

March 16, 2010
Charleston, SC

A regular meeting of County Council of Charleston County was held on the 16th day of March, 2010 at 7:00 p.m. in Council Chambers, Second Floor, Lonnie Hamilton, III Public Services Building, 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; Curtis B. Inabinett; Joe McKeown; A. Victor Rawl; Dickie Schweers; J. Elliott Summey and Paul R. Thurmond

Also present were: Allen O'Neal, County Administrator; County Attorney Joe Dawson; and Dan Pennick, Director of the Zoning/Planning Department.

Mr. Darby gave the invocation. Mr. Thurmond 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.

Mr. McKeown moved approval of the Minutes of March 2, 2010, seconded by Mr. Summey, and carried.

**Holocaust
Remembrance
Candlelighting
Resolution**

A report was read from the Finance Committee under date of March 11, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and the request of Representatives of the Jewish Community' for Council for Council to hold a candle lighting ceremony and approve a Resolution proclaiming the Days of Remembrance of the Holocaust.

Committee recommended that Council approve a Resolution proclaiming the Days of Remembrance in memory of the victims of the Holocaust.

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

The Chairman requested Dr. Evaline Delson and Phillis Kalisky-Meir, Co-Chairs of the Remember Program and any Holocaust Survivors in the audience to come forward to accept the Resolution and conduct the Candlelighting Ceremony.

The Chairman asked the Clerk to read the Resolution, which is as follows:

**A RESOLUTION
OF CHARLESTON COUNTY COUNCIL**

**PROCLAIMING THE DAYS OF REMEMBRANCE
IN MEMORY OF THE VICTIMS OF THE HOLOCAUST
"65 Years Since Liberation"**

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WHEREAS, the Holocaust was the state-sponsored, systematic persecution and annihilation of European Jewry by Nazi Germany and its collaborators between 1933 and 1945. Jews were the primary victims – six million were murdered; Gypsies, the handicapped, and Poles were also targeted for destruction or decimation for racial, ethnic, or national reasons. Millions more, including homosexuals, Jehovah's Witnesses, Soviet prisoners of war and political dissidents, also suffered grievous oppression and death under Nazi tyranny; **and**,

WHEREAS, the history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individuals, societies, and governments; **and**,

WHEREAS, we, the people of Charleston County, should always remember the terrible events of the Holocaust and remain vigilant against hatred, persecution, and tyranny; **and**,

WHEREAS, we, the people of Charleston County, should actively rededicate ourselves to the principles of individual freedom in a just society; **and**,

WHEREAS, the Days of Remembrance have been set aside for the people of Charleston County to remember the victims of the Holocaust as well as to reflect on the need for respect of all peoples; **and**,

WHEREAS, pursuant to an Act of Congress, the United States Holocaust Memorial Council designates the Days of Remembrance of the Victims of the Holocaust to be Sunday, April 11 through Sunday, April 18, 2010, including the Day of Remembrance, known as Yom HaShoah, April 11, 2010.

NOW, THEREFORE BE IT RESOLVED that Charleston County Council does hereby proclaim the week of Sunday, April 11 through Sunday, April 18, 2010, as Days of Remembrance in memory of the victims of the Holocaust and in honor of the survivors, as well as the rescuers and liberators; further proclaim that we, as citizens of Charleston County, should work to promote human dignity and confront hate whenever it occurs; and encourage the community to join in remembering the victims during the community-wide Yan HaShoah program, Sunday, April 11, 2010, at 3:00 PM at the Charleston Music Hall located at 37 John Street.

CHARLESTON COUNTY COUNCIL

Teddie E. Pryor, Chairman

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As the candles were lit, Dr. Delson, Ms. Kalisky-Meir and Council Members recited the following meditation

As I light this Yellow Candle, I vow never to forget the lives of the Jewish men, women, and children who are symbolized by this flame. They were tortured and brutalized by human beings who acted like beasts; their lives were taken in cruelty. May we be inspired to learn more about our six million brothers and sisters as individuals and as communities, to recall their

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memory throughout the year, so that they will not suffer a double death. May we recall not only the terror of their deaths, but also the splendor of their lives. May the memory of their lives inspire us to hallow our own lives and to live meaningful lives so that we may help to insure that part of who they were shall endure always.

