

## NOTICE OF SPECIAL MEETING OF BERKELEY COUNTY COUNCIL

Chairman: Mr. James H. Rozier, Jr., Supervisor  
Vice Chairman: Mr. William E. Crosby, District No. 3

Members: Mr. Phillip Farley, District No. 1  
Mrs. Judith K. Spooner, District No. 2  
Mr. Charles E. Davis, District No. 4  
Mr. Dennis L. Fish, District No. 5  
Mrs. Judy C. Mims, District No. 6  
Mr. Caldwell Pinckney, Jr., District No. 7  
Mr. Steve C. Davis, District No. 8

There will be a **Special Meeting** of **BERKELEY COUNTY COUNCIL** on **Monday June 13, 2005**, in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, following the meeting of the Committee on Land Use, the Committee on Planning and Development, the Committee on Public Works and Purchasing, the Committee on Water and Sanitation, the Committee on Human Services, the Committee on Community Services, the Committee on Justice and Public Service and the Special Meeting of County Council at **6:00 p.m.**

### **CALL TO ORDER**

**PUBLIC DISCUSSION** – Requests to be heard must be made prior to Call to Order and comments must be limited to Agenda items being considered for final action.

**EXECUTIVE SESSION** to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the County; or the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the County in other adversary situations involving the assertion against the County of a claim.

### **CHAIRMAN OF COUNTY COUNCIL**

### **SECOND READING:**

1. **Bill No. 05-50, a Second Supplemental Ordinance** providing for the issuance and sale of Berkeley County, South Carolina, Water and Sewer System Revenue Bonds, Series 2005-A, in the principal amount of not exceeding \$150,000,000; prescribing the form and details of such bonds; delegating certain matters to the County Supervisor; and other matters relating thereto.  
[Recommended by Committee on Water and Sanitation]

2. **Bill No. 05-52**, an ordinance to amend Ordinance No. 99-7-41 and to adopt the most recent version of various **international codes** relating to building, residential, gas, plumbing, mechanical, and fire standards.  
[Recommended by Committee on Planning and Development]

**UNFINISHED BUSINESS**

**NEW BUSINESS**

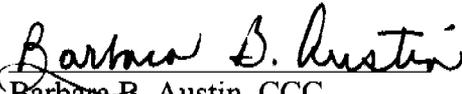
**ANNOUNCEMENTS**

**ADJOURNMENT**

**EXECUTION OF DOCUMENTS BY COUNCIL**

**PUBLIC DISCUSSION**

June 8, 2005

  
Barbara B. Austin, CCC  
Clerk of County Council

## **SPECIAL MEETING OF BERKELEY COUNTY COUNCIL**

**Chairman:** Mr. James H. Rozier, Jr., Supervisor  
**Vice Chairman:** Mr. William E. Crosby, District No. 3

A second **SPECIAL MEETING OF BERKELEY COUNTY COUNCIL** was held on **Monday, June 13, 2005**, in the Assembly Room of the Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at 8:35 p.m.

**PRESENT:** 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. Caldwell Pinckney, Jr., Council Member District No. 7; Mr. Steve C. Davis, Council Member District No. 8; Mr. James H. Rozier, Jr., Supervisor, Chairman; Mrs. Nicole Ewing, Deputy County Attorney; and Ms. Barbara B. Austin, Clerk of County Council. Mr. Dennis L. Fish, Council Member District No. 5, and Mrs. Judy C. Mims, Council Member District No. 6, 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.*

### **CALL TO ORDER**

Chairman Rozier called the meeting to order.

**PUBLIC DISCUSSION** – none

### **EXECUTIVE SESSION**

It was moved by Council Member Spooner and seconded by Council Member Pinckney to enter into Executive Session to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the County; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney/client privilege, settlement of legal claim, or the position of the County in other adversary situations involving the assertion against the County of a claim. The motion passed by unanimous voice vote of Council.

Council entered into Executive Session at 8:36 p.m., and returned to Special Session at 8:44 p.m.

Mrs. Nicole Ewing, County Attorney, reported that Council entered into Executive Session for reasons stated in the motion. No formal action was taken.

**CHAIRMAN OF COUNTY COUNCIL**

**SECOND READING:**

**“BILL NO. 05-50, A SECOND SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BERKELEY COUNTY, SOUTH CAROLINA, WATER AND SEWER SYSTEM REVENUE BONDS, SERIES 2005-A, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$150,000,000; PRESCRIBING THE FORM AND DETAILS OF SUCH BONDS; DELEGATING CERTAIN MATTERS TO THE COUNTY SUPERVISOR; AND OTHER MATTERS RELATING THERETO.”**

It was moved by Council Member Spooner and seconded by Council Member Pinckney to approve **Bill No. 05-50** for **Second Reading**. The motion passed by unanimous voice vote of Council.

**“BILL NO. 05-52, AN ORDINANCE TO AMEND ORDINANCE NO. 99-7-41 AND TO ADOPT THE MOST RECENT VERSION OF VARIOUS INTERNATIONAL CODES RELATING TO BUILDING, RESIDENTIAL, GAS, PLUMBING, MECHANICAL AND FIRE STANDARDS.”**

It was moved by Council Member Spooner and seconded by Council Member Farley to approve **Bill No. 05-52** for **Second Reading**. The motion passed by unanimous voice vote of Council.

**UNFINISHED BUSINESS**

It was moved by Council Member Steve Davis and seconded by Council Member Pinckney to approve the rental agreement between the Berkeley County School District and Berkeley County Water and Sanitation Authority for the Men Riv School, in the amount of \$7,500.00 per month. The motion passed by unanimous voice vote of Council.

**NEW BUSINESS -- none**

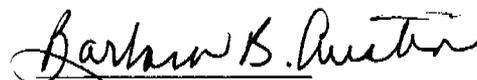
**ANNOUNCEMENTS** – none

**ADJOURNMENT**

It was moved by Council Member Steve Davis and seconded by Council Member Pinckney to adjourn the Special Meeting of County Council. The motion passed by unanimous voice vote of Council.

**EXECUTION OF DOCUMENTS** – none

**PUBLIC DISCUSSION** – none



Barbara B. Austin  
Clerk of County Council

July 25, 2005  
Date Approved

**REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL** is scheduled to be held on **Monday June 20, 2005**, to begin immediately following the meeting of the Committee on Finance, Public Hearings, the Committee on Water and Sanitation and the Committee on Planning and Development at **6:00 P.M.**, in the **ASSEMBLY ROOM, BERKELEY COUNTY OFFICE BUILDING, 223 NORTH LIVE OAK DRIVE, MONCK'S CORNER, S. C.**

**CALL TO ORDER**

**APPROVAL OF MINUTES:**

**Public Hearings, Bills Numbered: 05-10, 05-16, 05-17, 05-18, 05-19, 05-20, 05-21, 05-22, 05-23 and 05-24**

**May 23, 2005**

**Regular Council Meeting**

**May 23, 2005**

**PUBLIC DISCUSSION** - Request to be heard must be made prior to Call to Order and comments must be limited to Agenda items being considered for final action.

**EXECUTIVE SESSION** to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the county; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claim, or the position of the County in other adversary situations involving the assertion against the County of a claim.

**SOUTH CAROLINA ASSOCIATION OF COUNTIES, RE: WORKERS COMPENSATION PRESENTATION**

**CHAIRMAN OF COUNTY COUNCIL**

**THIRD READING:**

1. **Bill No. 05-22**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Aslan Ventures, LLC**, 900 Block of Redbank Road, Goose Creek, TMS #252-00-00-039, from **PDMU, Planned Development Mixed Use District**, to **R-5, Multi-Family District**, (14.452 acres) and **GC, General Commercial District**, (11.562 acres) (26.01 acres total). Council District No. 3.

[Recommended by Committee on Land Use]

2. **Bill No. 05-24**, an ordinance to amend **Ordinance No. 04-06-47**, adopted June 21, 2004 to provide for **Supplemental Appropriations and Allocations** thereof within the 2004-2005 budget for Berkeley County; and other matters relating thereto.

[Recommended by Committee on Finance]

3. **Bill No. 05-26**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Earthsource Engineering**, Clements Ferry Road, Charleston, TMS #271-00-02-029, (58.1 acres), **from GC, General Commercial District and F-1, Agricultural, to GC, General Commercial District and R-4, Multi-Family Residential (Large Scale)**. Council District No. 8.

[Recommended by Committee on Land Use]

4. **Bill No. 05-27**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Elizabeth Davis**, Hwy 45, Pineville-Russellville, TMS #013-00-02-046, (3 acres portion of 10 acres), **from F-1, Agricultural, to RNC, Rural and Neighborhood Commercial District**. Council District No. 7.

[Recommended by Committee on Land Use]

5. **Bill No. 05-28**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Sam Simmons, Jr.**, 214 Sam Hill Drive, Cross, TMS #029-00-02-063, (1 acre), **from GC, General Commercial to F-1, Agricultural**. Council District No. 7.

[Recommended by Committee on Land Use]

6. **Bill No. 05-29**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Lindbergh and Associates**, Cypress Gardens and HWY 52, Moncks Corner, TMS #197-00-01-017, (6 acre portion of 10 acre total), **from HI, Heavy Industrial to GC, General Commercial**. Council District No. 3.

[Recommended by Committee on Land Use]

7. **Bill No. 05-30**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Sybil Thornhill**, 1064 Edgewater Road, Pineville, TMS #022-00-01-002 (7.76 acres) **from F-1, Agricultural District to R-3, Mobile Home Park District**. Council District No. 7.

[Recommended by Committee on Land Use]

8. **Bill No. 05-31**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Black Oak, LLC**, Pauline and Barn Roads, Bonneau, TMS #057-00-02-047 (128.29 acres), **from F-1, Agricultural to R-2, Manufactured Residential District**. Council District No. 8.

[Recommended by Committee on Land Use]

9. **Bill No. 05-32**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Oakley Ventures, LLC**, Highway 52, Moncks Corner, TMS #181-00-02-102 (138.562 acres) **from R-3, Mobile Home Park to R-1, Single Family Residential**. Council District No. 8.

[Recommended by Committee on Land Use]

10. **Bill No. 05-33**, an ordinance providing for the establishment of **vested rights** to develop property in Berkeley County.

[Recommended by Committee on Planning and Development]

**11. Bill No. 05-34, an ordinance to amend the Berkeley County Comprehensive Plan, Ordinance No. 99-4-18, as amended by Ordinance No. 04-08-48, pursuant to South Carolina Code of Laws Section 6-29-510 (1976, as amended).**

[Recommended by Committee on Planning and Development]

**12. Bill No. 05-35, an ordinance providing for the adoption of fiscal year 2005-2006 (beginning July 1, 2005 and ending June 30, 2006) budgets for the Berkeley County Water and Sanitation Authority and the Berkeley County Water and Sanitation Authority Solid Waste Fund; establishing operational, debt service, and capital improvement budgets for water and sewer; and to provide for the expenditures of revenues coming into the Berkeley County Water and Sanitation Authority and the Berkeley County Water and Sanitation Authority Solid Waste Fund during the fiscal year, and to amend the Code of Ordinances, Berkeley County, South Carolina, setting rates, charges and penalties for Water and Sewer and Solid Waste Service by the Berkeley County Water and Sanitation Authority.**

[Recommended by Committee on Water and Sanitation]

**13. Bill No. 05-36, an ordinance providing for the fiscal year beginning July 1, 2005, and ending June 30, 2006, for the Devon Forest Special Tax District operational budget; and to provide for the expenditures of the revenues received by the Devon Forest Special Tax District during the fiscal year.**

[Recommended by Committee on Finance]

**14. Bill No. 05-37, an ordinance providing for the fiscal year beginning July 1, 2005, and ending June 30, 2006, for the Pimlico Special Tax District operational budget; and to provide for the expenditures of the revenues received by the Pimlico Special Tax District during the fiscal year.**

[Recommended by Committee on Finance]

**15. Bill No. 05-38, an ordinance providing for the fiscal year beginning July 1, 2005, and ending June 30, 2006, for the Sangaree Special Tax District operational budget; and to provide for the expenditures of the revenues received by the Sangaree Special Tax District during the fiscal year.**

[Recommended by Committee on Finance]

**16. Bill No. 05-39, an ordinance providing for the fiscal year beginning July 1, 2005, and ending June 30, 2006, for the Tall Pines Special Tax District operational budget; and to provide for the expenditures of the revenues received by the Tall Pines Special Tax District during the fiscal year.**

[Recommended by Committee on Finance]

**17. Bill No. 05-40, an ordinance 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; and to provide for the expenditures of the revenues received by the Special Fire Tax District during the fiscal year.**

[Recommended by Committee on Finance]

**18. Bill No. 05-41, an ordinance** providing appropriations for the fiscal year beginning **July 1, 2005, and ending June 30, 2006, for Berkeley County**; to provide for levy of taxes on all taxable property in Berkeley County for all county purposes; to provide for the expenditures of said taxes and other revenues coming into the county for the fiscal year.

[Recommended by Committee on Finance]

**19. Bill No. 05-50, a Second Supplemental Ordinance** providing for the issuance and sale of Berkeley County, South Carolina, Water and Sewer System Revenue Bonds, Series 2005-A, in the principal amount of not exceeding \$150,000,000; prescribing the form and details of such bonds; delegating certain matters to the County Supervisor; and other matters relating thereto.

[Recommended by Committee on Water and Sanitation]

**20. Bill No. 05-52, an ordinance amending Ordinance No. 99-7-41,** implementing the most recent version of various **International Codes** relating to building, residential, gas, plumbing, mechanical, and fire standards, and adopting certain provisions and appendices of said codes.

[Recommended by Committee on Planning and Development]

*Berkeley County Council Rules allows all bills to be given second reading by one motion as a collective group. Any member may object to a particular bill and it shall be separated from the collective group and handled by a separate motion.*

#### **SECOND READING:**

**1. Bill No. 05-42, an ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Portrait Homes-SC, LLC., Red Bank Road and Garwood Road, Goose Creek, TMS #252-06-00-046, - 024, (39.1 acres), from GC, General Commercial District (-046) and R-1, Single Family Residential (-024) all to R-4, Multi-Family Residential (Small Scale).** Council District No. 3.

[Recommended by Committee on Land Use]

**2. Bill No. 05-43, an ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Trico Engineering, 1101 St. Thomas Island Drive, Charleston, TMS #275-00-00-056, -018, -090, (2.464 acres), (-056) from GC, General Commercial, and (-018 and -090) from R1-MM, Multi-Section Manufactured Residential to OI, Office and Institutional District.** Council District No. 8.

[Recommended by Committee on Land Use]

**3. Bill No. 05-45, an ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Randolph Varner, 2065 State Road, Summerville, TMS #178-00-03-036 (3.3 acres portion of 5.38 acres total), from F-1, Agriculture to RNC, Rural and Neighborhood Commercial.** Council District No. 7.

[Recommended by Committee on Land Use]

**4. Bill No. 05-46, an ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Jeff and Vicky Hall, 323 Garbar Lane, Moncks**

Corner, **TMS #197-00-02-029** (11.1 acres portion of 21.67 acres total), **from R-2, Manufactured Residential to F-1, Agricultural District**. Council District No. 3.  
[Recommended by Committee on Land Use]

5. **Bill No. 05-47**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Fred Amaker**, 200 Amaker Lane, Moncks Corner, **TMS #210-00-00-180** (5.42 acres), **from F-1, Agricultural District, to R-3, Mobile Home Park**. Council District No. 4.  
[Recommended by Committee on Land Use]

6. **Bill No. 05-48**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Chris J. Loudon**, 1377 State Road, Summerville, **TMS #209-06-00-025** (4 acres), **from F-1, Agricultural to RNC, Rural and Neighborhood Commercial District**. Council District No. 4.  
[Recommended by Committee on Land Use]

7. **Bill No. 05-49**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Rosemarie West**, 819 Travis Lane, Charleston, **TMS #268-00-00-074** (3 acres), **from, R-2, Manufactured Residential to GC, General Commercial**. Council District No. 8.  
[Recommended by Committee on Land Use]

8. **Bill No. 05-51**, a **Third Supplemental Ordinance** providing for the issuance and sale of Berkeley County, South Carolina, Water and Sewer System Refunding and Improvement Revenue Bonds, Series 2005-B, in the principal amount of not exceeding \$80,000,000; prescribing the form and details of such bonds; delegating certain matters to the County Supervisor; and other matters relating thereto.  
[Recommended by Committee on Water and Sanitation]

9. **Bill No. 05-53**, an ordinance to amend and clarify articles 4, 5.5, 5.6, 7.2 and 7.3 of Ordinance No. 01-8-35, adopted August 27, 2001, **the Zoning and Development Standards Ordinance**, and amending Ordinances Numbered 02-08-33, 02-12-58, and 04-11-68.  
[Recommended by Committee on Planning and Development]

**FIRST READING:**

1. **Bill No. 05-55**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Tony Thomas**, Old Whitesville Road, Moncks Corner, **TMS #141-00-02-016** (20.32 acres) **from PDMU, Planned Development Mixed Use to R2, Manufactured Residential District**. Council District No. 7.  
[Recommended by Committee on Land Use]

2. **Bill No. 05-56**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Brandon Hawkins**, 126 Farm Branch Lane,

Summerville, TMS #194-00-02-012 (14.78 acres total), from R-3, Mobile Home Park to RNC, Rural and Neighborhood Commercial. Council District No. 7.  
[Recommended by Committee on Land Use]

3. Bill No. 05-57, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Bonnell Meese**, 209 Frankie Lane, Ladson, TMS #233-09-02-036 (2.3 acres), from R-3, Mobile Home Park to R-2, Manufactured Residential. Council District No. 4.  
[Recommended by Committee on Land Use]

4. Bill No. 05-58, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Dennis Burbage**, 361 Liberty Hall Road, Goose Creek, TMS #244-06-00-028 (14.4 acres), from R-2, Manufactured Residential to RNC, Rural and Neighborhood Commercial. Council District No. 3.  
[Recommended by Committee on Land Use]

5. Bill No. 05-59, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **HLA, Inc.**, Old Hwy 52 and Cypress Gardens Road, Moncks Corner, TMS #211-00-02-102 et al (477.2 acres), from Flex-1, Agricultural, R-1, Single-Family Residential, and GC, General Commercial to PDMU, Planned Development Mixed Use and proposed Development Plan. Council District No. 3.  
[Recommended by Committee on Land Use]

6. Bill No. 05-60, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Don Winningham**, 710 South Live Oak Drive, Moncks Corner TMS #142-14-00-008 (<1 acre), from R-2, Manufactured Residential to GC, General Commercial. Council District No. 8.  
[Recommended by Committee on Land Use]

7. Bill No. 05-61, an ordinance authorizing the conveyance of that certain piece of real property known as the **Pineville Health Center** located in Pineville, Berkeley County, South Carolina.  
[Recommended by Committee on Land Use]

8. Bill No. 05-62, an ordinance granting a franchise renewal for the construction, acquisition, operation, and maintenance of a cable television system within specific unincorporated areas of the County of Berkeley to **Time Warner Cable, Inc.**  
[Recommended by Committee on Finance]

## RESOLUTIONS

1. RESOLUTION providing for the Transfer of Funds in the 2004-2005 Berkeley County Budget for County purposes other than as specified in said Budget.  
[Recommended by Committee on Finance]

**REPORTS FROM STANDING COMMITTEES:**

1. **Committee on Finance.**  
**Council Member, Mr. Dennis L. Fish, Chairman.**
  
2. **Committee on Land Use.**  
**Council Member, Mr. Phillip Farley, Chairman.**  
Recommendation to Deny:  
**Request by Elaine Yates, 628 Meyers Road, Summerville, TMS #222-11-00-050 (3.21 acres) from R-1, Single Family Residential to GC, General Commercial. Council District No. 4.**
  
3. **Committee on Public Works and Purchasing.**  
**Council Member, Mr. Caldwell Pinckney, Jr., Chairman.**  
Bids and Recommendations:
  1. Professional Geotechnical Engineering Services - Indefinite Delivery Contract.
  2. Professional Civil Engineering Services – Indefinite Delivery Contract.
  3. Professional Surveying Services – Indefinite Delivery Contract.
  4. Professional Engineering and Related Services – Storm Water Management Program-Indefinite Delivery Contract.
  5. Benefits Electronic Enrollment & Communication Services.
  6. Berkeley County Goose Creek Service Center and Senior Center.
  7. Sole Source purchase of dust suppressant.Berkeley County Water and Sanitation:
  8. Red Bank Road Sewer Repair project.
  9. Emergency Generators for Men-Riv School.
  10. Old Field CDBG Project.
  
4. **Committee on Justice and Public Safety.**  
**Council Member, Mr. William E. Crosby, Chairman.**
  
5. **Committee on Water and Sanitation.**  
**Council Member, Mrs. Judith K. Spooner, Chairman.**
  
6. **Committee on Planning and Development.**  
**Council Member, Mr. Steve C. Davis, Chairman.**
  
7. **Committee on Community Services.**  
**Council Member, Mr. Charles E. Davis, Chairman.**  
Recommendation:
  1. Library: Sole Source Purchase from Dynix, Inc.

