There are no FTEs or any items that involve re-occurring costs associated with this request, and the grant performance period is April 2015 through April 2017

**North Rhett
Avenue
Sidewalks
TST**

**Award of
Contract**

A report was read from the Finance Committee meeting of December 9, 2014 that it considered the information furnished by County Administrator Kurt Taylor and Contracts and Procurement Director Barrett J. Tolbert regarding the need to award a contract for the North Rhett Avenue Sidewalk project located in North Charleston. It was stated that this project will consist of installing approximately 1900 feet of concrete sidewalk in the vicinity of the I-526 overpass beginning at the Norfolk & Southern Railroad and ending at Wright Avenue to connect two existing sidewalks. It was stated that the work shall include but is not limited to clearing, excavation, removal of existing pavement, concrete sidewalk installation, storm drainage installation, signal pole relocation, erosion and sedimentation control, maintenance of traffic during construction, roadway signing, pavement striping, delineator installation and associated appurtenances. It was shown that bids were received in accordance with the terms and conditions of Invitation for Bid

No. 4909-15C. The mandatory Small Business Enterprise (SBE) utilization for this solicitation is 12.2% and the Disadvantaged Business Enterprise (DBE) goal is 20%.

Bidder	Total Bid Price	SBE Percentage	DBE Percentage
First Construction Management, LLC Hanahan, South Carolina 29410 Principal: Roger Holcombe, Jr.	\$155,835.15	100%	10.91%
IPW Construction Group, LLC Charleston, South Carolina 29423 Principal: Cyrus D. Sinor	\$172,996.00	100%	100%
AOS Specialty Contractors, Inc. Lexington, South Carolina 29073 Principal: Dianne Rushing	\$367,229.40	100%	100%

Committee recommended that Council authorize award of bid for the North Rhett Avenue Sidewalks (TST) to First Construction Management, LLC, the lowest responsive and responsible bidder, in the amount of \$155,835.15, with the understanding that funds are available in the roads portion of the Transportation Sales Tax budget.

Code Enforcement Officers

Request to Commission

A report was read from the Finance Committee meeting of December 9, 2014 that it considered the information furnished by County Administrator Kurt Taylor regarding the need to commission Code Enforcement Officers for 2015. It was stated that in 1994, Charleston County Council adopted an ordinance authorizing the issuance of a uniform ordinance summons, which is used to enforce any County ordinance. The uniform ordinance summons is enforced by code enforcement officers commissioned by County Council. The commissions are on an annual basis and subject to renewal or rescission every year, and officers are commissioned as needed or when necessary.

Committee recommended that Council commission the following County employees as code enforcement officers with all commissions effective January 1 through December 31, 2015.

**COUNTY OF CHARLESTON
CODE ENFORCEMENT OFFICERS 2015**

- | | |
|--------------------|-------------------|
| Pam Mecke | Assessor |
| Christina White | Assessor |
| Meghan Evans | Assessor |
| James R. Houser | Building Services |
| Robert C. Meyers | Building Services |
| Calvin T. Phillips | Building Services |
| Cecil A. Rhudy | Building Services |
| Carl H. Simmons | Building Services |
| Karl A. Wichmann | Building Services |
| Sally Brooks | Planning |
| Joel Evans | Planning |

James Hackett	Planning
Dan Pennick	Planning
Andrea Pietras	Planning
Jennifer Werking	Planning
Lisa McCray	Planning
Luz Agudelo	Planning
Charles "Tim" Fetner	Planning/Environmental Management
Stephen Barnes	Public Works
Neil Desai	Public Works – Stormwater
James Neal	Public Works
Chris Wannamaker	Public Works
Paul Zloba	Public Works
Jeremy Mungin	Public Works
Denise Bessinger	Revenue Collections
Hillary Bowers	Revenue Collections
Dionne Brown	Revenue Collections
Jim Bunn	Revenue Collections
Joe Coates	Revenue Collections
Byron Foster	Revenue Collections
Tami Fralick	Revenue Collections
Dan Gregory	Revenue Collections
Anthony Hazelton	Revenue Collections
Britt Miller	Revenue Collections
Tom Tamblyn	Revenue Collections
Edrian Trakas	Revenue Collections
Colin Wieringa	Revenue Collections
Paula Mack	Revenue Collections