**Professional
Purchasing
Award
Presentation**

The Chairman asked Mr. Steve Taylor, Charleston County Procurement Director to come forward with Members of his Staff to accept the Sustained Professional Purchasing Award which they received from the Carolinas Association of Government Purchasing for the 8th year in a row. The plaque was presented to Mr. Taylor and his Staff Members by Vice Chairman Paul Thurmond.


The Chairman stated that this will be Mr. Taylor's last meeting as Procurement Director since he will retire on March 31st, 2010 after 29 years of service to the Citizens of Charleston County.

**Delfin Group
Incentives
Ordinance
3rd Reading**

An Ordinance amending a Fee Agreement between Charleston County and Delfin Group was given third reading by title only.

ORDINANCE

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO 2008 FEE AGREEMENT BETWEEN CHARLESTON COUNTY, SOUTH CAROLINA AND DELFIN GROUP USA LLC AND ITS SUCCESSORS AND ASSIGNS; AND MATTERS RELATED THERETO.



WHEREAS, Charleston County, South Carolina (the "County") entered into a fee-in-lieu of taxes arrangement pursuant to Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as amended (the "Act"), with Delfin Group USA LLC (the "Company"), in connection with which (i) the County and the Company entered into an Inducement Resolution, and (ii) a December 30, 2008 Fee Agreement (the "2008 Fee Agreement") concerning the project (the "Project"); and

WHEREAS, under the terms of the 2008 Fee Agreement, the Company promised to invest at least \$55 million during the Investment Period at the Project in addition to its existing investment at the Project site; and

WHEREAS, under the terms of the 2008 Fee Agreement, the County granted the Company an annual special source revenue credit against the Company's annual fee-in-lieu ("FILOT") payment in an amount equal to Fifty Thousand (\$50,000) Dollars per year during the first five (5) years of the Fee Term, as defined in the Fee Agreement, for a total credit of Two Hundred Fifty Thousand (\$250,000) Dollars; and

WHEREAS, under the terms of the 2008 Fee Agreement, the County agreed to include previously taxed property under the FILOT; and

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WHEREAS, the Company anticipates creating at least 160 jobs at the Project during the Investment Period, but does not anticipate investing \$55 million; rather, the Company anticipates an investment of at least \$25 million during the Investment Period; and

WHEREAS, under the Act, certain of the Company's previously taxed property will now not be eligible for FILOT treatment and the County has determined that since such property will be subject to regular ad valorem taxes, that the County's combined property tax and FILOT revenue stream from the Project will exceed the previously projected revenue stream if the entire Project at the increased investment had been afforded FILOT treatment; and

WHEREAS, the Company is currently a Georgia limited liability company authorized to do business in South Carolina; and

WHEREAS, the Company anticipates merging into a newly formed South Carolina corporation ("NewCo"), such corporation to have the same ownership as the Company; and

WHEREAS, pursuant to § 12-44-120 of the Act and Section 8.3 of the 2008 Fee Agreement, upon notice by the Company to the County, the County agrees to execute a letter consenting to the assignment of the Fee Agreement by the Company to NewCo; and

WHEREAS, in consideration of the County's anticipated increase in combined property tax and FILOT revenue stream from the Project which will exceed the previously projected FILOT revenue stream, pursuant to § 12-44-40(J) of the Act, the County has agreed to amend the 2008 Fee Agreement to allow the Company to continue to receive FILOT treatment as to all new investment at the Project, to provide an annual special source revenue credit of Fifty Thousand (\$50,000) Dollars for five (5) years and to consent to the assignment of the 2008 Fee Agreement and amendments thereto to NewCo; and

WHEREAS, the County has caused to be prepared and presented to this meeting the form of the First Amendment to 2008 Fee Agreement between the County and the Company, which the County proposes to execute and deliver; and

WHEREAS, it appears that the document above referred to, which is now before this meeting, is in appropriate form and is an appropriate instrument to be executed and delivered or approved by the County for the purposes intended.