- 8. Committee on Human Services.**  
**Council Member, Mrs. Judy C. Mims, Chairman.**

**NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.**

ACCOMMODATIONS TAX ADVISORY COMMITTEE  
BERKELEY COUNTY AERONAUTICS COMMISSION  
BERKELEY-CHARLESTON-DORCHESTER COUNCIL OF GOVERNMENTS  
BERKELEY COUNTY LIBRARY BOARD  
BERKELEY COUNTY PLANNING COMMISSION  
BERKELEY-CHARLESTON-DORCHESTER RTMA  
BERKELEY COUNTY WATER AND SANITATION APPEALS BOARD  
BERKELEY COUNTY BOARD OF ZONING APPEALS  
CHARLESTON NAVAL REDEVELOPMENT AUTHORITY  
CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS  
DEVON FOREST SPECIAL TAX DISTRICT  
GOOSE CREEK RECREATION COMMISSION  
HOUSING BOARD OF ADJUSTMENTS AND APPEALS  
MENTAL HEALTH BOARD  
SANGAREE SPECIAL TAX DISTRICT ADVISORY COMMISSION  
SPIERS LANDING COMMISSION  
TAX ASSESSMENT REVIEW BOARD  
WORKFORCE INVESTMENT BOARD

**CORRESPONDENCE**

**UNFINISHED BUSINESS**

**NEW BUSINESS**

**ANNOUNCEMENTS**

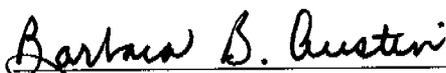
**THE JULY 2005, REGULAR MEETING OF BERKELEY COUNTY COUNCIL WILL BE HELD ON MONDAY JULY 25, 2005, IMMEDIATELY FOLLOWING PUBLIC HEARINGS AND THE MEETING OF THE COMMITTEE ON FINANCE AT 6:00 PM, IN THE ASSEMBLY ROOM, OF THE NEW BERKELEY COUNTY ADMINISTRATION BUILDING, 1003 HIGHWAY 52, MONCK'S CORNER, S. C.**

**ADJOURNMENT**

**EXECUTION OF DOCUMENTS BY COUNCIL**

**PUBLIC DISCUSSION**

June 15, 2005

  
Barbara B. Austin, CCC  
Clerk of County Council

**REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL**  
**June 20, 2005**

The **REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL** was held on Monday **June 20, 2005**, at 7:18 p.m. in the Assembly Room of the Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina.

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

**CALL TO ORDER**

Chairman Rozier called the meeting to order.

**APPROVAL OF MINUTES**

Chairman Rozier asked for approval of minutes from: Public Hearings dated May 23, 2005 and Regular Council Meeting dated May 23, 2005.

It was moved by Council Member Pinckney and seconded by Council Member Fish to approve the minutes as presented. The motion passed by unanimous voice vote of Council.

**PUBLIC DISCUSSION** – none

**EXECUTIVE SESSION** – none

**SOUTH CAROLINA ASSOCIATION OF COUNTIES, REGARDING  
WORKERS COMPENSATION PRESENTATION**

Mr. John Henderson, Manager of the SC Association of Counties' Workers Compensation Program, addressed Council and presented the following information pertaining to the Workers Compensation Trust:

- Membership includes 44 of the 46 counties in South Carolina.
- Berkeley County is a member of this trust.
- Assessment for this fiscal year was at 15.2 percent.
- Over the years, the amount of money paid out in claims has exceeded the amount of money collected in premiums.
- Over the past three years, it has exceeded that amount by \$15,000,000.00, resulting in a deficit of \$1,500,000.00 in the Workers Compensation Trust.
- By-laws of the Trust require any deficit be retired, thus, the trustees decided to make a one-time assessment of 15.2 percent to be spread evenly throughout all member counties, regardless of individual county loss experienced. This assessment will become effective at the end of this policy period (June 30, 2006), after final payroll audits are completed in October.
- Effective July 1<sup>st</sup>, all member counties will be required to carry out basic Risk Management activities to control claim costs (i.e., claims are to be reported to the third party Claims Administrator Companion within five days; investigation of all accidents, using a written accident investigation process; offer for transitional work or light duty whenever feasible; use of a designated county doctor). Members not successful in accomplishing these basic tasks could be subject to an assessment of 1.0 – 2.0 percent next year.
- Berkeley County has made tremendous progress in the past year.
- Berkeley County's experience modification factor for the current year is 1.68 percent. Renewal (as of July 1<sup>st</sup>) is 1.35 percent, which is a .33 percent improvement. This is due to less severe claims.
- There are two different levels of investigation of claims. The first is at the county level, when the Risk Management staff completes an accident investigation to determine what happened and takes appropriate action to avoid a similar accident from occurring. The second level is after a claim is forwarded to the Trust. A claims adjuster will make inquiries to determine the nature of the claim and settle it.
- Companion will investigate any potential claim fraud.

**THIRD READING:**

**"BILL NO. 05-22, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #252-00-00-039."**

*(Aslan Ventures, LLC)*

It was moved by Council Member Crosby and seconded by Council Member Farley to approve Bill No. 05-22 for Third Reading. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-06-29 is attached to these minutes.)

**“BILL NO. 05-24, AN ORDINANCE TO AMEND ORDINANCE NO. 04-06-47, ADOPTED JUNE 21, 2004, TO PROVIDE FOR SUPPLEMENTAL APPROPRIATIONS AND ALLOCATIONS THEREOF WITHIN THE 2004-2005 BUDGET FOR BERKELEY COUNTY; AND OTHER MATTERS RELATING THERETO.”**

It was moved by Council Member Spooner and seconded by Council Member Fish to approve Bill No. 05-24 for Third Reading. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-06-30 is attached to these minutes.)

**“BILL NO. 05-26, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #271-00-02-029.”**  
*(Earthsources Engineering)*

It was moved by Council Member Steve Davis and seconded by Council Member Pinckney to approve Bill No. 05-26 for Third Reading. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-06-31 is attached to these minutes.)

**“BILL NO. 05-27, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #013-00-02-046.”**  
*(Elizabeth Davis)*

It was moved by Council Member Pinckney and seconded by Council Member Steve Davis to approve Bill No. 05-27 for Third Reading. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-06-32 is attached to these minutes.)

**“BILL NO. 05-28, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #029-00-02-063.”**  
*(Sam Simmons)*

It was moved by Council Member Pinckney and seconded by Council Member Steve Davis to approve Bill No. 05-28 for Third Reading. The motion passed by

unanimous voice vote of Council. (A copy of Ordinance No. 05-06-33 is attached to these minutes.)

**“BILL NO. 05-29, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #197-00-01-017.”**  
*(Lindbergh and Associates)*

It was moved by Council Member Crosby and seconded by Council Member Farley to approve Bill No. 05-29 for Third Reading. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-06-34 is attached to these minutes.)

**“BILL NO. 05-30, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #022-00-01-002.”**  
*(Sybil Thornhill)*

It was moved by Council Member Pinckney and seconded by Council Member Steve Davis to approve Bill No. 05-30 for Third Reading. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-06-35 is attached to these minutes.)

**“BILL NO. 05-31, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #057-00-02-047.”**  
*(Black Oak, LLC)*

It was moved by Council Member Steve Davis and seconded by Council Member Pinckney to approve Bill No. 05-31 for Third Reading. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-06-36 is attached to these minutes.)

**“BILL NO. 05-32, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES OF TMS #181-00-02-102.”**  
*(Oakley Ventures, LLC)*

It was moved by Council Member Steve Davis and seconded by Council Member Pinckney to approve Bill No. 05-32 for Third Reading. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-06-37 is attached to these minutes.)

**“BILL NO. 05-33, AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF VESTED RIGHTS TO DEVELOP PROPERTY IN BERKELEY COUNTY.”**

It was moved by Council Member Pinckney and seconded by Council Member Spooner to approve **Bill No. 05-33** for **Third Reading**. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-06-38 is attached to these minutes.)

**“BILL NO. 05-34, AN ORDINANCE TO AMEND THE BERKELEY COUNTY COMPREHENSIVE PLAN, ORDINANCE NO. 99-4-18, AS AMENDED BY ORDINANCE NO. 04-08-48, PURSUANT TO SOUTH CAROLINA CODE OF LAWS SECTION 6-29-510 (1976, AS AMENDED).”**

It was moved by Council Member Spooner and seconded by Council Member Crosby to approve **Bill No. 05-34** for **Third Reading**. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-06-39 is attached to these minutes.)

**“BILL NO. 05-35, AN ORDINANCE PROVIDING FOR THE ADOPTION OF FISCAL YEAR 2005-2006 (BEGINNING JULY 1, 2005 AND ENDING JUNE 30, 2006) BUDGETS FOR THE BERKELEY COUNTY WATER AND SANITATION AUTHORITY AND THE BERKELEY COUNTY WATER AND SANITATION AUTHORITY SOLID WASTE FUND; ESTABLISHING OPERATIONAL, DEBT SERVICE, AND CAPITAL IMPROVEMENT BUDGETS FOR WATER AND SEWER; AND TO PROVIDE FOR THE EXPENDITURES OF REVENUES COMING INTO THE BERKELEY COUNTY WATER AND SANITATION AUTHORITY AND THE BERKELEY COUNTY WATER AND SANITATION AUTHORITY SOLID WASTE FUND DURING THE FISCAL YEAR, AND TO AMEND THE CODE OF ORDINANCES, BERKELEY COUNTY, SOUTH CAROLINA, SETTING RATES, CHARGES AND PENALTIES FOR WATER AND SEWER AND SOLID WASTE SERVICE BY THE BERKELEY COUNTY WATER AND SANITATION AUTHORITY.”**

**Main Motion:**

It was moved by Council Member Charles Davis and seconded by Council Member Spooner to approve **Bill No. 05-35** for **Third Reading**.

Mr. David Jennings, Berkeley County Water and Sanitation Authority Attorney, recommended that Bill No. 05-35, Section 12, be amended to reflect a reduction in the sewer system capacity reservation fee from \$1,607.00 to \$1,234.00.

**Amendment to Main Motion:**

It was moved by Council Member Crosby and seconded by Council Member Fish to amend Section 12 of Bill No. 05-35, as follows: delete "\$1,607.00", and insert "\$1,234.00" for a sewer system capacity reservation fee. The motion was passed by unanimous voice vote of Council.

**Amended Motion Becomes Main Motion:**

The main motion to approve Bill No. 05-35 for Third Reading, by deleting "\$1,607.00" and inserting "\$1,234.00" for a sewer system capacity reservation fee in Section 12 was passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-06-40 is attached to these minutes.)

**"BILL NO. 05-36, AN ORDINANCE PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2005, AND ENDING JUNE 30, 2006, FOR THE DEVON FOREST SPECIAL TAX DISTRICT OPERATIONAL BUEGET; AND TO PROVIDE FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE DEVON FOREST SPECIAL TAX DISTRICT DURING THE FISCAL YEAR."**

It was moved by Council Member Fish and seconded by Council Member Crosby to approve Bill No. 05-36 for Third Reading. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-06-41 is attached to these minutes.)

**"BILL NO. 05-37, AN ORDINANCE PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2005, AND ENDING JUNE 30, 2006, FOR THE PIMLICO SPECIAL TAX DISTRICT OPERATIONAL BUDGET; AND TO PROVIDE FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE PIMLICO SPECIAL TAX DISTRICT DURING THE FISCAL YEAR."**

It was moved by Council Member Spooner and seconded by Council Member Crosby to approve Bill No. 05-37 for Third Reading. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-06-42 is attached to these minutes.)

**"BILL NO. 05-38, AN ORDINANCE PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2005, AND ENDING JUNE 30, 2006, FOR THE SANGAREE SPECIAL TAX DISTRICT OPERATIONAL BUDGET; AND TO PROVIDE FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE SANGAREE SPECIAL TAX DISTRICT DURING THE FISCAL YEAR."**

It was moved by Council Member Charles Davis and seconded by Council Member Crosby to approve Bill No. 05-38 for Third Reading. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-06-43 is attached to these minutes.)

**“BILL NO. 05-39, AN ORDINANCE PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2005, AND ENDING JUNE 30, 2006, FOR THE TALL PINES SPECIAL TAX DISTRICT OPERATIONAL BUDGET; AND TO PROVIDE FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE TALL PINES SPECIAL TAX DISTRICT DURING THE FISCAL YEAR.”**

It was moved by Council Member Fish and seconded by Council Member Crosby to approve **Bill No. 05-39** for **Third Reading**. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-06-44 is attached to these minutes.)

**“BILL NO. 05-40, AN ORDINANCE 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; AND TO PROVIDE FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE SPECIAL FIRE TAX DISTRICT DURING THE FISCAL YEAR.”**

It was moved by Council Member Crosby and seconded by Council Member Fish to approve **Bill No. 05-40** for **Third Reading**. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-06-45 is attached to these minutes.)

**“BILL NO. 05-41, AN ORDINANCE PROVIDING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2005, AND ENDING JUNE 30, 2006, FOR BERKELEY COUNTY; TO PROVIDE FOR LEVY OF TAXES ON ALL TAXABLE PROPERTY IN BERKELEY COUNTY FOR ALL COUNTY PURPOSES; TO PROVIDE FOR THE EXPENDITURES OF SAID TAXES AND OTHER REVENUES COMING INTO THE COUNTY FOR THE FISCAL YEAR.”**

It was moved by Council Member Spooner and seconded by Council Member Crosby to approve **Bill No. 05-41, Berkeley County Budget, excluding “Registration and Elections Department”**, for **Third Reading**. The motion passed by unanimous voice vote of Council.

Council Member Farley stated, “For the record, my recusal previously filed still stands.”

It was moved by Council Member Fish and seconded by Council Member Spooner to approve **Bill No. 05-41, including “Registration and Elections Department”**, for **Third Reading**. The motion passed by majority voice vote of Council. Council Member Farley did not vote on this portion of the budget. (A copy of Ordinance No. 05-06-46 is attached to these minutes.)

**“BILL NO. 05-50, A SECOND SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BERKELEY COUNTY, SOUTH**

CAROLINA, WATER AND SEWER SYSTEM REVENUE BONDS, SERIES 2005-A, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$150,000,000; PRESCRIBING THE FORM AND DETAILS OF SUCH BONDS; DELEGATING CERTAIN MATTERS TO THE COUNTY SUPERVISOR; AND OTHER MATTERS RELATING THERETO.”

It was moved by Council Member Charles Davis and seconded by Council Member Spooner to approve **Bill No. 05-50** for **Third Reading**. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-06-47 is attached to these minutes.)

“**BILL NO. 05-52, AN ORDINANCE AMENDING ORDINANCE NO. 99-7-41, IMPLEMENTING THE MOST RECENT VERSION OF VARIOUS INTERNATIONAL CODES RELATING TO BUILDING, RESIDENTIAL, GAS, PLUMBING, MECHANICAL, AND FIRE STANDARDS, AND ADOPTING CERTAIN PROVISIONS AND APPENDICES OF SAID CODES.**”

It was moved by Council Member Farley and seconded by Council Member Spooner to approve **Bill No. 05-52** for **Third Reading**. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 05-06-48 is attached to these minutes.)

*Berkeley County Council Rules allow all bills to be given Second Reading by one motion as a collective group. Any member may object to a particular bill, and it shall be separated from the collective group and handled by a separate motion.*

**SECOND READING:**

It was moved by Council Member Spooner and seconded by Council Member Pinckney to allow **Bills Numbered 05-42, 05-43, 05-45, 05-46, 05-47, 05-48, 05-49 and 05-51** to be given **Second Reading** by one motion as a collective group. The motion passed by unanimous voice vote of Council.

“**BILL NO. 05-42, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES FOR TMS #252-06-00-046.**”  
*(Portrait Homes – SC, LLC)*

“**BILL NO. 05-43, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES FOR TMS #275-00-00-056.**”  
*(Trico Engineering)*

“**BILL NO. 05-45, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES FOR TMS #178-00-03-036.**”

*(Randolph Varner)*

**“BILL NO. 05-46, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES FOR TMS #197-00-02-029.”**

*(Jeff and Vicky Hall)*

**“BILL NO. 05-47, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES FOR TMS #210-00-00-180.”**

*(Fred Amaker)*

**“BILL NO. 05-48, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES FOR TMS #209-06-00-025.”**

*(Chris J. Louden)*

**“BILL NO. 05-49, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES FOR TMS #268-00-00-074.”**

*(Rosemarie West)*

**“BILL NO. 05-51, A THIRD SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BERKELEY COUNTY, SOUTH CAROLINA, WATER AND SEWER SYSTEM REFUNDING AND IMPROVEMENT REVENUE BONDS, SERIES 2005-B, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$80,000,000; PRESCRIBING THE FORM AND DETAILS OF SUCH BONDS; DELEGATING CERTAIN MATTERS TO THE COUNTY SUPERVISOR; AND OTHER MATTERS RELATING THERETO.”**

It was moved by Council Member Spooner and seconded by Council Member Pinckney to approve **Bills Numbered 05-42, 05-43, 05-45, 05-46, 05-47, 05-48, 05-49 and 05-51 for Second Reading.** The motion passed by unanimous voice vote of Council.

**“BILL NO. 05-53, AN ORDINANCE TO AMEND AND CLARIFY ARTICLES 4, 5.5, 5.6, 7.2 AND 7.3 OF ORDINANCE NO. 01-8-35, ADOPTED AUGUST 27, 2001, THE ZONING AND DEVELOPMENT STANDARDS ORDINANCE, AND AMENDING ORDINANCES NUMBERED 02-08-33, 02-12-58, AND 04-11-68.”**

It was moved by Council Member Spooner and seconded by Council Member Fish to approve **Bill No. 05-53 for Second Reading.**

In discussion, Council Member Spooner recommended that a section be included in Bill No. 05-53, which would require all swimming pools to be enclosed within a fenced barrier of specific height.

Chairman Rozier recommended that this bill be given Second Reading, and an amendment to the bill be administered at the Committee level. There was no objection from Council.

The motion passed by unanimous voice vote of Council.

**FIRST READING:**

Chairman Rozier stated there were eight bills for First Reading. Bills for First Reading are not discussed or voted upon. The bills are read into the record by title only and, thereafter, sent to the proper Committee for further consideration.

**“BILL NO. 05-55, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES FOR TMS #141-00-02-016.”**  
*(Tony Thomas)*

**“BILL NO. 05-56, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES FOR TMS #194-00-02-012.”**  
*(Brandon Hawkins)*

**“BILL NO. 05-57, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES FOR TMS #233-09-02-036.”**  
*(Bonnell Meese)*

**“BILL NO. 05-58, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES FOR TMS #244-06-00-028.”**  
*(Dennis Burbage)*

**“BILL NO. 05-59, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES FOR TMS #211-00-02-102.”**  
*(HLA, Inc.)*

**“BILL NO. 05-60, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO THE APPROVED USES FOR TMS #142-14-00-008.”**

*(Don Winningham)*

**“BILL NO. 05-61, AN ORDINANCE AUTHORIZING THE CONVEYANCE OF THAT CERTAIN PIECE OF REAL PROPERTY KNOWN AS THE PINEVILLE HEALTH CENTER LOCATED IN PINEVILLE, BERKELEY COUNTY, SOUTH CAROLINA.”**

**“BILL NO. 05-62, AN ORDINANCE GRANTING A FRANCHISE RENEWAL FOR THE CONSTRUCTION, ACQUISITION, OPERATION, AND MAINTENANCE OF A CABLE TELEVISION SYSTEM WITHIN SPECIFIC UNINCORPORATED AREAS OF THE COUNTY OF BERKELEY TO TIME WARNER CABLE, INC.”**

**RESOLUTIONS:**

**“RESOLUTION PROVIDING FOR THE TRANSFER OF FUNDS IN THE 2004-2005 BERKELEY COUNTY BUDGET FOR COUNTY PURPOSES OTHER THAN AS SPECIFIED IN SAID BUDGET.”**

It was moved by Council Member Spooner and seconded by Council Member Crosby to approve the Resolution for a transfer of funds in the 2004-2005 budget for Berkeley County. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. 05-31 is attached to these minutes.)

**REPORTS FROM STANDING COMMITTEES**

**COMMITTEE ON FINANCE**

**Mr. Dennis L. Fish, Chairman**

Chairman Fish reported that the Committee on Finance met earlier this night. All matters before the Committee were addressed on this night's agenda. *(That concluded Chairman Fish's report.)*

**COMMITTEE ON LAND USE**

**Mr. Phillip Farley, Chairman**

Chairman Farley reported that the Committee on Land Use met on June 13, 2005. Many of the matters before the Committee were addressed on this night's agenda.

**Recommendation to Deny:**

**Request by Elaine Yates, 628 Meyers Road, Summerville, TMS #222-11-00-050, (3.21 acres), from R-1, Single Family Residential to GC, General Commercial. Council District No. 4**

On recommendation of the Committee, Chairman Farley moved to deny the request by Elaine Yates, 628 Meyers Road, Summerville, TMS #222-11-00-050. (No second required.)

The motion passed by unanimous voice vote of Council. (That concluded Chairman Farley's report.)

**COMMITTEE ON PUBLIC WORKS AND PURCHASING**  
**Mr. Caldwell Pinckney, Jr., Chairman**

Chairman Pinckney reported that the Committee on Public Works and Purchasing met on June 13, 2005.

**Bids and Recommendations:**

**1. Professional Geotechnical Engineering Services**  
**Indefinite Delivery Contract**

On recommendation of the Committee, Chairman Pinckney moved to award the contract for the Professional Geotechnical Engineering Services, Indefinite Delivery, to the two bidders: S&ME, Inc., and Soil Consultants, Inc. (No second required.)

The motion passed by unanimous voice vote of Council.

**2. Professional Civil Engineering Services**  
**Indefinite Delivery Contract**

On recommendation of the Committee, Chairman Pinckney moved to award the contract for the Professional Civil Engineering Services, Indefinite Delivery, to the following two bidders: LPA Group, Inc., and Hussey, Gay, Bell & DeYoung, Inc. (No second required.)

The motion passed by unanimous voice vote of Council.

**3. Professional Surveying Services**  
**Indefinite Delivery Contract**

On recommendation of the Committee, Chairman Pinckney moved to award the contract for the Professional Surveying Services, Indefinite Delivery, to the following two bidders: Lowcountry Land Surveyors and Forsberg Engineering & Surveying, Inc. (No second required.)

The motion passed by unanimous voice vote of Council.

**4. Professional Engineering and Related Services**

**Storm Water Management Program  
Indefinite Delivery Contract**

On recommendation of the Committee, Chairman Pinckney moved to award the contract for the **Professional Engineering and Related Services, Storm Water Management Program, Indefinite Delivery, to Woolpert, Inc. (No second required.)**

The motion passed by unanimous voice vote of Council.