Millard Refrigerated Services Set Aside Grant

Request to Accept

A report was read from the Finance Committee under date of December 9, 2014 that it considered the information furnished by County Administrator Kurt Taylor and Economic Development Director Steve Dykes regarding the need to accept a set-aside grant from the SC Coordinating Council for Economic Development for use by Millard Refrigerated Services, LLC. It was stated that the Economic Development Director worked together with company officials and the S.C. Commerce Department in 2013 on the establishment by Millard Refrigerated Services, LLC of a \$42 million, 87-employee warehousing, distribution and food processing facility in North Charleston. It was stated that as a part of the recruitment package, the State of South Carolina committed to provide a \$3,750,000 Set-Aside grant to help offset site development expenses associated with the project, and on December 4, 2014, the S.C. Coordinating Council for Economic Development (SCCED) awarded this grant to Charleston County. This grant, designed to be passed thru to Millard Refrigerated Services, LLC will be administered by the Economic Development Department on a reimbursement basis. It was shown that no additional FTEs or matching funds are required. During the 18 month grant performance period, the company will be responsible for submitting all eligible reimbursement requests.

Committee recommended that Council accept the \$3,750,000 Set-Aside grant from the S.C. Coordinating Council for Economic Development for use by Millard Refrigerated Services, LLC to establish its \$42 million, 87-employee warehousing, distribution and food processing facility in North Charleston, SC, with the understanding that grant funds will be made available to the company by the Economic Development Department on a reimbursable basis in accordance with state grant guidelines.

**Medal of Honor
Bowl Funding**

Recommendation

A report was read from the Finance Committee meeting of December 9, 2014 that it considered the information furnished by County Administrator Kurt Taylor, Chief Deputy Administrator for Finance Keith Bustraan, and Thomas McQueeney, representing the Medal of Honor Bowl, regarding a request for Local Accommodations Tax funding in the amount of \$25,000 to offset the cost of broadcasting the Medal of Honor Bowl on NBC Sports.

Committee recommended that Council approve the request for \$25,000.

Mr. Schweers moved approval of Committee recommendation, seconded by Mr. Sass.

Mr. Darby stated, for the record, "I have no ill feelings toward any individual who is desirous of procuring, owning, wearing, displaying a Confederate flag. As guaranteed by the five freedoms of expression in the United States Constitution, I would protest with the worst of Klansmen for any individual to have that right. Recently I went to Columbia and one of my former students came up -- incidentally he was a white male I taught at Charleston Southern; I taught African American History -- and he said, 'Mr. Darby, you don't remember me.' He had grown up so much I said, 'No.' He said, 'You did something to me that I will never forget.' I said, 'What is it, son?' He said, 'You forced me to write a paper in defense of slavery. Why did you do that, Mr. Darby?' I said, 'It's a part of our heritage and I want you to be objective in all things. Yes, it was very ugly, but I forced you to do that.' He thanked me because he is a coach and how much that paper did for him to relate to his minority students. Again, I don't have a problem with individuals. When I taught at Burke High School and taught the Civil War, much to the chagrin of my fellow teachers when I displayed the Confederate flag on an individual basis, the teachers asked me to remove it and I said, 'No, it is mine as an individual.' They went to the principal. He said, 'Mr. Darby, I need you to remove it.' I said, 'Sir, I am not. You can remove it, but I am not because it is an individual situation here.' The problem that I have is that when it comes to public institutions and government, I just think that should not have place with such a symbol. That's my only point, so I don't have any animosity. I hope that I did not speak vituitively about anyone. I sincerely apologize to Ms. Johnson for my frustration because if anyone has worked hard on this Council for all people or even for your own district. Your loyalty to this government and this Council should never be questioned so I sincerely apologize if I offended you or hurt your feelings. If I offended anyone from the Citadel or any other person in the audience I sincerely apologize because that's not my purpose. I just feel that when it comes to government and public institutions it has no right with the displaying of the Confederate flag."