NOW, THEREFORE, BE IT ORDAINED by Charleston County Council in meeting duly assembled as follows:

Section 1. The County finds that the form, terms and provisions of the First Amendment to 2008 Fee Agreement which is before this meeting and filed with the Clerk to County Council is hereby approved and all of the terms, provisions and conditions thereof are hereby incorporated herein by reference as if the First Amendment to 2008 Fee Agreement was set out in this Ordinance in its entirety.

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The Chair of the County Council and the Clerk to County Council be and they are hereby authorized, empowered and directed to execute, acknowledge and deliver the First Amendment to 2008 Fee Agreement to the Company. The First Amendment to 2008 Fee Agreement is to be in substantially the form now before this meeting and hereby approved, or with such changes therein as shall be approved by the officials of the County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of First Amendment to 2008 Fee Agreement now before this meeting.

Section 2. The Chair of County Council and the Clerk to County Council, for and on behalf of the County, are hereby each authorized and directed to do any and all things necessary to effect the execution and delivery of the First Amendment to 2008 Fee Agreement and the performance of all obligations of the County under and pursuant to the First Amendment to 2008 Fee Agreement.

Section 3. The consummation of all transactions contemplated by the First Amendment to 2008 Fee Agreement is hereby approved.

Section 4. The County hereby approves the assignment of the 2008 Fee Agreement and the First Amendment to 2008 Fee Agreement to NewCo. The Chair of County Council and the Clerk to County Council be and they are hereby authorized, empowered and directed to execute, acknowledge and deliver a letter to the Company and NewCo approving the assignment of the 2008 Fee Agreement and the First Amendment to 2008 Fee Agreement to NewCo, their execution thereof to constitute conclusive evidence of the County's approval.

Section 5. This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina.

Section 6. The provisions of this Ordinance are hereby declared to be separable and if any section, phrase or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder.

Section 7. All orders, resolutions, ordinances and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

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

Ms. Condon	- aye
Mr. Darby	- aye
Mr. Inabinett	- aye
Mr. McKeown	- aye
Mr. Rawl	- aye
Mr. Schweers	- aye

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Mr. Summey	- aye
Mr. Thurmond	- aye
Mr. Pryor	- aye

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

**Case ZREZ-
1-10-6705
1875 Pineland
Drive
A) Request to
Approve
B) Ordinance
1st Reading**

A report was read from the Planning/Public Committee under date of April 11th, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Dan Pennick, Director of the Zoning/Planning Department regarding a request to rezone property located at 1847 Pineland Drive from a single family residential 4 (R-4) District to a community commercial (CC) District.

Committee recommended that Council approve and give first reading to an Ordinance approving the requested change.

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

An Ordinance rezoning the property located at 1817 Pineland Drive was given first reading by title only.

AN ORDINANCE

REZONING THE PROPERTY LOCATED AT 1817 PINELAND DRIVE, PARCEL IDENTIFICATION NUMBER 313-00-00-131, FROM A Single Family RESIDENTIAL 4 (R-4) DISTRICT TO A COMMUNITY COMMERCIAL (CC) DISTRICT.

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

**Case ZREZ-
1-10-6707
2875 Maybank
Highway
A) Request to
Approve
B) Ordinance
1st Reading**

A report was read from the Planning/Public Committee under date of April 11th, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Dan Pennick, Director of the Zoning/Planning Department regarding a request to rezone property located at 2875 Maybank Highway from a Commercial Transition (CT) District to a Community Commercial (CC) District.

Committee recommended that Council approve and give first reading to an Ordinance approving the requested change.

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

An Ordinance rezoning the property located at 2875 Maybank Highway was given first reading by title only.

AN ORDINANCE

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REZONING THE PROPERTY LOCATED AT 2875 MAYBANK HIGHWAY, PARCEL IDENTIFICATION NUMBER 313-00-00-132 FROM A COMMERCIAL TRANSITION (CT) DISTRICT TO A COMMUNITY COMMERCIAL (CC) DISTRICT.

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

Case ZREZ-
1-10-6721
2938 Highway
17 North
A) Request to
Approve
B) Ordinance
1st Reading

A report was read from the Planning/Public Committee under date of April 11th, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Dan Pennick, Director of the Zoning/Planning Department regarding a request to rezone property located at 2938 Highway 17 North, parcel identification number 580-00-00-007, from a single family residential 4 (R-4) District to a Commercial (CT) District.