**5. Benefits Electronic Enrollment & Communication Services**

On recommendation of the Committee, Chairman Pinckney moved to award the contract for the **Benefits Electronic Enrollment and Communication Services to Keenan & Suggs, Inc., with no cost to the County. (No second required.)**

The motion passed by unanimous voice vote of Council.

**6. Berkeley County Goose Creek Service Center and Senior Center**

On recommendation of the Committee, Chairman Pinckney moved to award the contract for the **Berkeley County Goose Creek Service Center and Senior Center to Stenstrom and Associates, in the amount of \$994,500.00. (No second required.)**

The motion passed by unanimous voice vote of Council.

**7. Sole Source Purchase of Dust Suppressant**

On recommendation of the Committee, Chairman Pinckney moved to award the **sole source purchase of an earthbound dust suppressant from Enviroad, LLC, for Roads and Bridges. (No second required.)**

The motion passed by unanimous voice vote of Council.

**8. Berkeley County Water and Sanitation:  
Red Bank Road Sewer Repair Project**

On recommendation of the Committee, Chairman Pinckney moved to award the contract for the **Red Bank Road Sewer Repair Project to Green Construction Company in the amount of \$44,315.00. (No second required.)**

The motion passed by unanimous voice vote of Council.

**9. Berkeley County Water and Sanitation:  
Emergency Generators for Men-Riv School**

On recommendation of the Committee, Chairman Pinckney moved to approve the purchase of two emergency generators for Men-Riv School. (No second required.)

The motion passed by unanimous voice vote of Council.

**10. Berkeley County Water and Sanitation:  
Old Field CDBG Project**

On recommendation of the Committee, Chairman Pinckney moved to approve the contract for the Old Field CDBG Project to McClam and Associates, in the amount of \$801,948.30. (No second required.)

The motion passed by unanimous voice vote of Council. (That concluded Chairman Pinckney's report.)

**COMMITTEE ON JUSTICE AND PUBLIC SAFETY  
Mr. William E. Crosby, Chairman**

Chairman Crosby reported that the Committee on Justice and Public Safety met on June 13, 2005. All matters before the Committee were addressed on this night's agenda. *(That concluded Chairman Crosby's report.)*

**COMMITTEE ON WATER AND SANITATION  
Mrs. Judith K. Spooner, Chairman**

Chairman Spooner reported that the Committee on Water and Sanitation met on June 13, 2005, and earlier this night. All matters before the Committee were addressed on this night's agenda. *(That concluded Chairman Spooner's report.)*

**COMMITTEE ON PLANNING AND DEVELOPMENT  
Mr. Steve C. Davis, Chairman**

Chairman Steve Davis reported that the Committee on Planning and Development met on June 13, 2005. All matters before the Committee were addressed on this night's agenda. *(That concluded Chairman Steve Davis' report.)*

**COMMITTEE ON COMMUNITY SERVICES  
Mr. Charles E. Davis, Chairman**

Chairman Charles Davis reported that the Committee on Community Services met on June 13, 2005.

**Recommendations:**

- 1. Library: Sole Source Purchase from Dynix, Inc.**

On recommendation of the Committee, Chairman Charles Davis moved to approve a sole source purchase from Dynix, Inc., to replace outdated equipment at the Moncks Corner and Goose Creek Libraries. (No second required.)

The motion passed by unanimous voice vote of Council.

In conclusion, Chairman Charles Davis reported that Mrs. Colleen Carney, Berkeley County Library Director, provided the committee with an update on fiscal year 2004/2005 and fiscal year 2005/2006 state funding. No action was required from Council. *(That concluded Chairman Charles Davis' report.)*

**COMMITTEE ON HUMAN SERVICES**  
**Mrs. Judy C. Mims, Chairman**

**No report**

**NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.**

Council Member Spooner nominated Mr. Ronald E. Mitchum, Executive Director of the Berkeley/Charleston/Dorchester Council of Governments, for appointment to serve on the Regional Development Alliance.

Council Member Charles Davis nominated Ms. Maria Schick and Mr. Tom Martin for re-appointments to serve on the Sangaree Special Tax District Advisory Commission.

Council Member Crosby nominated Mr. William Starr for re-appointment to serve on the Goose Creek Recreation Commission.

Council Member Steve Davis nominated Mrs. Elesia Moore for appointment to serve on the Berkeley County Board of Zoning Appeals.

Council Member Crosby nominated Mr. Wayne Ahl and Mr. Willard M. Hill, Jr., for re-appointments to serve on the Construction Board of Adjustment and Appeals.

Council Member Farley withdrew his nomination of Mrs. Naomi J. Russ (nominated at the Regular Meeting of Council held May 23, 2005), to serve on the Accommodations Tax Advisory Committee. Members of this committee must meet certain state mandated classifications of industry representation.

Council Member Spooner indicated that Mrs. Cynthia Curry planned to resign from the Berkeley County Library Board, and a nomination to replace Mrs. Curry would be forthcoming.

Nominations to the Berkeley/Charleston/Dorchester Council of Governments, Sangaree Special Tax District Advisory Commission, Goose Creek Recreation Commission, Berkeley County Board of Zoning Appeals, and Construction Board of Adjustment and Appeals passed by unanimous voice vote of Council.

**CORRESPONDENCE** – none

**UNFINISHED BUSINESS**

Chairman Rozier informed Council of two emergency purchases. The first purchase was for a welding machine, in the amount of \$5,545.00.

It was moved by Council Member Spooner and seconded by Council Member Crosby to approve the emergency purchase of a welding machine, at a cost of \$5,545.00, with funds to come from Contingency. The motion passed by unanimous voice vote of Council.

Chairman Rozier stated that the second emergency purchase was for fuel at the Airport, in the amount of \$15,000.00, to replenish fuel sold. The \$15,000.00, plus profit monies, will be placed back into the General Fund.

It was moved by Council Member Spooner and seconded by Council Member Fish to approve the emergency purchase of fuel for the Berkeley County Airport, at a cost of \$15,000.00, with funds to come from Contingency. The motion passed by unanimous voice vote of Council.

Chairman Rozier requested Council's approval to sign a contract with the Council of Governments to perform the impact fee study pertaining to new development in the County. Contract authorization would allow a maximum of \$80,000.00 to be incurred for this study. A study is mandated by the State of South Carolina, prior to impact fees being imposed on any areas affected.

It was moved by Council Member Fish and seconded by Council Member Spooner to authorize Chairman Rozier to execute a contract with the Council of Governments, not to exceed \$80,000.00, for an impact fee study associated with new development in the County. The motion passed by unanimous voice vote of Council.

**NEW BUSINESS**

Chairman Rozier asked for Council's approval to place a one-fourth-page advertisement in the local newspaper, which would announce the opening and ribbon-cutting of the County's new administration building.

It was moved by Council Member Steve Davis and seconded by Council Member Crosby to approve a one-fourth-page advertisement in the local newspaper to announce the opening and ribbon-cutting of the new Berkeley County Administration Building. The motion passed by unanimous voice vote of Council.

### ANNOUNCEMENTS

Chairman Rozier extended an invitation for all to attend a ribbon-cutting at the new Berkeley County Administration Building on Thursday, July 7, 2005. There will be an open house, and the ribbon-cutting ceremony will take place at 6:00 p.m.

The **July 2005 Regular Meeting of Berkeley County Council** will be held on **Monday, July 25, 2005**, immediately following Public Hearings and the meeting of the Committee on Finance at **6:00 p.m.** in the **Assembly Room** of the new **Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina.**

Chairman Rozier extended an invitation for everyone to attend the ribbon cutting at the new Berkeley County Administration Building, on Thursday, July 7, 2005, at 6:00 p.m.

### ADJOURNMENT

It was moved by Council Member Fish and seconded by Council Member Spooner to adjourn the Regular Meeting of County Council. The motion passed by unanimous voice vote of Council.

Meeting adjourned at 8:03 p.m., for the execution of documents by Council.

### PUBLIC DISCUSSION

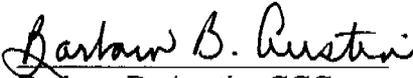
Mr. Richard Ruth, residing in Mt. Pleasant and owning properties in Cross and Huger, addressed Council and stated his concerns regarding the lack of police protection in Berkeley County. As a victim of robbery at Mr. Ruth's property in Cross, approximately \$18,000.00 in equipment was stolen. The number of police and detectives in Berkeley County, 42 and 10, respectively, is not adequate to handle a population of 150,000, which covers an area of 1,098 square miles. Mr. Ruth urged Council to review this matter, and make a decision to hire enough police and detectives to protect the citizens of Berkeley County. "If we, the citizens of Berkeley County, do not have public

safety at the top of the agenda, we are, in the end, at the mercy of the crooks and hoodlums.” Mr. Ruth stated that Goose Creek has 54 police and 8 detectives, with a population of 30,000 citizens covering 30 square miles. Berkeley County detectives are overloaded. Reports are taken, but there is a lack of personnel (detectives) to perform thorough investigations in order to apprehend the criminals.

In conclusion, Mr. Ruth stated, “It is open season here. When Spring comes, they steal your riding lawn mowers. Later on, they want to upgrade their appliances in the house, so they steal new refrigerators and dryers. Of course, when football season comes in, they want to upgrade and have a bigger TV and a stereo.”

Mr. Roger Williams, employed at Prudential and representing Mrs. Yates and Mr. Burbage (628 Myers Road), addressed Council and stated that there is a standing contract needing to be expedited. One of the contingencies in the contract is that the property be zoned Commercial by the buyer. The Zoning Commission recommended denial, and Mr. Williams was unaware of the remaining process for the owners’ request to rezone this property to Commercial.

In conclusion, Mr. Williams stated that the property located at 628 Meyers Road is adjacent to Commercial property on Myers Road and Highway 17A. Property located directly across the street is zoned Commercial also. This property is in a business area, not a residential area.

  
Barbara B. Austin, CCC  
Clerk of Council

July 25, 2005  
Date Approved

ORDINANCE NO. 05 - 06 - 29

AN ORDINANCE TO MODIFY THE OFFICIAL ZONING MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #252-00-00-039 (26.01 acres).

WHEREAS, Berkeley County Council adopted a Zoning and Development Standards Ordinance, including Official Zoning and Development Standards Maps, on April 26, 1999, pursuant to Title 6, Chapter 29, of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, Berkeley County Council adopted such regulations for the purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the County; and

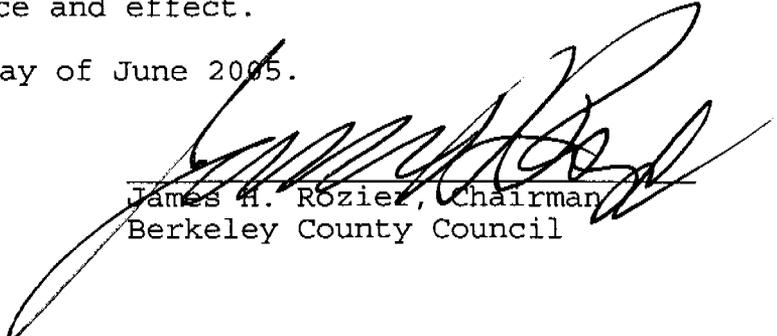
WHEREAS, the Berkeley County Council has determined that the rezoning or reclassification of the land designated herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was adopted on April 26, 1999;

NOW, THEREFORE, BE IT ORDAINED that the official Zoning and Development Standards Maps for Berkeley County, South Carolina, which were adopted pursuant to Ordinance No. 01-8-35 shall be modified in the following regard:

That portion of the official Zoning Map which contains that property identified as TMS#252-00-00-039 (26.01 acres) as is more clearly shown on "Exhibit A", which is attached hereto and made a part hereof. This property has previously been designated and approved as PDMU Planned Development Mixed Use District and will hereafter upon approval of this ordinance be reclassified as R-5 Multi-Family District (22.4 acres) and GC General Commercial District (3.61 acres).

BE IT FURTHER ORDAINED that all ordinances in conflict with this modification are repealed to the extent necessary to give this ordinance full force and effect.

ADOPTED this 20<sup>th</sup> day of June 2005.

  
James H. Rozier, Chairman  
Berkeley County Council

ATTEST:

  
Barbara B. Austin  
CLERK OF COUNTY COUNCIL

First Reading: March 28, 2005  
Second Reading: April 25, 2005  
Public Hearing: May 23, 2005  
Third Reading: June 20, 2005

MEMBERS OF COUNTY COUNCIL

*Phillip Farley*

PHILLIP FARLEY Voting yes

*Dennis L. Fish*

DENNIS L. FISH Voting yes

*Judith K. Spooner*

JUDITH K. SPOONER Voting yes

*Excused 6-20-05*

JUDY C. MIMS Voting \_\_\_\_\_

*William E. Crosby*

WILLIAM E. CROSBY Voting yes

*Caldwell Pinckney, Jr.*

CALDWELL PINCKNEY, JR. Voting yes

*Charles E. Davis*

CHARLES E. DAVIS Voting yes

*Steve C. Davis*

STEVE C. DAVIS Voting yes

TMS#: 252-00-00-039



05-06-29



Berkeley County GIS Department  
 223 N. Live Oak Drive  
 Moncks Corner, SC 29461  
 (843) 719-4038 | fax (843) 719-4190  
 e-mail: rhauck@co.berkeley.sc.us  
 BCGIS Online: <http://gis.co.berkeley.sc.us>  
 5/25/2005



THE COUNTY OF BERKELEY AND ITS GIS DEPARTMENT DISCLAIMS ACCOUNTABILITY FOR THIS PRODUCT AND MAKES NO WARRANTY EXPRESS OR IMPLIED CONCERNING THE ACCURACY THEREOF. RESPONSIBILITY FOR INTERPRETATION AND APPLICATION OF THIS PRODUCT LIES WITH THE USER.

ORDINANCE NO. 05 - 06 - 30

AN ORDINANCE TO AMEND ORDINANCE NO. 04-06-40, ADOPTED JUNE 21, 2004 TO PROVIDE FOR SUPPLEMENTAL APPROPRIATIONS AND ALLOCATIONS THEREOF WITHIN THE 2004-2005 BUDGET FOR BERKELEY COUNTY; AND OTHER MATTERS RELATING THERETO

BE IT ENACTED:

SECTION I.

According to Section 4-9-140 of the 1976 Code of Laws of South Carolina, as amended, the governing body of Berkeley County may make supplemental appropriations for County purposes.

SECTION II.

It is the purpose of the Berkeley County Council, the governing body of Berkeley County, in the enactment of this Ordinance, to provide for an appropriation of additional funds which have become available during the 2004-2005 fiscal year and which have not been previously obligated by the current operating or capital budget.

SECTION III.

During the 2004-2005 fiscal year Berkeley County has received additional Revenues and Grants for specific allocations as set forth in Exhibit "A", attached hereto and made a part hereof by this reference.

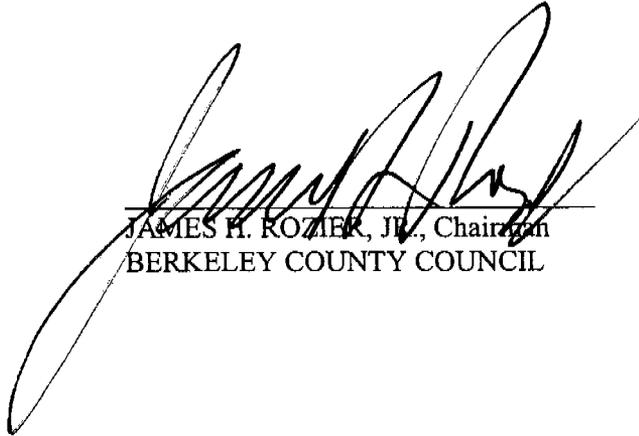
SECTION IV.

There is hereby appropriated for the remainder of the 2004-2005 fiscal year funds in the amounts and for the designated purposes as set forth in Exhibit "A", attached hereto and made a part hereof by this reference.

05-06-30

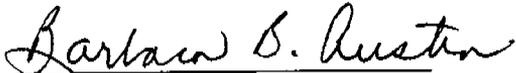
ADOPTED this 20<sup>th</sup> day of June, A. D. 2005.

(SEAL)



JAMES H. ROZIER, JR., Chairman  
BERKELEY COUNTY COUNCIL

ATTEST:

  
Barbara B. Austin  
Clerk of County Council

FIRST READING:	March 28, 2005
SECOND READING:	April 25, 2005
PUBLIC HEARING:	May 23, 2005
THIRD READING:	June 20, 2005

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*Phillip Farley*

PHILLIP FARLEY Voting yes

*Dennis L. Fish*

DENNIS L. FISH Voting yes

*Judith K. Spooner*

JUDITH K. SPOONER Voting yes

*Excused 6-20-05*

JUDY C. MIMS Voting \_\_\_\_\_

*William E. Crosby*

WILLIAM E. CROSBY Voting yes

*Caldwell Pinckney, Jr.*

CALDWELL PINCKNEY, JR. Voting yes

*Charles E. Davis*

CHARLES E. DAVIS Voting yes

*Steve C. Davis*

STEVE C. DAVIS Voting yes

05-06-30

**BERKELEY COUNTY  
SUPPLEMENTAL APPROPRIATIONS  
FISCAL YEAR ENDING JUNE 30, 2005**

DEPARTMENT	OBJECT CODE	DESCRIPTION	CURRENT BUDGET	REVISED BUDGET	INCREASE (DECREASE)	
<b>GENERAL FUND</b>						
<b>REVENUES</b>						
00100	4217	General Fund Administration	Worker's Compensation Refund	200,000	210,043	10,043
00100	7251	General Fund Administration	Proceeds Capital Lease Obligation	-	1,099,232	1,099,232
41201	4225	Probate Judge	Probate Court Fees	160,000	203,731	43,731
41501	4262	Human Resources	Copy Fees	-	35	35
41502	4206	Legal	Cable TV Franchise Fees	300,000	318,000	18,000
41508	4367	Tax Collector	Insurance Proceeds	-	286	286
41510	4230	Register of Deeds	Register of Deeds Filing Fees	1,650,000	2,125,000	475,000
41514	4262	Administrative Services	Copy Fees	-	150	150
41514	4367	Administrative Services	Insurance Proceeds	-	1,459	1,459
41515	4367	IT	Insurance Proceeds	-	1,651	1,651
41515	4475	IT	State Natural Disaster	-	19	19
41515	4585	IT	Federal Natural Disaster	-	112	112
41517	4367	Building & Codes Enforcement	Insurance Proceeds	-	906	906
42101	4367	Sheriff	Insurance Proceeds	-	62,020	62,020
42101	4475	Sheriff	State Natural Disaster	-	1,866	1,866
42101	4585	Sheriff	Federal Natural Disaster	-	11,193	11,193
42102	4367	Coroner	Insurance Proceeds	-	10,048	10,048
42103	4367	Communications	Insurance Proceeds	-	5,940	5,940
42103	4475	Communications	State Natural Disaster	-	94	94
42103	4585	Communications	Federal Natural Disaster	-	561	561
42301	4367	Detention Center	Insurance Proceeds	-	5,220	5,220
43103	4265	Roads & Bridges	Miscellaneous Revenue	-	42,009	42,009
43103	4367	Roads & Bridges	Insurance Proceeds	-	1,610	1,610
43103	4475	Roads & Bridges	State Natural Disaster	-	8,749	8,749
43103	4585	Roads & Bridges	Federal Natural Disaster	-	52,491	52,491
43104	4263	Engineering	Plan Review Fee	-	23,000	23,000
43104	4264	Engineering	Inspection Fee	-	5,500	5,500
44103	4367	Mosquito Abatement	Insurance Proceeds	-	379	379
44104	4367	EMS	Insurance Proceeds	-	1,080	1,080

05-06-30

**BERKELEY COUNTY  
SUPPLEMENTAL APPROPRIATIONS  
FISCAL YEAR ENDING JUNE 30, 2005**

DEPARTMENT	OBJECT CODE	DESCRIPTION	CURRENT BUDGET	REVISED BUDGET	INCREASE (DECREASE)
41203	5202	Solicitor Gasoline & Oil	3,600	4,100	500
41203	5513	Solicitor Computer Equip (NonCapital)	1,860	10,954	9,094
41203	5800	Solicitor Lease Purchase Payments	-	6,486	6,486
41203	5805	Solicitor Lease Interest Payments		539	539
41203	6106	Solicitor Capital Outlay - Vehicles	2,820	7,700	4,880
41203	6110	Solicitor Capital Outlay - Computer Equipment	7,628	9,935	2,307
41206	5104	Magistrate Temporary Employees	11,700	10,894	(806)
41206	5107	Magistrate Outside Agencies - Temp Workers	-	1,241	1,241
41206	5510	Magistrate Small Equipment	1,234	2,852	1,618
41206	5513	Magistrate Computer Equip (NonCapital)	9,594	22,623	13,029
41206	5800	Magistrate Lease Purchase Payments	499	6,491	5,992
41206	5805	Magistrate Lease Interest Payments	29	526	497
41210	5513	Clerk of Court Computer Equip (NonCapital)	2,116	4,545	2,429
41210	5800	Clerk of Court Lease Purchase Payments	3,604	4,767	1,163
41210	5805	Clerk of Court Lease Interest Payments	280	376	96
41501	5110	Human Resources Retirement Contribution - Regular	27,778	28,055	277
41501	5381	Human Resources Office Supplies	5,639	5,674	35
41501	5513	Human Resources Computer Equip (NonCapital)	1,165	8,331	7,166
41501	5542	Human Resources Special Contracts	3,600	5,100	1,500
41501	5800	Human Resources Lease Purchase Payments	-	437	437
41501	5805	Human Resources Lease Interest Payments	-	37	37
41504	5513	Finance Computer Equip (NonCapital)	1,003	2,422	1,419
41504	5800	Finance Lease Purchase Payments	1,890	4,213	2,323
41504	5805	Finance Lease Interest Payments	84	263	179
41504	6104	Finance Capital Outlay-Equipment	1,569	-	(1,569)
41505	5388	Treasurer Postage	100,000	103,000	3,000
41505	5513	Treasurer Computer Equip (NonCapital)	353	2,187	1,834
41505	5800	Treasurer Lease Purchase Payments	1,607	1,927	320
41505	5805	Treasurer Lease Interest Payments	71	97	26
41506	5513	Auditor Computer Equip (NonCapital)	3,194	5,282	2,088
41506	5800	Auditor Lease Purchase Payments	-	466	466
41506	5805	Auditor Lease Interest Payments		39	39