Ms. Johnson stated that she did not want to be on the wrong side of history and that while Mr. Darby feels strongly about the flag this is an opportunity for Council to rethink

some of the things done that are done in Charleston County. She also stated that she did not want this issue to be divisive on Council.

The Chairman called for a roll call vote. The roll was called and votes were as follows:

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

The vote being four (4) ayes, four (4) nays and one (1) absent, the Chairman declared the motion to have failed.

Mr. Schweers moved to table this matter until all Council Members were in attendance.

The County Attorney stated that since this item had already been voted on and the Chairman declared it to have died, there was no issue to table, but that a motion could be made to send the request back to Committee.

Mr. Schweers moved to send this matter back to Committee, seconded by Mr. Qualey.

The Chairman called for a roll call vote on this issue. The roll was called, and the votes were as follows:

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

The vote being four (4) ayes, four (4) nays and one (1) absent, the Chairman announced that the motion had failed.

Town of James Island Urban Greenbelt Project

Request to Consider

A report was read from the Finance Committee under date of December 9, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Greenbelt Programs Director Cathy Ruff regarding an urban greenbelt project submitted by the Town of James Island for consideration. It was stated that in accordance with Section 5.6.2 of the Charleston County Comprehensive Greenbelt Plan the urban greenbelt project listed below has been reviewed by the Urban Grants Review Committee and the Charleston County Park and Recreation Commission (CCPRC). A project summary and

map are attached. The Town of James Island currently has \$902,130 remaining of their urban greenbelt funds allocation.

The CCPRC is recommending approval of the following project.

Applicant	Project Name	Project Type	Acres	Funding Amount
Town of James Island	461 Fort Johnson Road	Fee Simple	7.37	\$902,130

FINANCIAL DISCLOSURE:

- Helyn Palmer, Associate Broker with Exit Realty

The Urban Grants Review Committee unanimously approved this project at their November 10, 2014 meeting. The following members were present: Chair Beezer Molten, Vice Chair Brady Quirk-Garvan, David Bennett, Peggy Potts and Cathy Ruff. Julie Hensley was absent. The Charleston County Park and Recreation Commission unanimously approved the projects at their November 17, 2014 meeting. The following members were present: Benjy Cook, Mattese Lecque, Ravi Sanyal, Lisa Steed King, Andrew Thomas, Teddy Manos and Collin Bruner.

Committee recommended that Council

1. Approve funding for the urban greenbelt project listed below, provided that upon approval, a grant agreement will be executed between the County and appropriate parties.

Applicant	Project Name	Project Type	Acres	Funding Amount
Town of James Island	461 Fort Johnson Road	Fee Simple	7.37	\$902,130

2. Authorize the County Administrator to require the execution and delivery of proper agreements and instruments to implement the conditions of the approval of the grant funds, and to effectuate the goals of the Greenbelt Program ordinances and policies.
3. Authorize the use of \$902,130 to be funded from a combination of Greenbelt Operating Contingency and/or 2011 General Obligation Bonds.

Ms. Johnson moved approval of the committee recommendation, seconded by Mr. Qualey, and carried. Mr. Sass abstained from voting and filed a Statement of Conflict of Interest with the Clerk of Council.

A report was read from the Finance Committee under date of December 9, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Economic Development Director Steve Dykes regarding financial incentives extended to Hubner Manufacturing, LLC. It was stated that the Economic Development Director worked during much of 2014 with Hubner Manufacturing Corporation, the Mt. Pleasant-based maker of systems and components for mass transit and airport operators. The company outlined its acute need to increase productive capacity to serve its U.S. customers. In

**Hubner
Financial
Incentives**

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

the months that followed, the Economic Development Director was challenged to help the company build a business case for expansion at the existing Mt. Pleasant plant versus other potential Southeast locations.

The Hubner Corporation established its Mt. Pleasant facility in 1995, expanding previously to its current workforce of 83 employees. The company plans to spend approximately \$9.2 million to add or enlarge plant buildings and to add additional machinery & equipment. The new capital investment would create \$2.5 million in new taxes over a thirty (30) year period, with approximately \$420,000 due to Charleston County during that time frame. The company will also create 50 new jobs, featuring an additional \$2.2 million in annual payroll.