Committee recommended that Council approve and give first reading to an Ordinance approving the requested change.

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

An Ordinance rezoning the property located at 2938 Highway 17 North was given first reading by title only.

AN ORDINANCE

REZONING THE PROPERTY LOCATED AT 2938 HIGHWAY 17 NORTH, PARCEL IDENTIFICATION NUMBER 500-00-00-007, FROM A SINGLE FAMILY RESIDENTIAL 4 (R-4) DISTRICT TO A COMMERCIAL TRANSITION (CT) DISTRICT.

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

Case ZPD-
10-09-5779, 1218
Lieben Rd/3745
Highway 17 N
Case ZPD 12-09-
6474, Highway
17NCoakley Rd.
ZPD 1-10-5704
3350 & 3362
Maybank Highway
CASES DEFERED

The Chairman recognized Joe Dawson, Charleston's County Attorney, who stated that Council next three agenda items deal with Zoning Planned Developments. He said that a recent State Supreme Court decision had overturn some actions of County Council and he requested that Council defer taking action on Case # ZPD-09-5779 Lieben Road/3745 Highway 17 North; Case # APD -12-09-6474, 2741 Highway 17 North/Coakley Road and Case # ZPD 1-10-6704, 3350 & 3362 Maybank Highway until a later date.

The County Attorney's request for deferral was approved by common consent.

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

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

Consent Agenda
 1) FY 2011
 Environmental
 Protection Grant
 2) FY 2011 SCDHEC
 Grant Application
 3) FY2010
 Emergency
 Management Grant
 4) Greenridge Rd/
 Rivers Ave
 Intersection
 5) Landfill
 Compactor
 6) Landfill Loader

A report was read from the Finance Committee under date of March 11th, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Benjamin Blanks, Jr., Deputy Director of Environmental Management, regarding a request to submit a Solid Waste Management grant application to the Environmental Protection Agency (EPA). It was stated that the grant application will include purchase of three large food digesters to be assigned to Charleston County Schools, in an effort to divert school waste for the purpose of reducing school User Fees, which last year amounted to nearly \$700,000 for the Charleston County School District (CCSD). It was shown that each food digester will process 562 pounds of food waste per week with a unit cost of \$16,126.

Committee recommended that Council approve the Environmental Management Department's request to apply for a Solid Waste Management grant application to the Environmental Protection Agency (EPA) in the amount of \$48,375, with the understanding that the grant application will be submitted on or before March 22, 2010; that no FTEs or matching funds are required; and the grant period begins on October 1, 2010 and ends on September 30, 2011.

A report was read from the Finance Committee under date of March 11th, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Benjamin Blanks, Jr., Deputy Director of Environmental Management, regarding permission to submit annual South Carolina Department of Health and Environmental Control (SCDHEC) grant applications, which include Solid Waste Reduction and Recycling, Used Oil and Waste Tire submissions. It was stated that the Solid Waste Reduction and Recycling submission of \$40,000 is to be devoted to:

1. Increased business and apartment recycling and that the request is for 400 95G curbside containers at a cost of approximately \$50.00 for a total of \$20,000.
2. A paint crusher, with a capacity to crush four cans simultaneously, to be utilized at the Bees Ferry paint recycling station at a cost of \$15,000.
3. A mixed plastic 40 CY container for use at the Charleston County MRF at a cost of \$5,000.

It was further stated that the Waste Tire Grant submission amount will be \$107,750, which will be used to offset the difference between tire disposal costs and anticipated revenue received from tire taxes and tipping fees:

1. Projected FY 2011 difference between costs and revenue estimated to be \$65,000.
2. Tire container replacement (8) at an estimated cost of \$5,000 per unit for a total of \$40,000
3. Public education and professional travel will total \$2,750.