05-06-30

**BERKELEY COUNTY  
SUPPLEMENTAL APPROPRIATIONS  
FISCAL YEAR ENDING JUNE 30, 2005**

DEPARTMENT	OBJECT CODE	DESCRIPTION	CURRENT BUDGET	REVISED BUDGET	INCREASE (DECREASE)
41507	5108	Real Property Services Health Insurance	72,165	75,165	3,000
41507	5800	Real Property Services Lease Purchase Payments	704	3,176	2,472
41507	5805	Real Property Services Lease Interest Payments	29	234	205
41507	6106	Real Property Services Capital Outlay -Vehicles	2,679	9,500	6,821
41508	5205	Tax Collector Auto & Construction Equip Repairs	2,000	2,286	286
41508	5800	Tax Collector Lease Purchase Payments	3,591	6,063	2,472
41508	5805	Tax Collector Lease Interest Payments	180	385	205
41508	6106	Tax Collector Capital Outlay - Vehicles	2,679	6,800	4,121
41510	5104	Register of Deeds Temporary Employees	6,360	5,778	(582)
41510	5107	Register of Deeds Outside Agencies - Temp Workers	-	896	896
41510	5352	Register of Deeds Communications	4,000	4,450	450
41510	5381	Register of Deeds Office Supplies	11,000	13,867	2,867
41510	5513	Register of Deeds Computer Equip (NonCapital)	369	-	(369)
41510	5514	Register of Deeds GIS Computer Equip (NonCap)	-	1,362	1,362
41510	5800	Register of Deeds Lease Purchase Payments	-	350	350
41510	5805	Register of Deeds Lease Interest Payments	-	29	29
41512	5513	Planning & Zoning Computer Equip (NonCapital)	744	1,851	1,107
41512	5527	Planning & Zoning Professional Services - Other	-	25,000	25,000
41513	5513	Procurement Computer Equip (NonCapital)	-	5,401	5,401
41514	5108	Administrative Services Health Insurance	29,082	31,482	2,400
41514	5109	Administrative Services Workers Compensation Insurance	1,977	4,577	2,600
41514	5205	Administrative Services Auto & Construction Equip Repairs	4,000	5,459	1,459
41514	5800	Administrative Services Lease Purchase Payments	3,998	5,802	1,804
41514	5805	Administrative Services Lease Interest Payments	161	311	150
41514	6104	Administrative Services Capital Outlay-Equipment	30,000	30,732	732
41514	6110	Administrative Services Capital Outlay-Computer Equip	1,974	8,249	6,275
41515	5125	IT Natural Disaster personnel	-	38	38
41515	5302	IT Equipment Repairs	6,000	7,651	1,651
41515	5405	IT Computer Software	25,000	14,722	(10,278)
41515	5513	IT Computer Equip (NonCapital)	2,106	12,584	10,478
41515	5800	IT Lease Purchase Payments	5,667	16,353	10,686
41515	5805	IT Lease Interest Payments	243	1,130	887

**BERKELEY COUNTY  
SUPPLEMENTAL APPROPRIATIONS  
FISCAL YEAR ENDING JUNE 30, 2005**

05-06-30

DEPARTMENT	OBJECT CODE		DESCRIPTION	CURRENT BUDGET	REVISED BUDGET	INCREASE (DECREASE)
41515	6110	IT	Capital Outlay - Computer Equipment	2,089	-	(2,089)
41515	6112	IT	Capital Outlay - Software	8,816	39,603	30,787
41517	5202	Building & Codes Enforcement	Gasoline & Oil	23,000	34,000	11,000
41517	5205	Building & Codes Enforcement	Auto & Construction Equip Repairs	12,000	12,906	906
41517	5509	Building & Codes Enforcement	Equipment Accessories	-	2,049	2,049
41517	5800	Building & Codes Enforcement	Lease Purchase Payments	11,400	24,303	12,903
41517	5805	Building & Codes Enforcement	Lease Interest Payments	640	1,710	1,070
41517	6106	Building & Codes Enforcement	Capital Outlay - Vehicles	14,058	38,280	24,222
41518	5352	Permitting	Communications	3,000	3,750	750
41518	5381	Permitting	Office Supplies	3,595	4,595	1,000
41518	5388	Permitting	Postage	300	350	50
41518	5513	Permitting	Computer Equip (NonCapital)	789	2,492	1,703
41518	5800	Permitting	Lease Purchase Payments	950	1,666	716
41518	5805	Permitting	Lease Interest Payments	40	100	60
41520	5109	Risk Management	Workers Compensation Insurance	474	601	127
41520	5510	Risk Management	Small Equipment	1,947	5,423	3,476
41520	5800	Risk Management	Lease Purchase Payments	-	1,804	1,804
41520	5805	Risk Management	Lease Interest Payments	-	150	150
42101	5110	Sheriff	Retirement Contrib. - Regular	44,847	44,162	(685)
42101	5111	Sheriff	Retirement - Police	414,375	415,435	1,060
42101	5125	Sheriff	Natural Disaster personnel	-	16,613	16,613
42101	5202	Sheriff	Gasoline & Oil	240,000	370,000	130,000
42101	5205	Sheriff	Auto & Construction Equip Repairs	164,000	213,292	49,292
42101	5323	Sheriff	Radio Supplies & Repairs	11,500	11,700	200
42101	5324	Sheriff	Radios	6,200	25,387	19,187
42101	5352	Sheriff	Communications	134,316	143,316	9,000
42101	5451	Sheriff	Insurance & Bonds	119,683	123,250	3,567
42101	5462	Sheriff	Tort liability	73,118	73,808	690
42101	5509	Sheriff	Equipment Accessories	4,150	12,037	7,887
42101	5510	Sheriff	Small Equipment	353	1,271	918
42101	5513	Sheriff	Computer Equip (NonCapital)	3,570	9,285	5,715
42101	5560	Sheriff	Other Operating Expenses	6,700	6,910	210

05-06-30

**BERKELEY COUNTY  
SUPPLEMENTAL APPROPRIATIONS  
FISCAL YEAR ENDING JUNE 30, 2005**

DEPARTMENT	OBJECT CODE	DESCRIPTION	CURRENT BUDGET	REVISED BUDGET	INCREASE (DECREASE)
42101	5566	Sheriff	-	1,465	1,465
42101	5800	Sheriff	172,081	280,732	108,651
42101	5805	Sheriff	9,853	18,876	9,023
42101	6106	Sheriff	117,390	408,480	291,090
42102	5202	Coroner	3,500	4,700	1,200
42102	5205	Coroner	2,500	12,548	10,048
42102	5509	Coroner	-	345	345
42102	5513	Coroner	748	2,363	1,615
42102	5800	Coroner	9,492	16,033	6,541
42102	5805	Coroner	1,022	1,536	514
42102	6106	Coroner	6,373	20,976	14,603
42103	5125	Communications	-	1,605	1,605
42103	5302	Communications	800	2,700	1,900
42103	5451	Communications	1,499	2,134	635
42103	5566	Communications	-	10,662	10,662
42301	5110	Detention Center	5,990	11,490	5,500
42301	5202	Detention Center	8,000	9,500	1,500
42301	5251	Detention Center	5,600	7,100	1,500
42301	5351	Detention Center	73,750	79,700	5,950
42301	5490	Detention Center	178,000	218,000	40,000
42301	5491	Detention Center	176,000	208,000	32,000
42301	5800	Detention Center	10,464	22,127	11,663
42301	5805	Detention Center	575	1,544	969
42301	6104	Detention Center	18,116	49,982	31,866
43101	5510	Maintenance Garage	-	5,624	5,624
43101	5800	Maintenance Garage	16,995	18,536	1,541
43101	5805	Maintenance Garage	838	966	128
43101	6104	Maintenance Garage	12,267	10,600	(1,667)
43103	5125	Roads & Bridges	-	63,460	63,460
43103	5201	Roads & Bridges	85,000	114,000	29,000
43103	5202	Roads & Bridges	55,000	64,000	9,000
43103	5205	Roads & Bridges	195,998	211,608	15,610

05-06-30

**BERKELEY COUNTY  
SUPPLEMENTAL APPROPRIATIONS  
FISCAL YEAR ENDING JUNE 30, 2005**

DEPARTMENT	OBJECT CODE	DESCRIPTION	CURRENT BUDGET	REVISED BUDGET	INCREASE (DECREASE)	
43103	5324	Roads & Bridges	Radios	-	534	534
43103	5330	Roads & Bridges	Pipes & Culverts	50,000	55,877	5,877
43103	5451	Roads & Bridges	Insurance & Bonds	52,200	60,140	7,940
43103	5509	Roads & Bridges	Equipment Accessories	-	1,677	1,677
43103	5542	Roads & Bridges	Special Contracts	269,213	305,135	35,922
43103	5566	Roads & Bridges	Natural Disaster Operating Exp	-	25,092	25,092
43103	5800	Roads & Bridges	Lease Purchase Payments	65,597	73,333	7,736
43103	5805	Roads & Bridges	Lease Interest Payments	3,703	4,345	642
43103	6106	Roads & Bridges	Capital Outlay - Vehicles	8,404	25,550	17,146
43104	5202	Engineering	Gasoline & Oil	5,500	7,902	2,402
43104	5205	Engineering	Auto & Construction Equip Repairs	2,200	2,690	490
43104	5324	Engineering	Radios	-	1,067	1,067
43104	5451	Engineering	Insurance & Bonds	4,840	5,043	203
43104	5513	Engineering	Computer Equip (NonCap)	1,320	1,561	241
43104	5514	Engineering	GIS Computer Equip (NonCap)	-	10,227	10,227
43104	5800	Engineering	Lease Purchase Payments	1,155	15,086	13,931
43104	5805	Engineering	Lease Interest Payments	57	1,213	1,156
43104	6104	Engineering	Capital Outlay - Equipment	1,644	-	(1,644)
43104	6106	Engineering	Capital Outlay - Vehicles	12,224	39,996	27,772
44103	5104	Mosquito Abatement	Temporary Employees	30,000	31,945	1,945
44103	5106	Mosquito Abatement	Student Interns	3,331	1,386	(1,945)
44103	5202	Mosquito Abatement	Gasoline & Oil	9,000	11,448	2,448
44103	5203	Mosquito Abatement	Tires	710	850	140
44103	5205	Mosquito Abatement	Auto & Construction Equip Repairs	4,250	5,366	1,116
44103	5381	Mosquito Abatement	Office Supplies	500	600	100
44103	5451	Mosquito Abatement	Insurance & Bonds	7,428	12,598	5,170
44103	5509	Mosquito Abatement	Equipment Accessories	-	742	742
44103	5510	Mosquito Abatement	Small Equipment	5,670	9,625	3,955
44103	5800	Mosquito Abatement	Lease Purchase Payments	9,293	10,280	987
44103	5805	Mosquito Abatement	Lease Interest Payments	489	570	81
44103	6104	Mosquito Abatement	Capital Outlay-Equipment	16,502	30,511	14,009
44103	6106	Mosquito Abatement	Capital Outlay-Vehicle	15,987	-	(15,987)

05-06-30

**BERKELEY COUNTY  
SUPPLEMENTAL APPROPRIATIONS  
FISCAL YEAR ENDING JUNE 30, 2005**

DEPARTMENT	OBJECT CODE		DESCRIPTION	CURRENT BUDGET	REVISED BUDGET	INCREASE (DECREASE)
44104	5101	EMS	Salaries	1,485,108	1,486,481	1,373
44104	5109	EMS	Workers Compensation Insurance	341,271	341,278	7
44104	5110	EMS	Retirement Contrib. - Regular	162,428	162,522	94
44104	5112	EMS	FICA Taxes	181,398	181,503	105
44104	5125	EMS	Natural Disaster personnel	-	3,774	3,774
44104	5201	EMS	Diesel Fuel	46,000	61,000	15,000
44104	5205	EMS	Auto & Construction Equip Repairs	60,000	81,200	21,200
44104	5510	EMS	Small Equipment	1,394	13,700	12,306
44104	5513	EMS	Computer Equip (NonCapital)	2,069	10,414	8,345
44104	5800	EMS	Lease Purchase Payments	127,544	164,637	37,093
44104	5805	EMS	Lease Interest Payments	12,457	15,613	3,156
44104	6104	EMS	Capital Outlay - Equipment	15,228	42,748	27,520
44104	6106	EMS	Capital Outlay - Vehicles	20,586	63,910	43,324
44407	5305	Senior Citizens	Construction Services	412	624	212
47001	5524	Airport Operations	Professional Services - Other	-	2,000	2,000
47002	5125	Public Buildings	Natural Disaster personnel	-	2,467	2,467
47002	5202	Public Buildings	Gasoline & Oil	10,500	11,500	1,000
47002	5205	Public Buildings	Auto & Construction Equip Repairs	4,500	4,778	278
47002	5382	Public Buildings	Other operating supplies	9,755	11,945	2,190
47002	5451	Public Buildings	Insurance & Bonds	53,919	55,700	1,781
47002	5509	Public Buildings	Equipment Accessories	-	483	483
47002	5510	Public Buildings	Small Equipment	9,943	27,105	17,162
47002	5513	Public Buildings	Computer Equip (NonCapital)	706	2,160	1,454
47002	5566	Public Buildings	Natural Disaster Operating Exp	-	6,815	6,815
47002	5800	Public Buildings	Lease Purchase Payments	80,296	121,132	40,836
47002	5805	Public Buildings	Lease Interest Payments	4,291	7,681	3,390
47002	6104	Public Buildings	Capital Outlay - Equipment	4,341	15,394	11,053
47002	6106	Public Buildings	Capital Outlay - Vehicles	15,158	47,398	32,240
47002	6108	Public Buildings	Capital Outlay - Improvements	80,930	64,567	(16,363)
47003	5108	HR Services Department	Health Insurance	120,905	125,192	4,287
47003	5391	HR Services Department	Service Awards	1,800	2,600	800
47003	5462	HR Services Department	Tort liability	-	721	721

05-06-30

BERKELEY COUNTY  
SUPPLEMENTAL APPROPRIATIONS  
FISCAL YEAR ENDING JUNE 30, 2005

DEPARTMENT	OBJECT CODE	DESCRIPTION	CURRENT BUDGET	REVISED BUDGET	INCREASE (DECREASE)
47003	5521	HR Services Department Professional Services Medical	20,000	30,000	10,000
47003	5542	HR Services Department Special Contracts	6,450	6,760	310
47010	5560	Contingency Fund Other Operating Expenses	600,000	800,000	200,000
<b>TOTAL EXPENDITURES - GENERAL FUND</b>			<b>9,835,481</b>	<b>11,732,315</b>	<b>1,896,834</b>

05-06-30

**BERKELEY COUNTY  
SUPPLEMENTAL APPROPRIATIONS  
FISCAL YEAR ENDING JUNE 30, 2005**

DEPARTMENT	OBJECT CODE	DESCRIPTION	CURRENT BUDGET	REVISED BUDGET	INCREASE (DECREASE)
<b>SPECIAL REVENUE</b>					
<b>CLERK OF COURT DSS INCENTIVE REVENUES</b>					
41212	4350	Clerk of Court DSS Incentive	-	89,729	89,729
<b>TOTAL REVENUES - CLERK OF COURT DSS</b>			-	<b>89,729</b>	<b>89,729</b>
<b>EXPENDITURES</b>					
41212	5382	Clerk of Court DSS Incentive	-	74,982	74,982
41212	5513	Clerk of Court DSS Incentive	-	14,747	14,747
<b>TOTAL EXPENDITURES - CLERK OF COURT DSS INCENTIVE</b>			-	<b>89,729</b>	<b>89,729</b>
<b>SHERIFF FORESTRY REVENUES</b>					
42105	4350	Sheriff Forestry	-	9,366	9,366
<b>TOTAL REVENUES - SHERIFF FORESTRY</b>			-	<b>9,366</b>	<b>9,366</b>
<b>EXPENDITURES</b>					
42105	5109	Sheriff Forestry	1,782	2,148	366
42105	5520	Sheriff Forestry	5,000	14,000	9,000
<b>TOTAL EXPENDITURES - SHERIFF FORESTRY</b>			<b>6,782</b>	<b>16,148</b>	<b>9,366</b>

05-06-30

**BERKELEY COUNTY  
SUPPLEMENTAL APPROPRIATIONS  
FISCAL YEAR ENDING JUNE 30, 2005**

DEPARTMENT	OBJECT CODE		DESCRIPTION	CURRENT BUDGET	REVISED BUDGET	INCREASE (DECREASE)
<b>EMERGENCY PREPAREDNESS REVENUES</b>						
42106	4475	Emergency Preparedness	State Natural Disaster	-	25	25
42106	4565	Emergency Preparedness	Emergency Preparedness Grant	34,604	26,900	(7,704)
42106	4585	Emergency Preparedness	Federal Natural Disaster	-	149	149
42106	7101	Emergency Preparedness	Operating Transfers In	142,084	156,876	14,792
<b>TOTAL REVENUES - EMERGENCY PREPAREDNESS</b>				<b>176,688</b>	<b>183,950</b>	<b>7,262</b>
<b>EXPENDITURES</b>						
42106	5125	Emergency Preparedness	Natural Disaster personnel	-	1,057	1,057
42106	5202	Emergency Preparedness	Gasoline & Oil	2,200	2,400	200
42106	5324	Emergency Preparedness	Radios	-	989	989
42106	5352	Emergency Preparedness	Communications	9,500	12,100	2,600
42106	5451	Emergency Preparedness	Insurance & Bonds	2,489	3,600	1,111
42106	5513	Emergency Preparedness	Computer Equipment	-	1,305	1,305
<b>TOTAL EXPENDITURES - EMERGENCY PREPAREDNESS</b>				<b>14,189</b>	<b>21,451</b>	<b>7,262</b>
<b>SCHOOL RESOURCE OFFICER REVENUES</b>						
42109	4216	SRO	Sheriff-SRO School Funded	373,734	375,378	1,644
42109	4475	SRO	State Natural Disaster	-	469	469
42109	4585	SRO	Federal Natural Disaster	-	2,812	2,812
<b>TOTAL REVENUES - SCHOOL RESOURCE OFFICER</b>				<b>373,734</b>	<b>378,659</b>	<b>4,925</b>
<b>EXPENDITURES</b>						
42109	5125	SRO	Natural Disaster personnel	-	4,925	4,925
<b>TOTAL EXPENDITURES - SCHOOL RESOURCE OFFICER</b>				<b>-</b>	<b>4,925</b>	<b>4,925</b>

05-06-30

**BERKELEY COUNTY  
SUPPLEMENTAL APPROPRIATIONS  
FISCAL YEAR ENDING JUNE 30, 2005**

DEPARTMENT	OBJECT CODE	DESCRIPTION	CURRENT BUDGET	REVISED BUDGET	INCREASE (DECREASE)
<b>POOLED FIRE FEES REVENUES</b>					
42202	4350	Pooled Fire Fees	-	27,290	27,290
42202	4350	Pooled Fire Fees	27,290	41,489	14,199
<b>TOTAL REVENUE - POOLED FIRE FEES</b>			<b>27,290</b>	<b>68,779</b>	<b>41,489</b>
<b>POOLED FIRE FEES EXPENDITURES</b>					
42202	8101	Pooled Fire Fees	16,200	25,785	9,585
42202	8126	Pooled Fire Fees	15,650	19,831	4,181
42202	8129	Pooled Fire Fees	15,650	29,174	13,524
42202	8130	Pooled Fire Fees	-	14,199	14,199
<b>TOTAL EXPENDITURES - POOLED FIRE FEES</b>			<b>47,500</b>	<b>88,989</b>	<b>41,489</b>
<b>LIBRARY REVENUES</b>					
45502	4234	Library	33,250	33,257	7
45502	4571	Library	142,651	-	(142,651)
<b>TOTAL REVENUES - LIBRARY</b>			<b>175,901</b>	<b>33,257</b>	<b>(142,644)</b>
<b>EXPENDITURES</b>					
45502	5510	Library	938	-	(938)
45502	5536	Library	142,651	-	(142,651)
45502	5800	Library	1,023	1,895	872
45502	5805	Library	58	131	73
<b>TOTAL EXPENDITURES - LIBRARY</b>			<b>144,670</b>	<b>2,026</b>	<b>(142,644)</b>

**BERKELEY COUNTY  
SUPPLEMENTAL APPROPRIATIONS  
FISCAL YEAR ENDING JUNE 30, 2005**

05-06-30

DEPARTMENT	OBJECT CODE	DESCRIPTION	CURRENT BUDGET	REVISED BUDGET	INCREASE (DECREASE)
<b>LIBRARY GRANTS REVENUES</b>					
45506	4362	Library Grants	-	7,913	7,913
<b>TOTAL REVENUES - LIBRARY GRANTS</b>			-	<b>7,913</b>	<b>7,913</b>
<b>EXPENDITURES</b>					
45506	5515	Library Grants	-	7,913	7,913
<b>TOTAL EXPENDITURES - LIBRARY GRANTS</b>			-	<b>7,913</b>	<b>7,913</b>
<b>LIBRARY-STATE AID REVENUES</b>					
45507	4571	Library - State Aid	-	142,651	142,651
<b>TOTAL REVENUES - LIBRARY-STATE AID</b>			-	<b>142,651</b>	<b>142,651</b>
<b>EXPENDITURES</b>					
45507	5536	Library - State Aid	-	142,651	142,651
<b>TOTAL EXPENDITURES - LIBRARY-STATE AID</b>			-	<b>142,651</b>	<b>142,651</b>
<b>LAKE MOULTRIE PARK REVENUES</b>					
47081	4350	Lake Moultrie Park	-	9,648	9,648
<b>TOTAL REVENUES - LAKE MOULTRIE PARK</b>			-	<b>9,648</b>	<b>9,648</b>
<b>EXPENDITURES</b>					
47081	7151	Lake Moultrie Park	-	9,648	9,648
<b>TOTAL EXPENDITURES - LAKE MOULTRIE PARK</b>			-	<b>9,648</b>	<b>9,648</b>

**BERKELEY COUNTY  
SUPPLEMENTAL APPROPRIATIONS  
FISCAL YEAR ENDING JUNE 30, 2005**

05-06-30

DEPARTMENT	OBJECT CODE	DESCRIPTION	CURRENT BUDGET	REVISED BUDGET	INCREASE (DECREASE)
<b>ENTERPRISE</b>					
<b>CYPRESS GARDENS REVENUES</b>					
45201	4367	Cypress Gardens Insurance Proceeds		1,679	1,679
45201	4475	Cypress Gardens State Natural Disaster	-	202	202
45201	4585	Cypress Gardens Federal Natural Disaster	-	1,209	1,209
45201	4608	Cypress Gardens Facility Rental Cypress Gardens	50,000	61,886	11,886
45201	7101	Cypress Gardens Operating Transfers In	210,150	219,798	9,648
45201	7251	Cypress Gardens Proceeds Cap Lease Obligation	-	22,672	22,672
<b>TOTAL REVENUES - CYPRESS GARDENS</b>			<b>260,150</b>	<b>307,446</b>	<b>47,296</b>
<b>EXPENDITURES</b>					
45201	5125	Cypress Gardens Natural Disaster personnel	-	8,795	8,795
45201	5351	Cypress Gardens Utilities	50,400	60,000	9,600
45201	5509	Cypress Gardens Equipment Accessories	-	400	400
45201	5510	Cypress Gardens Small Equipment	2,242	3,500	1,258
45201	5566	Cypress Gardens Natural Disaster operating exp	-	69	69
45201	5800	Cypress Gardens Lease Purchase Payments	-	8,901	8,901
45201	5805	Cypress Gardens Lease Interest Payments	-	739	739
45201	6104	Cypress Gardens Capital Outlay - Equipment	7,673	11,150	3,477
45201	6106	Cypress Gardens Capital Outlay - Vehicles	5,922	13,727	7,805
45201	6108	Cypress Gardens Capital Outlay - Improvements	23,000	29,252	6,252
<b>TOTAL EXPENDITURES - CYPRESS GARDENS</b>			<b>89,237</b>	<b>136,533</b>	<b>47,296</b>

ORDINANCE NO. 05 - 06 - 31

AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #271-00-02-029 (58.1 acres).