The incentives offered by the Economic Development Director include fee-in-lieu-of-taxes (FILOT), with terms including a 6% assessment ratio and the millage rate being 'fixed' at 274.3 over the next thirty (30) years. The company will also receive a Special Source Revenue Credit (SSRC) designed to offset some site development costs. The SSRC will be equivalent to 12% of 30 yr. revenues, not to exceed \$300,000.

The property will also be added to the Charleston – Colleton Multi-County Park (MCIP) when the next amendment occurs in 2015. *(NOTE: The MCIP designation by County Council will help the company increase its share of state corporate income tax credits known as 'job tax credits' by \$1,000 per net new job over the threshold typically available to a company located in a 'developed county' such as Charleston County.)*

Committee recommended that Council adopt an inducement resolution and give first reading to an ordinance authorizing the execution and delivery of fee-in-lieu of taxes (FILOT) for Hubner Manufacturing Corporation to facilitate the \$9.2 million, 50-person expansion of their manufacturing plant in Mt. Pleasant, S.C. FILOT terms will include: 6% assessment ratio; millage rate fixed at 218.6 over the thirty (30) year term. A Special Source Revenue Credit (SSRC) equal to 12% of 30-yr. revenues, not to exceed \$300,000 will be offered to help offset site development costs.

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

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

AN ORDINANCE

AUTHORISING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF TAX AGREEMENT BY AND BETWEEN CHARLESTON COUNTY AND HUBNER MANUFACTURING CORPORATION, WHEREBY CHARLESTON COUNTY WILL ENTER INTO A FEE-IN-LIEU OF TAXES ARRANGEMENT WITH HUBNER MANUFACTURING CORPORATION; PROVIDING FOR PAYMENT BY HUBNER MANUFACTURING CORPORATION OF CERTAIN FEES IN LIEU OF AD VALOREM TAXES; PROVIDING FOR CERTAIN SPECIAL SOURCE REVENUE OR INFRASTRUCTURE CREDITS; PROVIDING FOR THE ALLOCATION OF FEE-IN-LIEU OF TAXES PAID BY HUBNER MANUFACTURING CORPORATION, UNDER THE

AGREEMENT FOR ESTABLISHMENT OF MULTI-COUNTY INDUSTRIAL/BUSINESS PARK; AND OTHER MATTERS RELATING THERETO.

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

**Hubner Set
Aside Grant**

**Request to
Accept**

A report was read from the Finance Committee under date of December 9, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Economic Development Director Steve Dykes regarding a set-aside grant for Hubner Manufacturing Corporation. It was stated that the Economic Development Director worked together with company officials and the S.C. Commerce Department in 2014 on the competitive expansion by Hubner Manufacturing Corporation of its manufacturing facility in Mt. Pleasant, S.C.

As part of the recruitment package, the State of South Carolina committed to provide a \$350,000 Set-Aside grant to help offset site development expenses associated with the project, and on December 4, 2014, the S.C. Coordinating Council for Economic Development (SCCCED) awarded this grant to Charleston County. This grant, designed to be passed thru to Hubner Manufacturing Corporation, will be administered by the Economic Development Department on a reimbursement basis.

No additional FTEs or matching funds are required. During the 18 month grant performance period, the company will be responsible for submitting all eligible reimbursement requests.

Committee recommended that Council accept the \$350,000 Set-Aside grant from the S.C. Coordinating Council for Economic Development for use by Hubner Manufacturing Corporation in support of their \$9.2 million, 50-employee manufacturing facility expansion in Mt. Pleasant, SC with the understanding that grant funds will be made available to the company by the Economic Development Department on a reimbursable basis in accordance with state grant guidelines.