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It was shown that the total used Oil Grant application amount will be \$18,350:

1. Oil and hazardous material shed \$3,000 and fencing \$7,600 for a total of \$10,600
2. Contracted oil filter disposal \$2,000
3. Public Education and professional travel \$5,750

Committee recommended that Council authorize Environmental Management Staff to proceed with submitting FY 2011 SCDHEC grant applications for Solid Waste Reduction and Recycling Used Oil and Waste Tires, with the understanding that the total value of the SCDHEC FY 2011 grants is \$181,000; that no FTEs or matching funds are required; and the grant period is July 1, 2010 through June 30, 2011.

A report was read from the Finance Committee under date of March 11th, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Jason R. Patno, Director of Emergency Management, regarding a request to apply for grant funding in the amount of \$79,947. It was stated that if awarded, the funding would be utilized to accomplish the following:

- | | |
|---------------------------------|----------|
| 1. Offset annual personnel cost | \$43,307 |
| 2. State Workshop Attendance | 900 |
| 3. Web EOC maintenance contract | 4,500 |
| 4. EOC enhancements | 31,240 |

Committee recommended that Council approve the Emergency Management Department's request to apply for grant funding in the amount of \$79,947 through the 2010 Local Emergency Management Performance Grant Program, with the understanding that the grant performance period is April 1, 2010 through March 31, 2011; that there are no additional FTEs or vehicles associated with this grant; and the required in-kind soft match will be covered by Emergency Management Department salaries.

A report was read from the Finance Committee under date of March 11th, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and E. Steven Taylor, Director of Procurement, regarding bids received for the Greenridge Road at Rivers Avenue Intersection improvement project. It was stated that work will include clearing, storm drainage improvements, paving, erosion, sedimentation control and traffic control.

Committee recommended that Council authorize award of a contract for Greenridge Road at Rivers Avenue Intersection Improvements to Banks Construction Company in the amount of \$908,368.68, with funding to come through the Transportation Sales Tax.

A report was read from the Finance Committee under date of March 11th, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and E.

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Steven Taylor, Director of Procurement, regarding bids received for the purchase of one new heavy duty four wheeled landfill compactor to be utilized by the Environmental Management Department at the Bee's Ferry Landfill. It was stated that the compactor was approved in the fiscal year 2010 budget to replace an existing compactor and that the compactor is a critical machine to the landfill operation and will enhance the approval of our working plan in the monthly inspection by SCDHEC.

Committee recommended that Council authorize award of bid for the purchase of a new heavy duty four wheeled landfill compactor to the lowest responsive and responsible bidder, Industrial Tractor Company, in the amount of \$748,316.10, with the understanding that this equipment will be utilized by the Environmental Management Department at the Bee's Ferry Landfill and received approval as replacement equipment in their FY 2010 budget.

A report was read from the Finance Committee under date of March 11th, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and E. Steven Taylor, Director of Procurement, regarding bids received for the purchase of one new rubber tire loader to be utilized by the Environmental Management Department at the Bee's Ferry Landfill. It was stated that the loader was approved in the FY 2010 budget to replace an existing loader and this equipment is a critical machine to the landfill operation and will enhance the approval of our working plan in the monthly inspections by SCDHEC.

Committee recommended that Council authorize award of bid for the purchase of a new rubber tire loader to the lowest responsive and responsible bidder, Stafford, in the amount of \$190,372.96, with the understanding that this equipment will be utilized by the Environmental Management Department at the Bee's Ferry Landfill and received approval as replacement equipment in their FY 2010 budget.

**Free Roaming
Cat Guidelines
Request to
Approve**

A report was read from the Finance Committee under date of March 11th, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and the Guidelines for the Free Roaming Cat furnished by Charles Karesh, Vice President of the Charleston Animal Society. It was stated that recently Council approved an Ordinance regarding a Free Roaming Cat Program, and had requested the Animal Society to bring forth some guidelines for Council's consideration.

Council approve the guidelines for the Free Roaming Cat Program in Charleston County as furnished by the Charleston Animal Society, with the understanding that if a neighborhood has objections to returning the cats to their community after they are sterilized and microchipped, they can "opt out" of the Program, and that healthy kittens shall be eligible for rescue if deemed appropriate. A copy of the revised Free Roaming Cat Program Guidelines are attached and made a part of the Committee recommendation.