WHEREAS, Berkeley County Council adopted a Zoning and Development Standards Ordinance, including Official Zoning and Development Standards Maps, on April 26, 1999, pursuant to Title 6, Chapter 29, of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, Berkeley County Council adopted such regulations for the purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the County; and

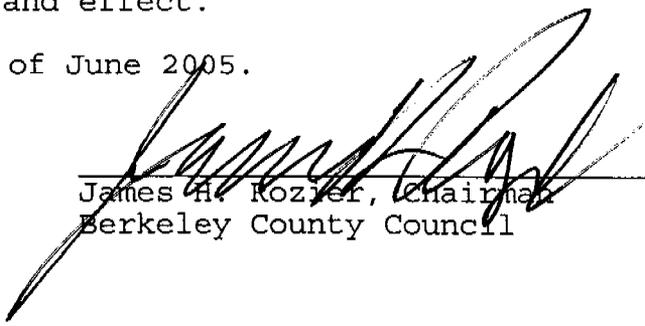
WHEREAS, the Berkeley County Council has determined that the rezoning or reclassification of the land designated herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was adopted on April 26, 1999;

NOW, THEREFORE, BE IT ORDAINED that the official Zoning and Development Standards Maps for Berkeley County, South Carolina, which were adopted pursuant to Ordinance No. 01-8-35 shall be modified in the following regard:

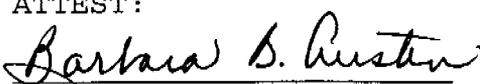
That portion of the official Zoning Map which contains that property identified as TMS#271-00-02-029 (58.1 acres) as is more clearly shown on "Exhibit A", which is attached hereto and made a part hereof. This property has previously been designated and approved as GC General Commercial District and will hereafter upon approval of this ordinance be reclassified as F-1, Agricultural District.

BE IT FURTHER ORDAINED that all ordinances in conflict with this modification are repealed to the extent necessary to give this ordinance full force and effect.

ADOPTED this 20<sup>th</sup> day of June 2005.

  
James H. Rozyer, Chairman  
Berkeley County Council

ATTEST:

  
Barbara B. Austin  
CLERK OF COUNTY COUNCIL

First Reading: April 25, 2005  
Second Reading: May 23, 2005  
Public Hearing: June 20, 2005  
Third Reading: June 20, 2005

MEMBERS OF COUNTY COUNCIL

Phillip Farley

PHILLIP FARLEY Voting yes

Dennis L. Fish

DENNIS L. FISH Voting yes

Judith K. Spooner

JUDITH K. SPOONER Voting yes

Excused 6-20-05

JUDY C. MIMS Voting \_\_\_\_\_

William E. Crosby

WILLIAM E. CROSBY Voting yes

Caldwell Pinckney, Jr.

CALDWELL PINCKNEY, JR. Voting yes

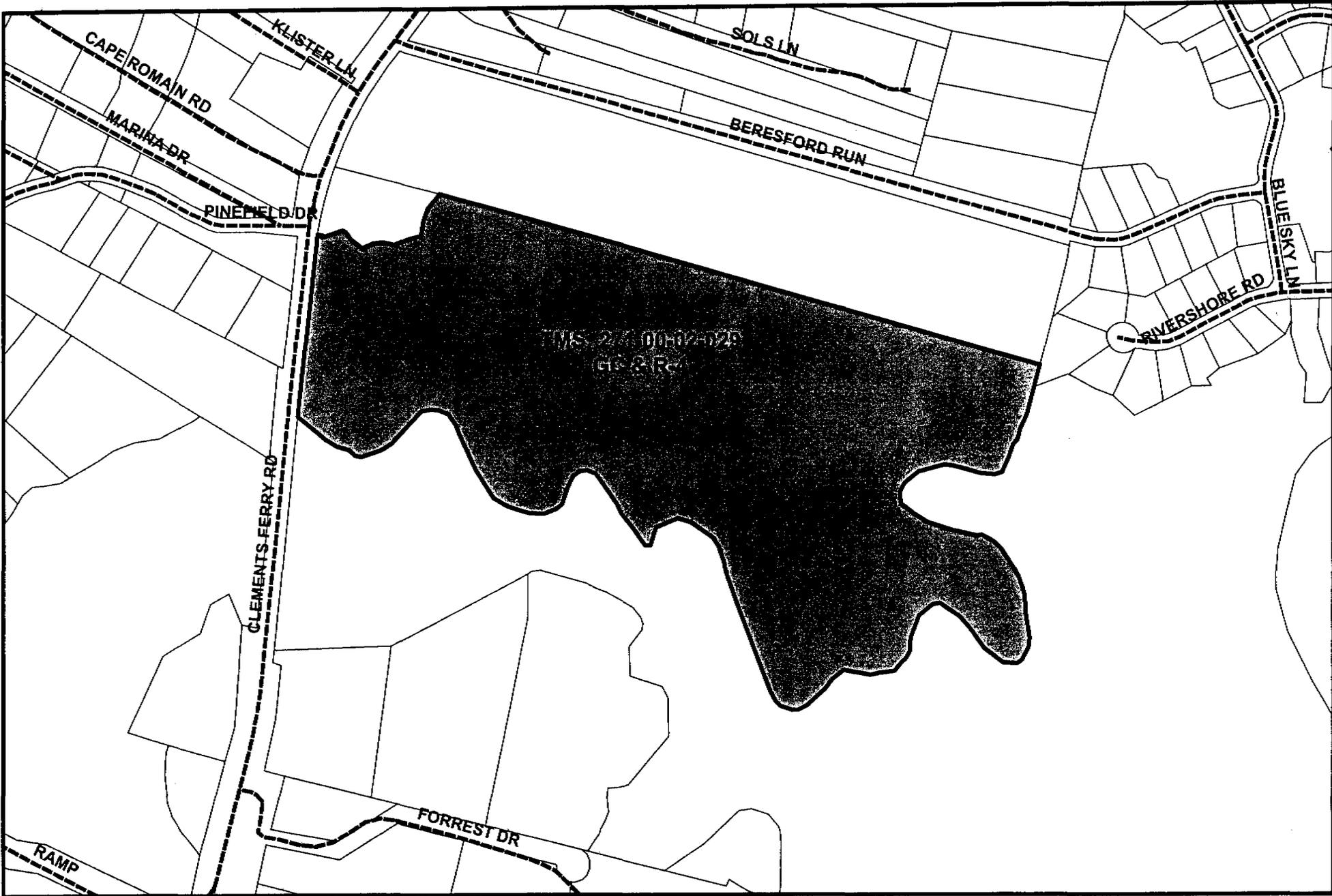
Charles E. Davis

CHARLES E. DAVIS Voting yes

Steve C. Davis

STEVE C. DAVIS Voting yes

TMS#: 271-00-02-029



Berkeley County GIS Department  
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Moncks Corner, SC 29461  
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Email: [rhauck@co.berkeley.sc.us](mailto:rhauck@co.berkeley.sc.us)  
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ORDINANCE NO. 05 - 06 - 32

AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #013-00-02-046 (3 acre portion of 10 acres).

WHEREAS, Berkeley County Council adopted a Zoning and Development Standards Ordinance, including Official Zoning and Development Standards Maps, on April 26, 1999, pursuant to Title 6, Chapter 29, of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, Berkeley County Council adopted such regulations for the purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the County; and

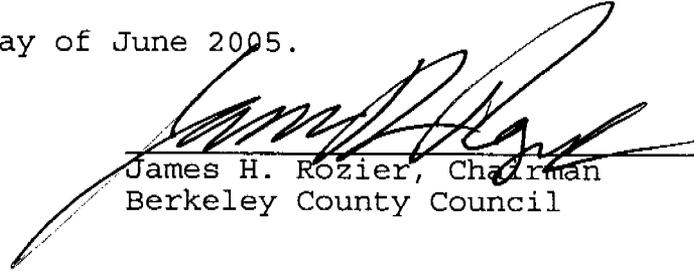
WHEREAS, the Berkeley County Council has determined that the rezoning or reclassification of the land designated herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was adopted on April 26, 1999;

NOW, THEREFORE, BE IT ORDAINED that the official Zoning and Development Standards Maps for Berkeley County, South Carolina, which were adopted pursuant to Ordinance No. 01-8-35 shall be modified in the following regard:

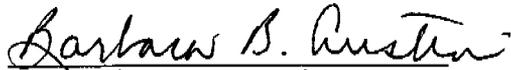
That portion of the official Zoning Map which contains that property identified as TMS#013-00-02-046 (3 acres portion of 10 acres) as is more clearly shown on "Exhibit A", which is attached hereto and made a part hereof. This property has previously been designated and approved as F-1, Agricultural District and will hereafter upon approval of this ordinance be reclassified as RNC Rural and Neighborhood Commercial District.

BE IT FURTHER ORDAINED that all ordinances in conflict with this modification are repealed to the extent necessary to give this ordinance full force and effect.

ADOPTED this 20<sup>th</sup> day of June 2005.

  
James H. Rozier, Chairman  
Berkeley County Council

ATTEST:

  
Barbara B. Austin  
CLERK OF COUNTY COUNCIL

First Reading: April 25, 2005  
Second Reading: May 23, 2005  
Public Hearing: June 20, 2005  
Third Reading: June 20, 2005

MEMBERS OF COUNTY COUNCIL

Phillip Farley

PHILLIP FARLEY Voting yes

Judith K. Spooner

JUDITH K. SPOONER Voting yes

William E. Crosby

WILLIAM E. CROSBY Voting yes

Charles E. Davis

CHARLES E. DAVIS Voting yes

Charles E. Davis  
yes

Dennis L. Fish

DENNIS L. FISH Voting yes

Rescued 6-20-05

JUDY C. MIMS Voting \_\_\_\_\_

Caldwell Pinckney, Jr.

CALDWELL PINCKNEY, JR. Voting yes

Steve C. Davis

STEVE C. DAVIS Voting yes

TMS#: 013-00-02-046



05-06-32



Berkeley County GIS Department  
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7/16/2005



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ORDINANCE NO. 05 - 06 - 33

AN ORDINANCE TO MODIFY THE OFFICIAL ZONING MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #029-00-02-063 (1 acre).

WHEREAS, Berkeley County Council adopted a Zoning and Development Standards Ordinance, including Official Zoning and Development Standards Maps, on April 26, 1999, pursuant to Title 6, Chapter 29, of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, Berkeley County Council adopted such regulations for the purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the County; and

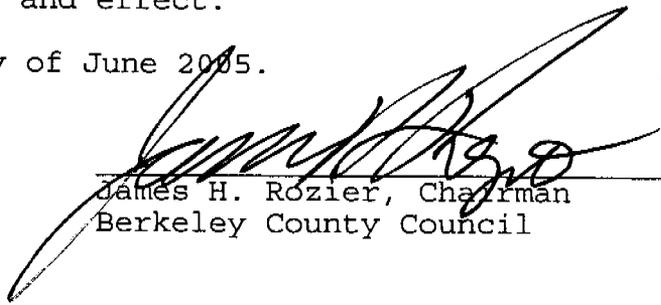
WHEREAS, the Berkeley County Council has determined that the rezoning or reclassification of the land designated herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was adopted on April 26, 1999;

NOW, THEREFORE, BE IT ORDAINED that the official Zoning and Development Standards Maps for Berkeley County, South Carolina, which were adopted pursuant to Ordinance No. 01-8-35 shall be modified in the following regard:

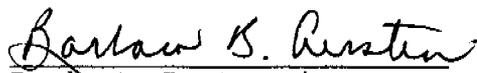
That portion of the official Zoning Map which contains that property identified as TMS#029-00-02-063 (1 acre) as is more clearly shown on "Exhibit A", which is attached hereto and made a part hereof. This property has previously been designated and approved as GC General Commercial District and will hereafter upon approval of this ordinance be reclassified as F-1, Agricultural.

BE IT FURTHER ORDAINED that all ordinances in conflict with this modification are repealed to the extent necessary to give this ordinance full force and effect.

ADOPTED this 20<sup>th</sup> day of June 2005.

  
James H. Rozier, Chairman  
Berkeley County Council

ATTEST:

  
Barbara B. Austin  
CLERK OF COUNTY COUNCIL

First Reading: April 25, 2005  
Second Reading: May 23, 2005  
Public Hearing: June 20, 2005  
Third Reading: June 20, 2005

MEMBERS OF COUNTY COUNCIL

*Phillip Farley*

PHILLIP FARLEY Voting yes

*Dennis L. Fish*

DENNIS L. FISH Voting yes

*Judith K. Spooner*

JUDITH K. SPOONER Voting yes

*Excused 6-20-05*

JUDY C. MIMS Voting \_\_\_\_\_

*William E. Crosby*

WILLIAM E. CROSBY Voting yes

*Caldwell Pinckney, Jr.*

CALDWELL PINCKNEY, JR. Voting yes

*Charles E. Davis*

CHARLES E. DAVIS Voting yes

*Steve C. Davis*

STEVE C. DAVIS Voting yes

TMS#: 029-00-02-063



05-06-33



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Online: <http://gis.co.berkeley.sc.us>  
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ORDINANCE NO. 05 - 06 - 34

AN ORDINANCE TO MODIFY THE OFFICIAL ZONING MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #197-00-01-017 (6 acres portion of 10 acres total).

WHEREAS, Berkeley County Council adopted a Zoning and Development Standards Ordinance, including Official Zoning and Development Standards Maps, on April 26, 1999, pursuant to Title 6, Chapter 29, of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, Berkeley County Council adopted such regulations for the purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the County; and

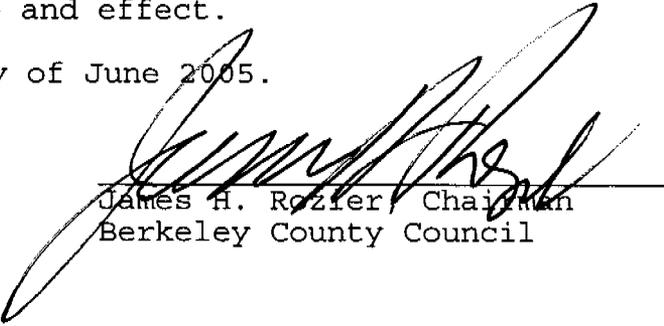
WHEREAS, the Berkeley County Council has determined that the rezoning or reclassification of the land designated herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was adopted on April 26, 1999;

NOW, THEREFORE, BE IT ORDAINED that the official Zoning and Development Standards Maps for Berkeley County, South Carolina, which were adopted pursuant to Ordinance No. 01-8-35 shall be modified in the following regard:

That portion of the official Zoning Map which contains that property identified as TMS#197-00-01-017 (6 acres portion of 10 acres) as is more clearly shown on "Exhibit A", which is attached hereto and made a part hereof. This property has previously been designated and approved as HI Heavy Industrial District and will hereafter upon approval of this ordinance be reclassified as GC General Commercial District.

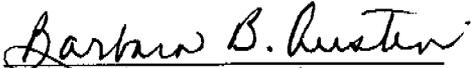
BE IT FURTHER ORDAINED that all ordinances in conflict with this modification are repealed to the extent necessary to give this ordinance full force and effect.

ADOPTED this 20<sup>th</sup> day of June 2005.



James H. Rozier, Chairman  
Berkeley County Council

ATTEST:

  
Barbara B. Austin  
CLERK OF COUNTY COUNCIL

First Reading: April 25, 2005  
Second Reading: May 23, 2005  
Public Hearing: June 20, 2005  
Third Reading: June 20, 2005

MEMBERS OF COUNTY COUNCIL

*Phillip Farley*

PHILLIP FARLEY Voting *yes*

*Dennis L. Fish*

DENNIS L. FISH Voting *yes*

*Judith K. Spooner*

JUDITH K. SPOONER Voting *yes*

*Excused 6-20-05*

JUDY C. MIMS Voting \_\_\_\_\_

*William E. Crosby*

WILLIAM E. CROSBY Voting *yes*

*Caldwell Pinckney, Jr.*

CALDWELL PINCKNEY, JR. Voting *yes*

*Charles E. Davis*

CHARLES E. DAVIS Voting *yes*

*Steve C. Davis*

STEVE C. DAVIS Voting *yes*

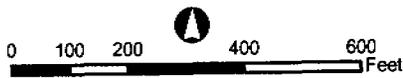
TMS#: 197-00-01-017



05-06-34



Berkeley County GIS Department  
 223 N. Live Oak Drive  
 Moncks Corner, SC 29461  
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 6/16/2005



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ORDINANCE NO. 05 - 06 - 35

AN ORDINANCE TO MODIFY THE OFFICIAL ZONING MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #022-00-01-002 (7.76 acres).

WHEREAS, Berkeley County Council adopted a Zoning and Development Standards Ordinance, including Official Zoning and Development Standards Maps, on April 26, 1999, pursuant to Title 6, Chapter 29, of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, Berkeley County Council adopted such regulations for the purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the County; and

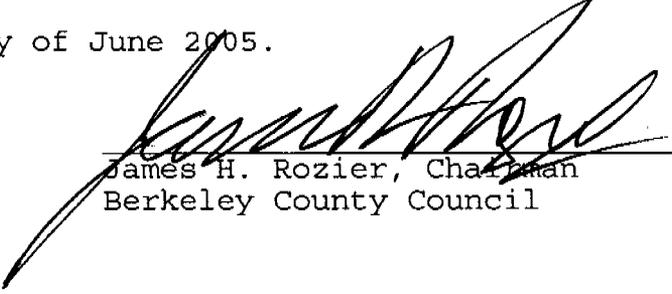
WHEREAS, the Berkeley County Council has determined that the rezoning or reclassification of the land designated herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was adopted on April 26, 1999;

NOW, THEREFORE, BE IT ORDAINED that the official Zoning and Development Standards Maps for Berkeley County, South Carolina, which were adopted pursuant to Ordinance No. 01-8-35 shall be modified in the following regard:

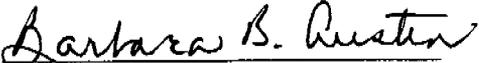
That portion of the official Zoning Map which contains that property identified as TMS#022-00-01-002 (7.76 acres) as is more clearly shown on "Exhibit A", which is attached hereto and made a part hereof. This property has previously been designated and approved as F-1 Agricultural District and will hereafter upon approval of this ordinance be reclassified as R-3 Mobile Home Park District.

BE IT FURTHER ORDAINED that all ordinances in conflict with this modification are repealed to the extent necessary to give this ordinance full force and effect.

ADOPTED this 20<sup>th</sup> day of June 2005.

  
James H. Rozier, Chairman  
Berkeley County Council

ATTEST:

  
Barbara B. Austin  
CLERK OF COUNTY COUNCIL

First Reading: April 25, 2005  
Second Reading: May 23, 2005  
Public Hearing: June 20, 2005  
Third Reading: June 20, 2005

MEMBERS OF COUNTY COUNCIL

Phillip Farley

PHILLIP FARLEY Voting yes

Dennis L. Fish

DENNIS L. FISH Voting Yes

Judith K. Spooner

JUDITH K. SPOONER Voting yes

Excused 6-20-05

JUDY C. MIMS Voting \_\_\_\_\_

William E. Crosby

WILLIAM E. CROSBY Voting Yes

Caldwell Pinckney, Jr.