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

**Project Daily
Financial
Incentives**

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

A report was read from the Finance Committee under date of December 9, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Economic Development Director Steve Dykes regarding financial incentives extended to an economic development prospect operating under the code name Project Daily. It was stated that the Economic Development Director worked throughout much of 2014 with the management and legal team of the confidential 'Project Daily,' a project which involves a manufacturer proposing to establish a \$29 million, 35-employee facility in Charleston.

The company's decision-makers continue laboring through their due diligence, including a host of site development, start-up, and financial incentives issues. A final decision on this competitive project is anticipated no later than 1Q15.

'Project Daily' would create 35 new jobs, featuring an annual payroll of approximately \$1.675 million. New public revenues from its \$29 million investment would equate to approximately \$5.56 million over the next twenty years, with approximately \$861,000 coming due to Charleston County.

The incentives offered by the Economic Development Director include fee-in-lieu-of-taxes (FILOT), with terms including a 6% assessment ratio and the millage rate being 'fixed' at 259.1 over the next twenty (20) years. The company will also receive a Special Source Revenue Credit (SSRC) designed to offset some site development costs. The SSRC will be equivalent to 4% of 20 yr. revenues, not to exceed \$200,000.

The property will also be added to the Charleston – Colleton Multi-County Park (MCIP) when the next amendment occurs in 2015. *(NOTE: The MCIP designation by County Council will help the company increase its share of state corporate income tax credits known as 'job tax credits' by \$1,000 per net new job over the threshold typically available to a company located in a 'developed county' such as Charleston County.)*

Committee recommended that Council adopt an inducement resolution and approve and give first reading to an ordinance authorizing the execution and delivery of fee-in-lieu of taxes (FILOT) for 'Project Daily' to facilitate their proposed \$29 million, 35-person manufacturing plant in Charleston, S.C. FILOT terms will include: 6% Assessment ratio; millage rate fixed at 259.1 over the twenty (20) year term. A Special Source Revenue Credit (SSRC) equal to 4% of 30-yr. revenues, not to exceed \$200,000 will be offered to help offset site development costs.

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

An ordinance approving financial incentives extended to Project Daily was given first reading by title only.

AN ORDINANCE AUTHORIZING (1) THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT BY AND BETWEEN CHARLESTON COUNTY, SOUTH CAROLINA (THE "COUNTY") AND A COMPANY TO BE IDENTIFIED INITIALLY AS "PROJECT DAILY", ACTING FOR ITSELF, ONE OR MORE AFFILIATES OR OTHER PROJECT SPONSORS (THE "COMPANY"), WHEREBY THE COUNTY SHALL COVENANT TO ACCEPT NEGOTIATED FEES IN LIEU OF *AD VALOREM* TAXES IN CONNECTION WITH THE ACQUISITION, IMPROVEMENT AND EQUIPPING OF CERTAIN FACILITIES IN THE COUNTY (COLLECTIVELY, THE "PROJECT"); [(2) SPECIAL SOURCE REVENUE CREDITS IN CONNECTION WITH THE PROJECT]; (3) THE BENEFITS OF A MULTI-COUNTY

INDUSTRIAL OR BUSINESS PARK TO BE MADE AVAILABLE TO THE PROJECT; AND (4) OTHER MATTERS RELATING THERETO.

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

Project Daily Set Aside Grant

A report was read from the Finance Committee under date of December 9, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Economic Development Director Steve Dykes regarding a set-aside grant for Project Daily. It was stated that the Economic Development Director worked together with company officials and the S.C. Commerce Department in 2014 on a potential manufacturing facility known as 'Project Daily.' Due diligence by the company regarding the project is ongoing, with a decision anticipated no later than 1Q15.

Request to Accept

As part of the recruitment package, the State of South Carolina committed to provide a \$600,000 Set-Aside grant to help offset site development expenses associated with the project, and on December 4, 2014, the S.C. Coordinating Council for Economic Development (SCCED) awarded this grant to Charleston County. This grant, designed to be passed thru to 'Project Daily,' will be administered by the Economic Development Department on a reimbursement basis.

No additional FTEs or matching funds are required. During the 18 month grant performance period, the company will be responsible for submitting all eligible reimbursement requests.