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

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**Regional
Parkland
Greenbelt
Funding
Request to
Approve**

A report was read from the Finance Committee under date of March 11th, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and the letter from Ms. Lisa Steed King, Chairperson of Charleston County Park & Recreation Commission, regarding the Park and Recreation Commission's desire to purchase property on Dorchester Road abutting the Ashley River in North Charleston and for Beach access on East Arctic Avenue, Folly Beach in accordance with the intergovernmental agreement between Charleston County Council and the Charleston County Park and Recreation Commission.

Committee recommended that Council approve, in accordance with the Intergovernmental Agreement between the Charleston County Park and Recreation Commission and Charleston County Council, the allocation of Regional Parkland Greenbelt funding towards parkland acquisition as follows:

1. 12.9 acres on Dorchester Road, for a recently appraised value of \$1,875,000. This acquisition will increase the boundary by 30%, thereby providing more options for park uses and improving access to the site.
2. That the issue of the purchase of 5 adjacent parcels of public beach access located on East Arctic Avenue, Folly Beach be returned to the Finance Committee meeting of April 1, 2010, and that County Staff secure input from the Town of Folly Beach regarding this purchase.

Mr. Summey asked Council for unanimous consent from Council Members which would allow Council Members to vote on a different recommendation for the purchase of the Folly Beach property at this time. He stated that he was taking this approach because on Thursday the Finance Committee had announced that this matter would be taken up again at the April 1, 2010 Finance Committee.

Ms. Condon stated that she objected to voting on the acquisition now since she had advised a number of persons that they should come to the April 1st meeting in order to learn more about this purchase.

Mr. Summey moved approval of Committee recommendations, seconded by Ms. Condon, and carried.

**Salary
Transparency
Recommendation**

A report was read from the Finance Committee under date of March 11th, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Council Member Paul Thurmond, regarding the posting of Charleston County employees' salaries on the internet.

Committee also considered the comments of Members of Council and the practice of State and other agencies in regard to their policies concerning salary transparency.

Committee recommended that Council:

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1. Approve the posting of all Charleston County employees earning over \$50,000.
2. Give the County Elected and Appointed Officials the option of listing or not listing the salaries of employees in their offices

Mr. Thurmond moved approval of Committee recommendation, seconded by Mr. Summey, and carried. Ms. Condon and Mr. Rawl voted nay.

**Fishing Area
Closure
Opposition
Request
Resolution**

A report was read from the Finance Committee under date of March 11th, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Council Member Paul Thurmond regarding a request that Charleston County approve a Resolution opposing the closures of any fishing area off the Coast of South Carolina. It was stated that according to a 2006 American Sportfishing Association study, saltwater fishing in South Carolina had a total economic impact of over one billion dollars, employed nearly twelve thousand South Carolinians, and generated over three hundred thirty three million dollars in salary and wages.

Committee recommended that Council approve a Resolution to oppose any fishing area closures off the Coast of South Carolina associated with the South Atlantic Fishery Management Council's proposed amendment 17A to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region.

Mr. McKeown moved approval of Committee recommendation, seconded by Mr. Thurmond, and carried. Mr. Rawl voted nay, and Mr. Schweers abstained.

The Resolution is as follows:

**A RESOLUTION
OF CHARLESTON COUNTY COUNCIL**

**TO OPPOSE ANY FISHING AREA CLOSURES OFF THE COAST OF
SOUTH CAROLINA ASSOCIATED WITH THE SOUTH ATLANTIC FISHERY
MANAGEMENT COUNCIL'S PROPOSED AMENDMENT 17A
TO THE FISHERY MANAGEMENT PLAN FOR THE
SNAPPER GROUPER FISHERY OF THE SOUTH ATLANTIC REGION**

WHEREAS, in an effort to address potential overfishing of red snapper, the South Atlantic Fishery Management Council is considering an amendment to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region; and

WHEREAS, the South Atlantic Fishery Management Council is considering closing to fishing a nine thousand six hundred seventy-eight square mile area in the South Atlantic, of which about three thousand five hundred square miles are off the coast of South Carolina, stretching north from the border with Georgia to near McClellanville; and