CALDWELL PINCKNEY, JR. Voting yes

Charles E. Davis

CHARLES E. DAVIS Voting yes

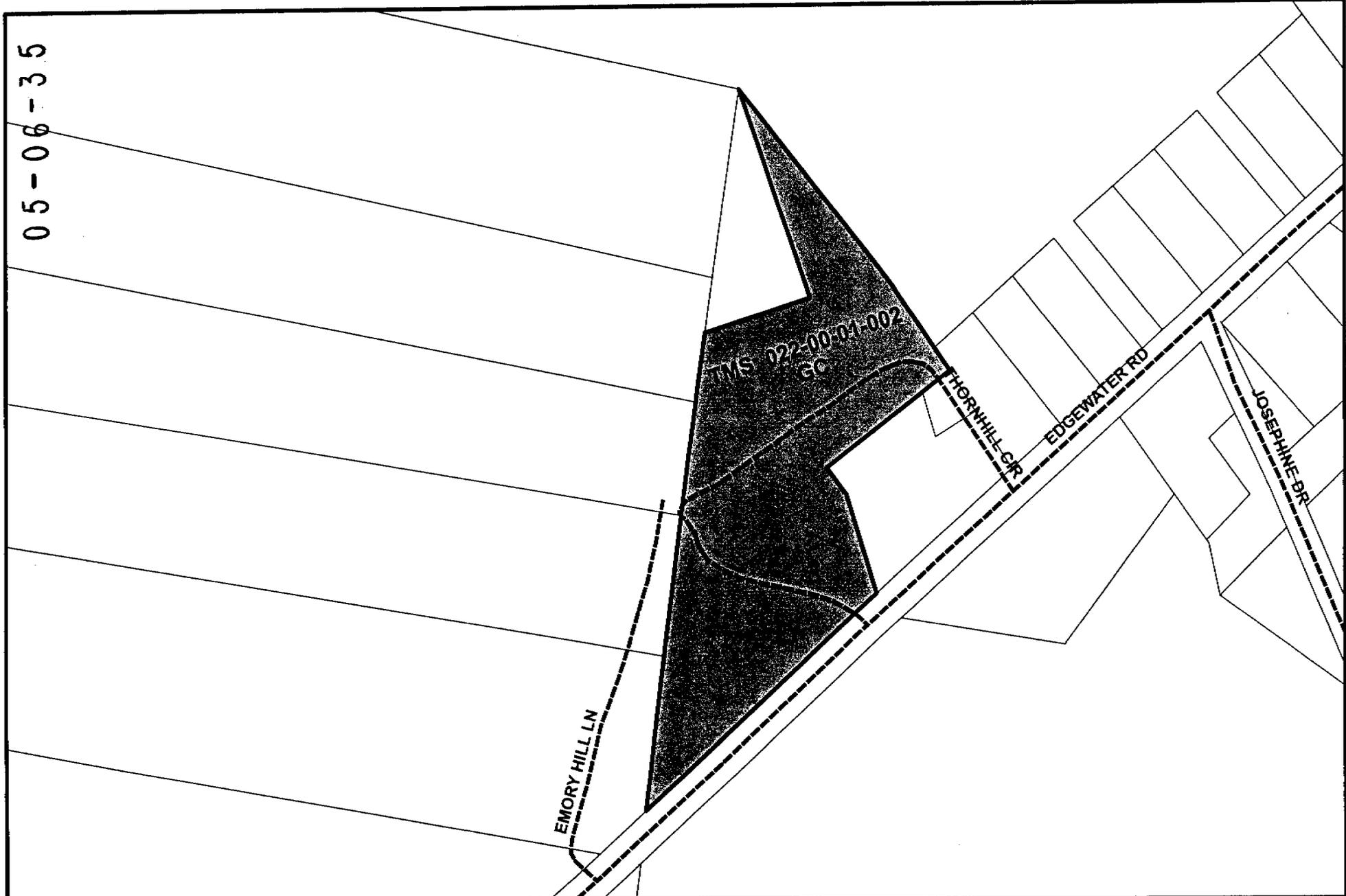
Steve C. Davis

STEVE C. DAVIS Voting yes

TMS#: 022-00-01-002



05-06-35



Berkeley County GIS Department  
223 N. Live Oak Drive  
Moncks Corner, SC 29461  
(843) 719-4038 | fax (843) 719-4190  
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005



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ORDINANCE NO. 05 - 06 - 36

AN ORDINANCE TO MODIFY THE OFFICIAL ZONING MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #057-00-02-047 (128.29 acres).

WHEREAS, Berkeley County Council adopted a Zoning and Development Standards Ordinance, including Official Zoning and Development Standards Maps, on April 26, 1999, pursuant to Title 6, Chapter 29, of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, Berkeley County Council adopted such regulations for the purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the County; and

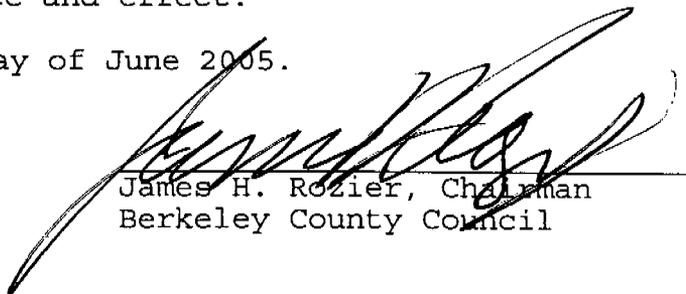
WHEREAS, the Berkeley County Council has determined that the rezoning or reclassification of the land designated herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was adopted on April 26, 1999;

NOW, THEREFORE, BE IT ORDAINED that the official Zoning and Development Standards Maps for Berkeley County, South Carolina, which were adopted pursuant to Ordinance No. 01-8-35 shall be modified in the following regard:

That portion of the official Zoning Map which contains that property identified as TMS#057-00-02-047 (128.29 acres) as is more clearly shown on "Exhibit A", which is attached hereto and made a part hereof. This property has previously been designated and approved as F-1 Agricultural District and will hereafter upon approval of this ordinance be reclassified as R-2 Manufactured Residential District.

BE IT FURTHER ORDAINED that all ordinances in conflict with this modification are repealed to the extent necessary to give this ordinance full force and effect.

ADOPTED this 20<sup>th</sup> day of June 2005.



James H. Rozier, Chairman  
Berkeley County Council

ATTEST:

Barbara B. Austin  
Barbara B. Austin  
CLERK OF COUNTY COUNCIL

First Reading: April 25, 2005  
Second Reading: May 23, 2005  
Public Hearing: June 20, 2005  
Third Reading: June 20, 2005

MEMBERS OF COUNTY COUNCIL

Phillip Farley

PHILLIP FARLEY Voting yes

Dennis L. Fish

DENNIS L. FISH Voting yes

Judith K. Spooner

JUDITH K. SPOONER Voting yes

Excused 6-20-05

JUDY C. MIMS Voting \_\_\_\_\_

William E. Crosby

WILLIAM E. CROSBY Voting yes

Caldwell Pinckney, Jr.

CALDWELL PINCKNEY, JR. Voting yes

Charles E. Davis

CHARLES E. DAVIS Voting yes

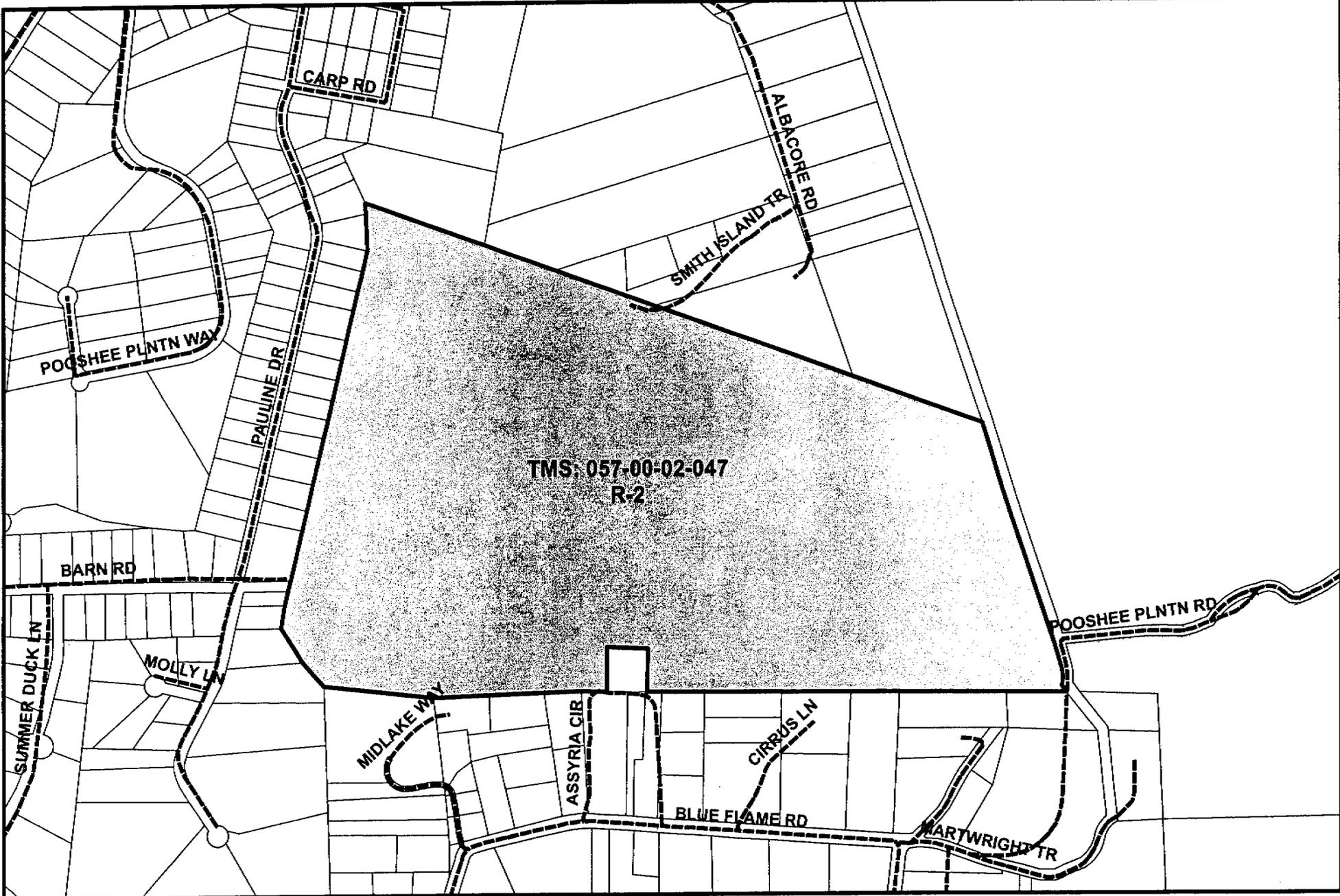
Steve C. Davis

STEVE C. DAVIS Voting yes

TMS#: 057-00-02-47



05-06-36



Berkeley County GIS Department  
 223 N. Live Oak Drive  
 Moncks Corner, SC 29461  
 (843) 719-4038 | fax (843) 719-4190  
 e-mail: rhauck@co.berkeley.sc.us  
 BCGIS Online: <http://gis.co.berkeley.sc.us>  
 6/16/2005



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ORDINANCE NO. 05 - 06 - 37

AN ORDINANCE TO MODIFY THE OFFICIAL ZONING MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #181-00-02-102 (138.562 acres).

WHEREAS, Berkeley County Council adopted a Zoning and Development Standards Ordinance, including Official Zoning and Development Standards Maps, on April 26, 1999, pursuant to Title 6, Chapter 29, of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, Berkeley County Council adopted such regulations for the purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the County; and

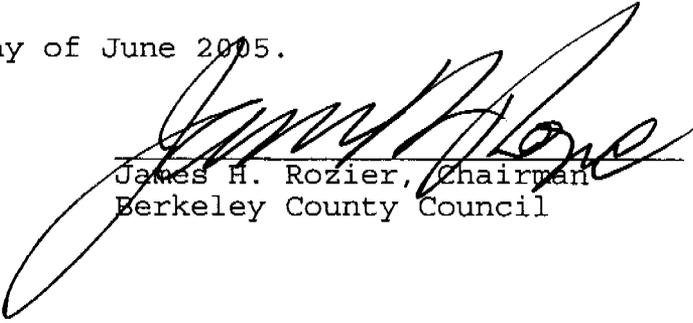
WHEREAS, the Berkeley County Council has determined that the rezoning or reclassification of the land designated herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was adopted on April 26, 1999;

NOW, THEREFORE, BE IT ORDAINED that the official Zoning and Development Standards Maps for Berkeley County, South Carolina, which were adopted pursuant to Ordinance No. 01-8-35 shall be modified in the following regard:

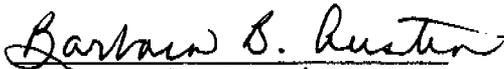
That portion of the official Zoning Map which contains that property identified as TMS#181-00-02-102 (138.562 acres) as is more clearly shown on "Exhibit A", which is attached hereto and made a part hereof. This property has previously been designated and approved as R-3 Mobile Home Park District and will hereafter upon approval of this ordinance be reclassified as R-1 Single Family Residential District.

BE IT FURTHER ORDAINED that all ordinances in conflict with this modification are repealed to the extent necessary to give this ordinance full force and effect.

ADOPTED this 20<sup>th</sup> day of June 2005.

  
James H. Rozier, Chairman  
Berkeley County Council

ATTEST:

  
Barbara B. Austin  
CLERK OF COUNTY COUNCIL

First Reading: April 25, 2005  
Second Reading: May 23, 2005  
Public Hearing: June 20, 2005  
Third Reading: June 20, 2005

MEMBERS OF COUNTY COUNCIL

*Phillip Farley*

PHILLIP FARLEY Voting yes

*Dennis L. Fish*

DENNIS L. FISH Voting yes

*Judith K. Spooner*

JUDITH K. SPOONER Voting yes

*Excused 6-20-05*

JUDY C. MIMS Voting \_\_\_\_\_

*William E. Crosby*

WILLIAM E. CROSBY Voting yes

*Caldwell Pinckney, Jr.*

CALDWELL PINCKNEY, JR. Voting yes

*Charles E. Davis*

CHARLES E. DAVIS Voting yes

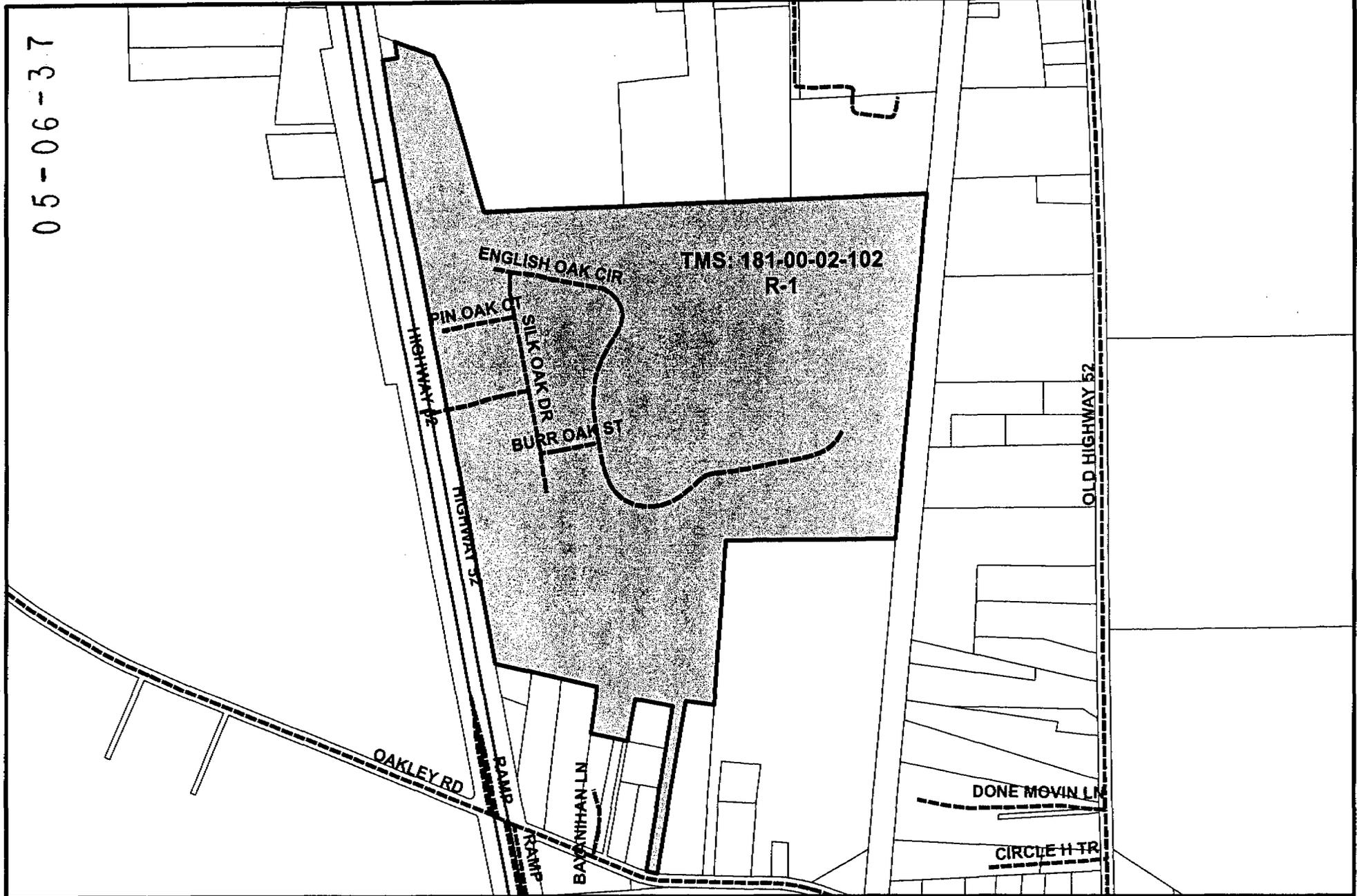
*Steve C. Davis*

STEVE C. DAVIS Voting FEI

TMS#: 181-00-02-102



05-06-37



Berkeley County GIS Department  
223 N. Live Oak Drive  
Moncks Corner, SC 29461  
(843) 719-4038 | fax (843) 719-4190  
e-mail: rhauck@co.berkeley.sc.us  
BGIS Online: <http://gis.co.berkeley.sc.us>



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**ORDINANCE NO. 05 - 06 - 38**

**AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF A VESTED RIGHT TO DEVELOP PROPERTY IN BERKELEY COUNTY**

**WHEREAS**, S.C. Code of Laws § 6-29-1530 mandates that the county as a local governing body establish a vested right in an approved site specific development plan; and

**WHEREAS**, an applicant receives approval of a site-specific development plan pursuant to the Berkeley County Land Development and Subdivision Regulations.

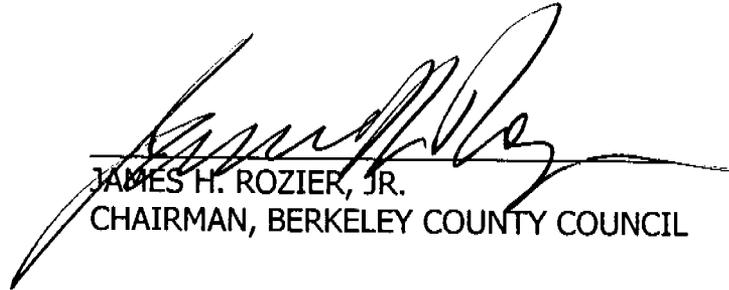
**NOW, THEREFORE, BE IT ORDAINED** by Berkeley County Council, in a meeting duly assembled, that a two-year vested right in an approved site specific development plan is hereby established when a plat receives preliminary approval pursuant to Ordinance No. 99-4-20, as amended by Ordinance No. 04-11-67.

This ordinance shall become effective July 1, 2005, for all site-specific development plans receiving preliminary approval after the effective date of this ordinance.

**DONE** this 20<sup>th</sup> day of June 2005.

05-06-38

BERKELEY COUNTY, SOUTH CAROLINA



JAMES H. ROZIER, JR.  
CHAIRMAN, BERKELEY COUNTY COUNCIL

Attest:

Barbara B. Austin  
Barbara B. Austin  
Clerk of County Council

MEMBERS OF COUNTY COUNCIL

Phillip Farley

PHILLIP FARLEY Voting yes

[Signature]

DENNIS L. FISH Voting yes

Judith K. Spooner

JUDITH K. SPOONER Voting yes

Excused 6-20-05

JUDY C. MIMS Voting \_\_\_\_\_

William E. Crosby

WILLIAM E. CROSBY Voting yes

Caldwell Pinckney, Jr.