Committee recommended that Council accept the \$600,000 Set-Aside grant from the S.C. Coordinating Council for Economic Development for use by 'Project Daily,' in support of their proposed \$29 million, 35-employee manufacturing facility expansion in Charleston, S.C. facility. Grant funds will be made available to the company by the Economic Development Department on a reimbursable basis in accordance with state grant guidelines.

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

Senior Operations & Jamestown CK Crosspoint Financial Incentives

A report was read from the Finance Committee under date of December 9, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Economic Development Director Steve Dykes regarding financial incentives extended to Senior Operations, LLC, and Jamestown-CK Crosspoint IV, LP. It was stated that the Economic Development Director began meeting in 2013 with Senior Aerospace, a Arlington, WA based supplier to The Boeing Company, to discuss the company's plans to establish a local operation in support of the 787 program. During the intervening months, Senior Aerospace decided to move forward with plans to establish a facility to support sub-assembly and final assembly activities.

A) Request to Approve B) Ordinance 1st Reading

The initial operation, to be located in the Cross Point section of Palmetto Commerce Park, will be housed in 39,000 sq. ft. of a new 273,000 sq. ft. building constructed and

owned by the Jamestown-Childress Klein real estate partnership. Senior Aerospace will invest approximately \$3 million in machinery & equipment, and this new investment will generate approximately \$1.2 million in tax revenues over the next twenty years, of which a \$184,000 portion will come due to Charleston County. Senior Aerospace will hire 60 people over the next two years, with an annual payroll of \$2.45 million.

The incentives offered by the Economic Development Director include fee-in-lieu-of-taxes (FILOT), with terms including a 6% assessment ratio and the millage rate being 'fixed' at 274.3 over the next twenty (20) years.

The property will also be added to the Charleston – Colleton Multi-County Park (MCIP) when the next amendment occurs in 2015. *(NOTE: The MCIP designation by County Council will help the company increase its share of state corporate income tax credits known as 'job tax credits' by \$1,000 per net new job over the threshold typically available to a company located in a 'developed county' such as Charleston County.)*

Committee recommended that Council adopt a resolution and approve and give first reading to an ordinance authorizing the execution and delivery of fee-in-lieu of taxes (FILOT) for Senior Operations, LLC and Jamestown-CK Crosspoint IV LP to facilitate the establishment of a \$5.5 million aerospace facility at Palmetto Commerce Park in North Charleston. FILOT terms will include: 6% assessment ratio; and millage rate fixed at 274.3 over the twenty year (20) year term.

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

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

AN ORDINANCE

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

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

A report was read from the Finance Committee under date of December 9, 2104, that it considered the information furnished by Chairman Pryor regarding the ongoing negotiations with the Charleston Regional Development Alliance.

CRDA

Recommendation

Committee recommended that Council approve the full funding approved in the FY2015 budget for the Charleston Regional Development Alliance with the understanding that payments will be made in monthly installments.

**Council
Member
Comments**

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

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

Mr. Rawl stated that he had attended the dedication ceremony for the Bees Ferry Road Widening Project earlier that day and he thanked staff and the contractors who worked on the project for a job well done.

Mr. Sass recognized Economic Development Director Steve Dykes for his diligence.

Ms. Johnson stated that she was pleased that Council had decided not to move the Urban Growth Boundary near Brownswood Road at this time and that she looked forward to meeting with representatives from Charleston Water System and St. Johns Water Company in the future regarding access for citizens living in the Brownswood Road area.

Mr. Darby thanked the County Administrator for his hard work.

Ms. Condon thanked Council for approving the towing and salvage yard use amendments and stated that because of these amendments there would be a new fire station erected next to the Sofa Super Store site instead of a salvage yard.

Mr. Taylor thanked Council for allowing him to serve the citizens of Charleston County and stated that Charleston County really did have the best staff.

Mr. Pryor thanked staff and Banks Construction for their work on the Bees Ferry Road Project. He also stated that the 2nd Annual Teddie Bear Toss for Toys for Tots was held earlier that day and Charleston County employees had donated 274 stuffed animals to Toys for Tots.

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

Beverly T. Craven
Clerk of Council