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WHEREAS, red snapper landings in South Carolina account for only eleven percent of the total red snapper landings in the South Atlantic region; and

WHEREAS, the National Marine Fisheries Service has already imposed a total closure of the red snapper fishery; and

WHEREAS, recreational and commercial saltwater fishing is vital to the coastal economy of South Carolina and Charleston County and employs thousands of state residents directly and indirectly; and

WHEREAS, according to a 2008 University of South Carolina study, coastal tourism in South Carolina had a total economic impact of over seven billion dollars, employed nearly eighty-one thousand South Carolinians, and generated over two billion dollars in salary and wages; and

WHEREAS, according to a 2006 American Sportfishing Association study, saltwater fishing in South Carolina had a total economic impact of over one billion dollars, employed nearly twelve thousand South Carolinians, and generated over three hundred thirty-three million dollars in salary and wages; and

WHEREAS, according to a 2008 University of South Carolina study, commercial fishing in South Carolina had a total economic impact of nearly thirty-four million dollars, employed nearly seven hundred South Carolinians, and generated nearly thirteen million dollars in salary and wages; and

WHEREAS, any area closed to fishing off the coast of South Carolina under consideration by the South Atlantic Fishery Management Council is unjustifiable and would cause severe economic hardship to the State and its coastal counties, including significant job loss at a time when job creation is badly needed and is a priority for the State; and

WHEREAS, any area closed to fishing off the coast of South Carolina will result in excessive fishing pressure on the remaining open areas, causing localized depletion of fish species, further seriously impacting fishermen, employment, and the local economy; and

WHEREAS, the State of South Carolina, through the Department of Natural Resources, has a vote on the South Atlantic Fishery Management Council; and

WHEREAS, South Carolina has two additional representatives that are voting members of the South Atlantic Fishery Management Council;

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

That the Charleston County Council opposes any areas closed to fishing off the coast of South Carolina associated with the South Atlantic Fishery Management Council 's proposed amendment to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region.

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Be it further resolved that the Charleston County Council urges the South Atlantic Fishery Management Council to not adopt any amendment that includes any areas being closed to any type of fishing off the coast of South Carolina and asks the South Carolina Department of Natural Resources to cast the state's vote accordingly.

Be it further resolved that a copy of this resolution be forwarded to the South Carolina Department of Natural Resources, all South Carolina representatives on the South Atlantic Fishery Management Council, the South Atlantic Fishery Management Council, the National Marine Fisheries Service, and the Georgetown County Legislative Delegation.

Adopted this 16th day of March, 2010
Teddie E. Pryor, Sr.
Chairman, Charleston County Council

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

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

Mr. Inabinett stated that initially he was not in favor of salary transparency for County employees, but he has changed his mind and now feels that the general public is entitled to know. He added that he was interested in learning the salaries of Congressional Representatives and staff members as well as State Representatives and Staff. Mr. Inabinett requested Staff to investigate if these salaries are on line.

Mr. Condon said she expected a spirited discussion of the Folly Beach Issue at our April 1st, Finance Committee Meeting.

Mr. Rawl stated that he had voted against the Fishing Area Resolution. He added that Council was imposing its uneducated view on a decision of the South Atlantic Fishery Management Council's proposed Amendment.

Mr. Summey said that he wanted to backup staff regarding salary transparency but that when a person sign on to work for Government, by law, their salary becomes public record. He recalled that for three generations his family has been in Public Service, and that when he was in high school, he remembered kids in his class, knowing what his father's salary was.

Mr. Darby said that he can't understand why if a person in South Carolina purchases a vehicle like a volkswagen, he/she pays \$300.00 sales tax, and if a person in South Carolina purchases a very luxurious automobile, he/she pays \$300.00 sales tax.

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The Chairman welcomed all students in the audience who were there to observe Council in action.

The Chairman asked the Administrator if he wanted to bring anything before Council.

The Administrator said that the Public Hearing that Mr. Inabinett wanted to have prior to Council Budget deliberations could be held on April 13th or April 27th and requested of Council as to which day was their preference

Council Members decided that the Public Hearing should be held on April 27th at 6:30 p.m.

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



Beverly T. Craven
Clerk of Council