CALDWELL PINCKNEY, JR. Voting yes

Charles E. Davis

CHARLES E. DAVIS Voting yes

[Signature]

STEVE C. DAVIS Voting yes

ORDINANCE NO. 05 - 06 - 39

**AN ORDINANCE TO REVIEW AND AMEND ORDINANCE NO. 99-4-18, AS AMENDED BY ORDINANCE NO. 04-08-48, PURSUANT TO SOUTH CAROLINA CODE OF LAW SECTION 6-29-510, 1976, AS AMENDED.**

**WHEREAS**, the 1994 State of South Carolina Comprehensive Planning Enabling Act (Section 6-29-310, et seq., of the Code of Laws of South Carolina 1976, as amended) requires the development and adoption of a local Comprehensive Plan designed to promote public health, safety, morals, convenience, prosperity, or the general welfare as well as the efficiency and economy of the County; and

**WHEREAS**, the Comprehensive Plan must be comprised of certain defined elements; and

**WHEREAS**, it appears to County Council that this amendment to the Comprehensive Plan is proper in all material aspects, and that the adoption of this amendment to the Plan is in the best interest of the County;

**NOW, THEREFORE, BE IT ORDAINED** that pursuant to Section 6-29-530 of the Code of Laws of South Carolina 1976, as amended, Berkeley County Council does hereby adopt, approve and ratify the following amendment to the "Berkeley County Comprehensive Plan, 1999" as amended August 23, 2004:

Element 5: Community Facilities

Transportation:

"...by the end of 2004. To effectively manage and plan for the anticipated impact on the transportation network of the County it is recommended that the option of implementing

an impact fee ordinance be explored. In compliance with SC State Code Section 6-1-960, a Capital Improvements Plan may be adopted to address issues including but not limited to:

Existing conditions

Total capacity

Land use assumptions

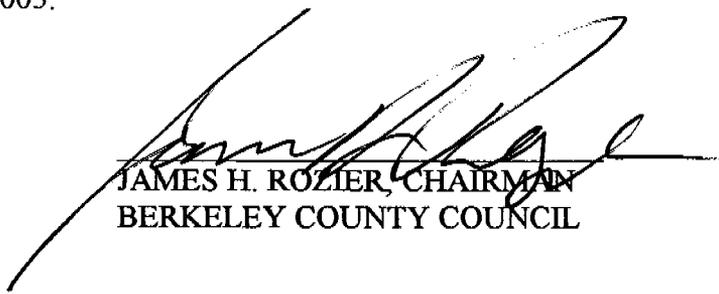
List of transportation system improvements and costs

Projected demand for transportation system improvements

Identify funding sources

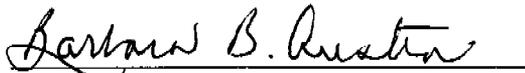
Estimated commencement and completion schedule for transportation improvements"

**ADOPTED** this 20th day of June, 2005.



JAMES H. ROZIER, CHAIRMAN  
BERKELEY COUNTY COUNCIL

ATTEST:



Barbara B. Austin  
Clerk of County Council

First Reading: April 25, 2005  
Second Reading: May 23, 2005  
Public Hearing: June 20, 2005  
Third Reading: June 20, 2005

MEMBERS OF COUNTY COUNCIL

Phillip Farley  
PHILLIP FARLEY Voting yes

Dennis L. Fish  
DENNIS L. FISH Voting yes

Judith K. Spooner  
JUDITH K. SPOONER Voting yes

Excused 6-20-05  
JUDY C. MIMS Voting \_\_\_\_\_

William E. Crosby  
WILLIAM E. CROSBY Voting yes

Caldwell Pinckney, Jr.  
CALDWELL PINCKNEY, JR. Voting yes

Charles E. Davis  
CHARLES E. DAVIS Voting yes

Steve C. Davis  
STEVE C. DAVIS Voting yes

ORDINANCE NO. 05 - 06 - 40

**AN ORDINANCE PROVIDING FOR THE ADOPTION OF FISCAL YEAR 2005-2006 (BEGINNING JULY 1, 2005 AND ENDING JUNE 30, 2006) BUDGETS FOR THE BERKELEY COUNTY WATER AND SANITATION AUTHORITY AND THE BERKELEY COUNTY WATER AND SANITATION AUTHORITY SOLID WASTE FUND; ESTABLISHING OPERATIONAL, DEBT SERVICE, AND CAPITAL IMPROVEMENT BUDGETS FOR WATER AND SEWER; AND TO PROVIDE FOR THE EXPENDITURES OF REVENUES COMING INTO THE BERKELEY COUNTY WATER AND SANITATION AUTHORITY AND THE BERKELEY COUNTY WATER AND SANITATION AUTHORITY SOLID WASTE FUND DURING THE FISCAL YEAR, AND TO AMEND THE CODE OF ORDINANCES, BERKELEY COUNTY, SOUTH CAROLINA, SETTING RATES, CHARGES AND PENALTIES FOR WATER AND SEWER AND SOLID WASTE SERVICE BY THE BERKELEY COUNTY WATER AND SANITATION AUTHORITY.**

**BE IT ENACTED:**

**SECTION ONE**

It is the purpose and objective of Berkeley County Council in the enactment of this Ordinance to provide for the operations and functions of the Berkeley County Water and Sanitation Authority and the Berkeley County Water and Sanitation Authority Solid Waste Fund and thereby strive to satisfy the needs of the County for water and sewage collection, treatment and disposition and for solid waste collection and comply with the South Carolina Solid Waste Policy and Management Act of 1991, as amended, and with federal regulations regarding solid waste disposal and disposition.

**SECTION TWO**

The cost of operation of the Berkeley County Water and Sanitation Authority shall be defrayed entirely by the revenues derived from the operation of its water and sewer systems and such revenues shall not be used for any other purposes. The cost of operation of the Berkeley County Water and Sanitation Authority Solid Waste Fund shall be defrayed entirely by the revenues derived from the operation of its solid waste system and such revenues shall not be used for any other purposes.

**SECTION THREE**

There is hereby projected for the fiscal year beginning July 1, 2005, and ending June 30, 2006, the following revenues for the Water Department of the Berkeley County Water and Sanitation Authority as set forth and attached hereto and made a part hereof.

**SECTION FOUR**

There is hereby appropriated for the fiscal year beginning July 1, 2005, and ending June 30, 2006, the following sums of money for the Water Department of the Berkeley County Water and Sanitation Authority in the amounts and for the purposes as set forth and attached hereto and made a part hereof.

**SECTION FIVE**

There is hereby projected for the fiscal year beginning July 1, 2005, and ending June 30, 2006, the following revenues for the Sewer Department of the Berkeley County Water and Sanitation Authority as set forth and attached hereto and made a part hereof.

### SECTION SIX

There is hereby appropriated for the fiscal year beginning July 1, 2005, and ending June 30, 2006, the following sums of money for the Sewer Department of the Berkeley County Water and Sanitation Authority in the amounts and for the purposes as set forth and attached hereto and made a part hereof.

### SECTION SEVEN

There is hereby projected for the fiscal year beginning July 1, 2005, and ending June 30, 2006, the following revenues for the Berkeley County Water and Sanitation Authority Solid Waste Fund as set forth and attached hereto and made a part thereof.

### SECTION EIGHT

There is hereby appropriated for the fiscal year beginning July 1, 2005, and ending June 30, 2006, the following sums of money for the Berkeley County Water and Sanitation Authority Solid Waste Fund in the amounts and for the purposes as set forth and attached hereto and made a part hereof.

### SECTION NINE

All financial records and transactions of the Authority and the Solid Waste Fund shall be audited at least annually. The audit shall be independent from that ordered for the County each year. Berkeley County Council may provide for more frequent audits, if same be deemed necessary. Greene, Finney & Horton, LLP shall be the designated accounting firm for providing the Berkeley County Water and Sanitation Authority's annual audit. The report of the audit shall be made available for public inspection.

### SECTION TEN

The Berkeley County Supervisor is directed by County Council to communicate, prepare, and supply data, information and reports regarding operations, negotiations, policy and financial matters of the Authority at least monthly or as required to County Council Standing Committees on Finance and Water & Sanitation and supply data, information and reports regarding operations, negotiations, policy and financial matters of the Solid Waste Fund at least monthly or as required to County Council Standing Committees on Finance and Water & Sanitation.

### SECTION ELEVEN

Berkeley County Council may, if it deems it to be in the best interests of the Authority or the Solid Waste Fund, and within the appropriations provided by this Ordinance, transfer funds or any portion thereof from one line account to another as the needs may dictate. The Director may transfer up to \$10,000 from any account. Notwithstanding the above, transfers for personnel, capital improvement items or transfers from the contingency fund must be approved by Berkeley County Council.

### SECTION TWELVE

**Section 65-561(a) (5) of the Berkeley County Code is amended to read as follows:**

(5) **Sewer system capacity reservation fee.** The Authority shall charge a sewer system capacity reservation fee to all developments that must obtain a sewer construction permit from SCDHEC. This fee shall equal one thousand two hundred thirty four (\$1,234.00) dollars per lot or residential dwelling unit and one thousand two hundred thirty four (\$1,234.00) dollars for each additional ERU or part thereof and must be paid prior to the issuance by the Authority of its capacity reservation letter to SCDHEC. For all projects that are not Planned Development Mixed Use

(PDMU) developments, no capacity reservation shall be valid for more than one hundred fifty (150) units and for longer than thirty (30) months from the date of the capacity reservation letter to SCDHEC. Prior to issuing additional taps, fifty (50%) percent of the prior issuances must be connected to the Authority's sewer system and in use. For all developments that comply with all requirements set forth by Berkeley County for a PDMU, no capacity reservation shall be valid for more than (300) three hundred units and for longer than 30 months from the date of the capacity reservation letter to SCDHEC. Prior to issuing additional taps, the contracts associated with the capacity reservation must be satisfied. Furthermore, no sewer capacity may be assigned to a project requiring an SCDHEC construction permit until the Applicant has signed a Sewer Contract with the Authority agreeing to the administrative regulations of the Authority.

(6) **Water system capacity reservation fee.** The Authority shall charge a water system capacity reservation fee to all developments that must obtain a water construction permit from the SCDHEC. This fee shall equal one thousand one hundred twenty eight (\$1,128.00) dollars per lot or residential dwelling unit and one thousand one hundred twenty eight (\$1,128.00) dollars for each additional ERU and must be paid prior to the issuance by the Authority of its capacity availability letter to SCDHEC. For all projects that are not Planned Development Mixed Use (PDMU) developments, no capacity reservation shall be valid for more than one hundred fifty (150) units and for longer than thirty (30) months from the date of the capacity reservation letter to SCDHEC. Prior to issuing additional taps, fifty (50%) percent of the prior issuances must be connected to the Authority's water system and be in use. For all developments that comply with all requirements set forth by Berkeley County for a PDMU, no capacity reservation shall be valid for more than (300) three hundred units and for longer than 30 months from the date of the capacity reservation letter to SCDHEC. Prior to issuing additional taps, the contracts associated with the capacity reservation must be satisfied. Furthermore, no water capacity may be assigned to a project requiring a SCDHEC construction permit until the Applicant has signed a Water Contract with the Authority agreeing to the administrative regulations of the Authority.

### SECTION THIRTEEN

**Section Sixteen of Ordinance No. 04-06-39 is repealed, and The Berkeley County Code is amended to add the following:**

**Cost For Pump Stations.** It is the intent of Berkeley County Council that new sewer pump stations will be accepted by Berkeley County Water & Sanitation Authority only when the monthly cost for providing sewer service to the particular development is equal to or less than the revenue generated by that development. In every case, the following formula will be utilized:

$$\frac{\text{(Total Monthly Operating Expenses)}}{\text{(Monthly Average Flow of BCWSA)}} \times \text{(Proposed Monthly Flow)} +$$

$$\text{(Pump Station Operation Costs)} \times 1.20 \leq$$

$$\text{(Total Number of Lots Proposed)} \times \text{(Monthly User Rate Per Lot)}$$

Where these terms are defined as:

$$\text{Total Monthly Operating Expenses} = \text{Total Annual Expenditures for the Sewer Fund}$$

divided by 12 (months).

Monthly Average Flow of BCWSA	=	Average of the total flows from the previous fiscal year.
Proposed Monthly Flow	=	Total Proposed ERU's from the development multiplied by the current approved daily average loading multiplied by 30.
Pump Station Operation Costs	=	Average of actual pump station costs per year.
1.20 factor	=	This provides for overhead costs.
Total Number of Lots Proposed	=	Number of residential lots or 1 for commercial.
Monthly User Rate Per Lot	=	\$33.60 for residential or calculated total bill for commercial.

In those cases where the monthly revenue available for treatment, operation and maintenance from the proposed development does not equal or exceed the monthly treatment and operation and maintenance costs incurred by the proposed development, the owner/developer will pay the remainder of the costs associated with the proposed development for a period not to exceed five years. This payment is due prior to the issuance of the "Willingness and Availability to Serve" letter from Berkeley County Water & Sanitation Authority to the South Carolina Department of Health and Environmental Control.

#### SECTION FOURTEEN

Section 53-65(c) of the Berkeley County Code is amended as follows:

(c) **Establishment of fees; fee schedule.** The county council sets the following annual solid waste recycling and disposal user fees. The annual solid waste recycling and disposal user fees shall be determined based upon the classification of the property and/or the average volume of solid waste generated per week of the year during which the annual solid waste recycling and disposal user fee is imposed.

1. **Residential Properties.** The annual solid waste recycling and disposal fee for residential properties, including vacant residences, shall be as follows:

<u>Classification of Property</u>	<u>Annual Solid Waste Recycling &amp; Disposal Fee</u>
Single Family Residence	\$75.00
Multi-Family Unit	\$60.00 per unit

2. **Small Non-Residential Generator.** The Annual Solid Waste Recycling and Disposal User Fee for small non-residential generators shall be \$75.00. A small non-residential generator shall be a Non-Residential Property which generates 1.0 cubic yard or less of non-compacted waste per week. This includes vacant small non-residential property.

3. **Other Non-Residential Properties.** The Annual Solid Waste Recycling and Disposal User Fee for all Non-Residential Properties which generate more than 1.0 cubic yard of non-compacted waste per week shall be the product of \$130.00 multiplied by the average number of

cubic yards or part thereof of non-compacted waste generated per week. The average shall be determined by multiplying container size times the number of dumps per week. The Authority may adjust the fee for any Non-Residential Property which changes container size during the year.

For Non-Residential properties in which a solid waste quantity has not or cannot be determined in the time frame prior to billing, the County may estimate the amount of solid waste for properties showing a building structure based on the size of the building, actual waste quantities from other property and/or other information deemed relevant by the Authority including Solid Waste Generation Tables provided by the Solid Waste Association of North America. Non-Residential property owners who dispute the fee imposed may address their concerns through the appeals procedure outlined in Section Eleven entitled "Petition for Relief".

4. **Governmental Agencies.** All Governmental Agencies owning real property within the County shall pay the Annual Solid Waste Recycling and Disposal User Fee imposed under the provisions of this Ordinance, as may be amended from time to time or imposed under the provisions of any Rate Ordinance. The County Supervisor with the approval of County Council shall have the authority to negotiate the annual fee with all Governmental Agencies within the County or refer such requests to the Appeals Board for consideration.

5. **Tipping Fees.** For all uses not listed above, tipping fees for municipal solid waste shall be \$50.00 per ton and shall be calculated at a rate of \$0.025 per pound or part thereof, tipping fees for separated construction and demolition debris that can be accepted at the Authority's C&D landfill or composting facility shall be \$19.00 per ton and shall be calculated at a rate of \$0.0095 per pound or part thereof, and tipping fees for separated land clearing debris that can be accepted at the Authority's C&D landfill shall be \$19.00 per ton and shall be calculated at a rate of \$0.0095 per pound or part thereof. Tipping fees shall be charged for the disposal of all roofing materials, and tipping fees for separated roofing materials that can be accepted at the Authority's C&D landfill shall be \$19.00 per ton and shall be calculated at a rate of \$0.0095 per pound or part thereof.

6. **Petroleum contaminated soils (PCS).** The Authority is authorized to negotiate tipping fees for petroleum contaminated soils on a case by case basis. PCS can be used as cover material once the soil has been air dried to less than 100ppm and, therefore, save valuable MSW landfill air space.

7. **Construction Demolition Waste:** Berkeley County Water and Sanitation Authority shall be allowed to reduce disposal fees for Construction Demolition Waste, to \$17/ton for haulers that dispose of a minimum of 500 tons of C&D Waste per month. This does not apply to haulers disposing of non-friable asbestos, fabric type insulation, and more than 25% of tonnage in carpeting or other fabric type materials.

8. **Waste requiring special handling.** The Authority is authorized to develop fees on a case by case basis and to negotiate service contracts to accept waste for recycling and disposal which requires special handling. Examples of these wastes include; but are not limited to; batteries, tires, sludge, motor oil, soil, ash, etc. The fees shall be based in part on the labor and costs incurred in the recycling and disposal of these wastes.

9. **Other wastes.** In all instances where the fees for recycling and disposal of wastes are not otherwise addressed by this Ordinance, the Authority is authorized to develop fees for accepting such wastes for disposal which shall be based in part on the labor and costs incurred in the recycling and disposal of these wastes.

10. **Generation of revenue by recycling or other disposal.** The Authority is further authorized to dispose of all wastes in a manner which is in the best interest of the Berkeley County

Water and Sanitation Authority Solid Waste Fund and should normally utilize available avenues to generate revenue by recycling or disposing of wastes such as white goods, lead acid batteries, glass, mulch, aluminum, scrap metal, building materials, etc. which are received at the Berkeley County landfill.

#### SECTION FIFTEEN

Section 4-9-30 of the S. C. Code empowers all counties to lease property and to make and execute contracts. There is a need for the County to finance the acquisition, by means of one or more lease purchase transactions ("Lease Purchases"), certain equipment for the use by the Berkeley County Water & Sanitation Authority, an agency of the County. In order to accomplish such acquisition, the County Supervisor is hereby empowered, on behalf of the County, to enter into one or more Lease Purchase Agreements ("Agreements") with banks or other financial institutions, as shall be determined by the County Supervisor in an aggregate principal amount not exceeding \$1,500,000.00. The Agreements may be entered into at any time or from time to time during the fiscal year beginning July 1, 2005 and ending June 30, 2006; shall be entered into pursuant to a Resolution or Resolutions duly adopted by County Council; may be entered into in the schedules of equipment, amounts, rates, and with the terms and conditions as prescribed in such Resolution(s); shall be subject to annual appropriation by County Council, as set forth in these Agreements; and, the Agreements will be subject to such other terms and conditions as the County Council prescribes in the Resolution(s). Without further authorization, the Council hereby delegates to the County Supervisor the authority to determine the manner in which proposals should be received for the financing of the lease purchases.

A request for proposals to finance the lease purchases shall be distributed in the manner deemed advisable by the County Supervisor. County Council further delegates to the County Supervisor the authority to determine the term of the financing which shall not exceed 5 years and to determine the lowest bidder therefore in accordance with the terms of the request for proposals provided the net interest cost does not exceed 8% per annum. The County Supervisor is authorized and empowered to approve the form, terms, and provisions of the Agreements. The County Supervisor is hereby authorized, empowered, and directed to execute, acknowledge, and deliver the Agreements in the name and on behalf of the County, pursuant to the terms of the Resolution(s).

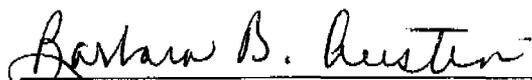
#### SECTION SIXTEEN

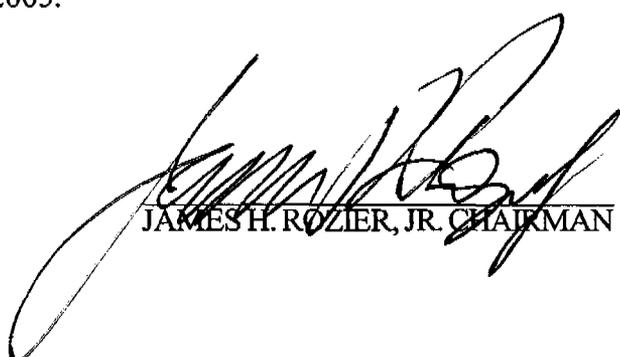
This Ordinance shall become effective on July 1, 2005.

ADOPTED this 20<sup>th</sup> day of June 2005.

(SEAL)

ATTEST:

  
BARBARA AUSTIN  
CLERK OF COUNTY COUNCIL

  
JAMES H. ROZIER, JR. CHAIRMAN

05 - 06 - 40

FIRST READING: April 25, 2005

SECOND READING: May 23, 2005

PUBLIC HEARING: June 20, 2005

THIRD READING: June 20, 2005

MEMBERS OF COUNTY COUNCIL

*Phillip Farley*

PHILLIP FARLEY Voting yes

*Dennis L. Fish*

DENNIS L. FISH Voting yes

*Judith K. Spooner*

JUDITH K. SPOONER Voting yes

*Excused 6-20-05*

JUDY C. MIMS Voting \_\_\_\_\_

*William E. Crosby*

WILLIAM E. CROSBY Voting yes

*Caldwell Pinckney, Jr.*

CALDWELL PINCKNEY, JR. Voting yes

*Charles E. Davis*

CHARLES E. DAVIS Voting yes

*Steve C. Davis*

STEVE C. DAVIS Voting yes

**Berkeley County Water & Sanitation Authority**  
**Sewer Fund**  
**Budget**  
*Fiscal Year Ending June 30, 2006*

	2005 Original	2005 Current	Actual Through 2/28/2005	2004 Actual	2006 Requested	2006 Approved
<b>Revenues</b>						
<b>SERVICE CHARGES &amp; FEE REVENUE</b>						
Service Charge Revenue	\$13,708,000	\$13,708,000	9,141,741	13,562,926	14,349,000	14,349,000
Origin Fees	80,000	80,000	57,183	80,363	95,000	95,000
Late Charges	225,000	225,000	80,970	221,689	130,000	130,000
Returned Check Charge	23,000	23,000	11,840	22,150	20,000	20,000
Reconnect Fee	46,000	46,000	18,170	50,458	30,000	30,000
<b>TOTAL SERVICE CHARGES &amp; FEE REVENUE</b>	<b>14,082,000</b>	<b>14,082,000</b>	<b>9,309,904</b>	<b>13,937,586</b>	<b>14,624,000</b>	<b>14,624,000</b>
<b>OTHER REVENUES:</b>						
Impact Fees	1,200,000	1,200,000	1,208,000	1,186,050	1,500,000	1,500,000
Capacity Reservation Fees	800,000	800,000	497,100	849,900	1,400,000	1,400,000
Contractual Svcs. Revenue	425,000	425,000	207,313	381,372	350,000	350,000
Finance Charges	0	0	601	0	500	500
Construction Charges-Others	60,000	60,000	13,020	48,549	30,000	30,000
Plan Review Fees	100,000	100,000	31,065	62,575	70,000	70,000
Legal Transfer Fee	20,000	20,000	6,800	16,800	15,000	15,000
Sewer Inspection Charge	100,000	100,000	86,000	116,000	130,000	130,000
Sewer Surcharges	0	0	16,823	0	20,000	20,000
Solid Waste Administration Cost Reimbursement	400,000	400,000	175,000	356,667	262,500	262,500
Miscellaneous Income	10,000	10,000	1,312	4,962	5,000	5,000
Septage Permit Fee	0	0	375	0	600	600
Decal Fee	0	0	245	0	400	400
Tower Rental	30,000	30,000	4,874	62,391	30,000	30,000
Interest Income	350,000	350,000	44,184	360,413	350,000	350,000
Sale of Assets	1,000	1,000	0	27,103	1,000	1,000
<b>TOTAL OTHER REVENUES</b>	<b>3,496,000</b>	<b>3,496,000</b>	<b>2,292,711</b>	<b>3,472,781</b>	<b>4,165,000</b>	<b>4,165,000</b>

**Berkeley County Water & Sanitation Authority**  
**Sewer Fund**  
**Budget**  
*Fiscal Year Ending June 30, 2006*

	2005 Original	2005 Current	Actual Through 2/28/2005	2004 Actual	2006 Requested	2006 Approved
<b>TOTAL REVENUES</b>	<b>\$17,578,000</b>	<b>\$17,578,000</b>	<b>11,602,615</b>	<b>17,410,367</b>	<b>18,789,000</b>	<b>\$18,789,000</b>
<b>Expenses</b>						
<b>PERSONNEL COSTS</b>						
Salaries-Regular	\$2,838,968	\$2,838,968	1,495,678	2,633,567	3,194,586	3,180,087
Salaries-Overtime	131,932	131,932	85,910	115,811	141,752	141,752
Salaries-Personal Leave	285,176	285,176	185,635	313,269	306,297	306,297
Salaries-Sick Leave	0	0	0	62,068	10,000	10,000
Payroll Taxes-FICA	249,090	249,090	132,612	231,318	271,272	271,272
Retirement Contributions	244,712	244,712	129,348	204,071	273,955	273,955
Insurance-Workmans Comp	190,000	190,000	169,193	166,949	342,068	342,068
Insurance-Group Life	1,683	6,683	3,507	4,994	5,787	5,787
Insurance-Unemployment	8,593	8,593	1,693	10,181	8,159	8,159
Travel	18,000	18,000	12,282	10,671	25,000	25,000
Education	42,750	42,750	7,716	9,398	30,000	25,000
Insurance-Group	510,920	480,920	229,896	595,613	707,234	707,234
<b>TOTAL PERSONNEL COSTS</b>	<b>4,521,824</b>	<b>4,496,824</b>	<b>2,453,470</b>	<b>4,357,908</b>	<b>5,316,111</b>	<b>5,296,611</b>
<b>CONTRACTUAL SERVICES</b>						
Maintenance Contracts	49,000	49,000	18,619	37,520	49,000	49,000
Engineering Services	27,500	72,500	69,991	46,829	106,650	95,000
Legal Services	65,000	55,000	33,705	98,274	98,274	65,000
Accounting Services	17,500	17,500	17,065	16,160	35,000	15,000
Other Professional Services	125,000	125,000	54,855	210,898	235,000	200,000
Account Services-Turn Off/On/Read	80,000	80,000	64,762	97,985	100,000	100,000
<b>TOTAL CONTRACTUAL SERVICES</b>	<b>364,000</b>	<b>399,000</b>	<b>258,997</b>	<b>507,666</b>	<b>623,924</b>	<b>524,000</b>

**Berkeley County Water & Sanitation Authority**  
**Sewer Fund**  
**Budget**  
*Fiscal Year Ending June 30, 2006*

	2005 Original	2005 Current	Actual Through 2/28/2005	2004 Actual	2006 Requested	2006 Approved
<b>MAINTENANCE &amp; REPAIRS</b>						
Contractual Treatment - Eagle Landing	75,000	75,000	59,638	91,695	90,000	90,000
Contractual Treatment - Land of Pines	41,000	31,000	12,113	37,044	20,000	20,000
Contractual Treatment - Otranto	110,000	110,000	76,340	114,099	117,000	117,000
Building Rental	0	0	0	0	75,357	75,357
Equipment Rental	7,650	7,650	6,041	7,140	10,000	9,000
Tires	27,500	27,500	14,114	17,281	27,500	25,000
Vehicle Maintenance	0	0	0	0	0	0
Heavy Vehicle Maintenance	0	0	0	0	0	0
Equipment Maintenance	121,150	162,150	88,157	22,850	30,000	93,000
Heavy Equipment Maintenance	0	0	0	0	0	0
Generator Maintenance	6,500	9,500	8,351	5,712	14,000	10,000
Miscellaneous/Consumable Supplies	142,849	142,849	69,022	137,651	141,000	135,000
Building Repairs/Maint.	12,000	12,000	3,189	9,607	6,000	5,000
Safety Equipment	63,500	58,500	22,347	59,593	40,000	35,000
Small Tools & Equipment	36,500	36,500	22,609	27,975	37,000	32,000
Trailer Maintenance	5,000	5,000	1,302	2,269	2,000	2,000
Tower Maintenance	10,000	10,000	3,477	18,982	27,250	27,250
Gas & Oil	87,500	97,500	77,618	98,211	150,000	150,000
Lab Tests-Contracted	32,000	27,000	2,517	4,575	10,000	10,000
System Maintenance - Chemicals	113,000	113,000	88,960	114,136	140,000	135,000
System Maint.-Lab	20,000	15,000	1,839	10,433	5,000	5,000
System Maint.-Lines	175,000	175,000	98,688	124,248	170,000	160,000
System Maint.-Plant Supplies	5,000	5,000	1,318	3,214	3,000	3,000
Odor Control Chemicals	195,000	195,000	0	0	200,000	200,000
System Maint-Treatment Plant	282,000	282,000	210,185	157,681	325,000	325,000
System Maint-Pump	155,000	155,000	71,075	137,518	110,000	136,000
<b>TOTAL MAINTENANCE &amp; REPAIRS</b>	<b>1,723,149</b>	<b>1,752,149</b>	<b>938,900</b>	<b>1,201,913</b>	<b>1,750,107</b>	<b>1,799,607</b>

**Berkeley County Water & Sanitation Authority**  
**Sewer Fund**  
**Budget**  
*Fiscal Year Ending June 30, 2006*

	2005 Original	2005 Current	Actual Through 2/28/2005	2004 Actual	2006 Requested	2006 Approved
<b>UTILITIES</b>						
Utilities-Water	50,000	50,000	27,196	29,749	50,000	50,000
Utilities-Electrical	625,000	625,000	398,004	688,270	625,000	650,000
Utilities-Propane	500	0	0	0	500	500
<b>TOTAL UTILITIES</b>	<b>675,000</b>	<b>675,000</b>	<b>425,200</b>	<b>718,019</b>	<b>675,500</b>	<b>700,500</b>
<b>OFFICE EXPENSES</b>						
Office Expense-Postage	94,836	94,836	61,682	94,908	96,000	96,000
Office Expense-Supplies	75,000	75,000	50,622	67,570	75,000	70,000
Office Expense-Advertising	7,000	10,000	8,291	7,567	15,000	15,000
Telephone	68,500	68,500	43,074	60,910	70,000	70,000
Memberships/Dues/Subscriptions	18,000	18,000	9,296	14,756	17,000	17,000
Office Eq. Maint. Contracts	35,000	35,000	29,650	33,212	55,000	55,029
<b>TOTAL OFFICE EXPENSES</b>	<b>298,336</b>	<b>301,336</b>	<b>202,615</b>	<b>278,923</b>	<b>328,000</b>	<b>323,029</b>
<b>INSURANCE</b>						
Insurance - Property	9,600	9,600	5,536	9,490	9,200	9,200
Insurance - Equipment	100,000	100,000	10,421	17,864	100,000	100,000
Insurance - Torte	25,000	25,000	4,527	7,400	25,000	25,000
Insurance - Comprehensive & Collision (Vehicles)	16,500	16,500	2,605	4,466	16,500	16,500
Insurance - Liability (Vehicles)	100,000	100,000	14,328	24,563	100,000	100,000
<b>TOTAL INSURANCE EXPENSE</b>	<b>251,100</b>	<b>251,100</b>	<b>37,417</b>	<b>63,783</b>	<b>250,700</b>	<b>250,700</b>
<b>OTHER EXPENSES</b>						
Contingencies	250,000	250,000	0	0	250,000	125,000
Direct Assistance To County	30,800	30,800	15,400	30,800	30,800	30,800
Miscellaneous Expenses	5,000	5,000	920,384	3,380	5,000	5,000
Bank Charges	60,000	60,000	20,891	62,127	35,000	35,000

**Berkeley County Water & Sanitation Authority**  
**Sewer Fund**  
**Budget**  
*Fiscal Year Ending June 30, 2006*

	2005 Original	2005 Current	Actual Through 2/28/2005	2004 Actual	2006 Requested	2006 Approved
Sales Tax	25,000	25,000	21,816	21,507	34,725	35,176
<b>TOTAL OTHER EXPENSES</b>	<b>370,800</b>	<b>370,800</b>	<b>978,491</b>	<b>117,814</b>	<b>355,525</b>	<b>230,976</b>
<b>TOTAL OPERATING EXPENSES</b>	<b>8,204,209</b>	<b>8,246,209</b>	<b>5,295,091</b>	<b>7,246,026</b>	<b>9,299,867</b>	<b>9,125,423</b>
<b>CAPITAL OUTLAYS</b>						
Office Equipment	128,429	128,429	85,403	87,158	5,500	5,500
Vehicles	162,000	162,000	180,581	111,530	349,600	281,600
Tools & Equipment	206,035	206,035	60,010	668,092	547,307	282,997
Transfer to CIF	2,000,000	2,000,000	0	2,674,800	2,257,547	2,257,547
<b>TOTAL CAPITAL OUTLAYS</b>	<b>2,496,464</b>	<b>2,496,464</b>	<b>325,994</b>	<b>3,541,580</b>	<b>3,159,954</b>	<b>2,827,644</b>
<b>Debt Service</b>						
<b>BONDS &amp; NOTES PAYABLE</b>						
Hanahan Sewer Bond - 2000 Issue	296,053	296,053	50,945	296,051	296,053	296,053
2003 Bond Payable	6,454,880	6,454,880	0	6,454,880	6,454,880	6,454,880
Special Purpose Bond	42,000					
Lease Agreement AS/400	14,896	14,896	9,930	14,896	15,000	15,000
Lease Agreement Heavy Equipment	69,498	69,498	0	69,498	70,000	70,000
<b>TOTAL BONDS &amp; NOTES PAYABLE</b>	<b>6,877,327</b>	<b>6,835,327</b>	<b>60,875</b>	<b>6,835,325</b>	<b>6,835,933</b>	<b>6,835,933</b>
<b>TOTAL EXPENDITURES</b>	<b>17,578,000</b>	<b>17,578,000</b>	<b>5,681,959</b>	<b>17,622,931</b>	<b>19,295,754</b>	<b>18,789,000</b>

**BERKELEY COUNTY WATER & SANITATION AUTHORITY  
BUDGET REQUESTS FOR FISCAL YEAR 2006  
Capital Line Items**

05-06-40

ND: Sewer

Items	Description	Approved Yes / No	2005/2006 Amount Approved	2005/2006 Budget Request	Justification
<b><u>LAB</u></b>					
1	Vehicle	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$20,000</u>	<u>\$22,000</u>	Department needs a vehicle to use in collection/delivery of samples and supplies, inspection of industrial users and meetings.
<b>SUBTOTAL LAB VEHICLE</b>			<b>\$20,000</b>	<b>\$22,000</b>	
1	Undercounter Flask Scrubber	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$7,380</u>	<u>\$7,380</u>	Existing Flask Scrubber is requiring excessive repairs.
2	CBOD Incubator	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$3,500</u>	Existing BOD Incubator is requiring excessive repairs.
3	Precision Economy Incubator	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$1,000</u>	<u>\$1,000</u>	With increasing monthly Bacteriological Testing existing Incubator is too small.
4	Ammonia-Nitrogen Meter	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$1,100</u>	<u>\$1,100</u>	Backup/replacement meter for existing Ammonia-Nitrogen Meter.
5	Dissolved Oxygen Meter.	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$1,750</u>	<u>\$1,750</u>	Backup/replacement meter for existing CBOD Meter.
<b>SUBTOTAL LAB EQUIPMENT</b>			<b>\$11,230</b>	<b>\$14,730</b>	
<b><u>Line Maintenance</u></b>					
1	3/4 Ton Diesel Service Truck with Utility Body	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$27,000</u>	<u>\$26,000</u>	Vehicle 149 curenly has 191,000 miles. This is the Field Tech III's truck in the Sewer Department. With the addition of St. Stephen an upgraded service body is necessary to allow it to be used as a working truck for a crew.
2	3/4 Ton Diesel Truck	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$27,000</u>	<u>\$30,000</u>	Vehicle 155 currently has 190,000 miles. Truck will be used for sewer taps and repairs. It is needed to handle the addition of a crew to work in St. Stephen.
3	3/4 Ton Diesel Truck	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$27,000</u>	<u>\$30,000</u>	Vehicle 156 currently has 171,000 miles. It will be used as the easement crew truck.

Items	Description	Approved Yes / No	Amount Approved	Budget Request	Justification
4	3/4 Ton Pick Up with Utility Bed	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$26,000</u>	<u>\$26,000</u>	Vehicle 159 currently has 171,000 miles. This will be used for the flushing and valve excersize department.
5	15,000 GVWR Dump Truck	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$31,000</u>	Replace VH 198 currently needing major mechanical repairs.
6	(2) 1/2 ton Pick Up Trucks	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$26,600</u>	<u>\$26,600</u>	Two vehicles will be needed for the employees performing locates throughout the county.
7	3/4 Ton Crew Cab with Utility Bed	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$30,000</u>	Vehicle 173 currently has 150,000 miles. It has had various small problems. It needs to be upsized to carry a full crew to use in St. Stephen.
<b>SUBTOTAL LINE MAINT. VEHICLES</b>			<b>\$133,600</b>	<b>\$199,600</b>	
1	4" Godwin Pump	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$26,000</u>	<u>\$26,000</u>	We have one pump which is currently being used at a pump station as a back up pump. Other departments use it as well. Another one is needed to meet the demand of the Authority for construction and emergencies.
2	3" Piercing Tool	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$6,000</u>	<u>\$6,000</u>	This will enable our water department to install up to two inch service lines under two lane traffic roads without directional boring.
3	Hydraulic Concrete Breaker	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$7,500</u>	<u>\$7,500</u>	We have rented this tool and have found it very effective for replacing manhole ring & covers in roadways. It saves the teeth on the excavation buckets used for the same application and for road cuts.
4	Parts Trailer	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$5,000</u>	<u>\$5,000</u>	Trailer would carry necessary equipment to fix water lines or sewer force mains from 6" to 12" lines. It would carry full circle clamps, mud hog and other equipment needed.
5	(2) Trailers 14,000 lb, 16 ft length	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$8,000</u>	<u>\$8,000</u>	Both trailers are wearing due to age. Trailer 213 has a bent frame.
6	Water Tap Machine	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$2,500</u>	<u>\$2,500</u>	Replace oldest tap machine which is 20 years old.

Items	Description	Approved Yes / No	Amount Approved	Budget Request	Justification
7	Pressure Test Kit for New Water Lines	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$2,000</u>	<u>\$2,000</u>	Replace old worn out test kit for construction crew.
8	Portable Meter Test Kit	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$2,000</u>	<u>\$2,000</u>	This will give us the ability to test for meter accuracy in the field.
9	Diesel Gas Tank	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$600</u>	This will be placed on the vehicle used by the easement cutting crew. It will enable them to keep the tractors and /or the trackhoes fueled in the field.
10	(2) Metal Detectors	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$2,000</u>	<u>\$2,000</u>	Two metal detectors for the construction department are needed for locating utilities prior to and during construction.
11	2" Trash Pump	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$1,500</u>	<u>\$1,500</u>	Replace the pump that Operations has been using on the plant.
	<b>SUBTOTAL LINE MAINT. - EQUIPMENT</b>		<b><u>\$62,500</u></b>	<b><u>\$63,100</u></b>	
	<b><u>PUMP &amp; PLANT MAINT.</u></b>				
1	3/4 Ton Service Truck	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$27,000</u>	<u>\$27,000</u>	Replacement for VE-126, 94 Chev with 220K miles.
2	3/4 Ton Service Truck	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$27,000</u>	<u>\$27,000</u>	The addition of the St Stephen system will require the establishment of an additional pump station route. I anticipate assigning one (1) mechanic & one (1) electrician to that route and covering St Stephen, E. Cooper, Bonneau and Land-O-Pines.
	<b>SUBTOTAL PUMP &amp; PLANT MAINT. - VEHICLES</b>		<b><u>\$54,000</u></b>	<b><u>\$54,000</u></b>	
1	Emergency Communications Equipment. Backup comms on GC Wtr Twr (RCC Quote # 82004)	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$17,000</u>	<u>\$17,000</u>	The antennas and cables are being installed now. This item is to purchase the repeaters and equip rack to finish the backup system.

Items	Description	Approved Yes / No	Amount Approved	Budget Request	Justification
					HydrTek SS 34005V Cold, Hot Steam Pressure Washer on Tandem Trailer w/525 Gallon Water Tank. Unit to be based at L/F shop for equipment cleaning prior to repairs. It will be available to pump mechanics for cleaning grease & oil from wetwell walls in conjunction w/ vactor truck.
2	Steam Cleaner/Trailer	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$8,500</u>	<u>\$8,500</u>	
3	Truck Crane	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$7,200</u>	<u>\$7,200</u>	VE 172 current truck crane is constantly breaking down, requires numerous hours of maintenance.
4	Air Compressor	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$3,500</u>	<u>\$3,500</u>	VE 172 air compressor is beyond economical repair, this is a vital item needed to make repairs to pumps in the field.
5	Effluent Motor	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$15,000</u>	Rewind and repair spare effluent motor, currently we do not have a backup. This is one of the original motors and it has shorted conductors in the rotor.
6	Eight (8) Submersible Pumps	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$98,000</u>	Currently shaft driven, parts must be manufactured for repairs, new parts are not available.
7	Stub Shafts	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$33,000</u>	These are to replace original stub shafts, shafts are worn beyond clearances required for proper bearing assembly.
8	Pipe and Fittings	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$10,000</u>	Replace suction lines at various pump stations in the system. Numerous suction lines have been patched and are in need of replacement.
9	Bearings	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$21,600</u>	Original bearings are no longer meeting minimum tolerances as we install new SS paddles.
10	Two (2) 4" Crown Pumps	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$15,000</u>	Current pumps are beyond economical repair, requires numerous hours of overtime.
11	4 Post Open Front Drive-on Lift	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$11,250</u>	<u>\$11,250</u>	Allows lifting of light and medium duty vehicles.
12	ATF Exchanger	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$5,007</u>	<u>\$5,007</u>	Will greatly extend transmission life. We currently are unable to change >10% of fluid on pms.

Items	Description	Approved Yes / No	Amount Approved	Budget Request	Justification
13	Setup 4 Mechanics w/ Tools & Equipment	(Yes) No	<u>\$10,000</u>	<u>\$20,000</u>	The landfill shop has been expanded to handle all vehicles and equipment for the entire Authority. It has never been equipped to function as a repair shop. This will fully equip 4 bays for service work.
14	Refurbish 300KW Genset for L/F Shop	(Yes) No	<u>\$8,500</u>	<u>\$6,500</u>	This generator will be the standby power for the L/F shop and possibly for the Office building if wiring is provided.
15	DR2400 H2S Analyzer	(Yes) No	<u>\$2,500</u>	<u>\$2,500</u>	This will allow us to check the effectiveness of the odor control chemicals.
16	Flowmeter	(Yes) No	<u>\$4,125</u>	<u>\$4,125</u>	We currently do not monitor PS90 flow.
17	Flowmeter	(Yes) No	<u>\$4,500</u>	<u>\$4,500</u>	Waste sludge measurement. Current meter is obsolete.
18	Printer for Barcode Stock Labels	(Yes) No	<u>\$1,670</u>	<u>\$1,670</u>	This will be a spare printer for the storeroom. A failure of the current printer effectively puts the storeroom out of commission until it can be repaired.
19	Upgrade Client Software Multitrode SCADA	(Yes) No	<u>\$18,000</u>	<u>\$18,000</u>	The software we are currently using is for 5 stations. We will soon be over 100 stations and growing. This <u>must be purchased</u> if we are going to use SCADA. This is a one time purchase and they are allowing 100% credit for the current license.
	<b>SUBTOTAL LINE MAINT - EQUIPMENT</b>		<b>\$101,752</b>	<b>\$302,352</b>	
	<u>Operations</u>				
1	1/2 Ton Pick-up Truck	(Yes) No	<u>\$17,000</u>	<u>\$17,000</u>	The Addition Of The St. Stephen Facility Means A Crew Of Operators Will Be Permanently Assigned To Manage These Sites. A Vehicle Is Essential Due To Distances.

Items	Description	Approved Yes / No	Amount Approved	Budget Request	Justification
2	1/2 Ton Pick-up Truck	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$17,000</u>	<u>\$17,000</u>	The Chief Operator Does Not Have A Vehicle To Use.This Presents Problems In That He Is Constantly Having To Borrow Other Vehicles To Check On The Various Facilities.
<b>SUBTOTAL OPERATIONS - VEHICLES</b>			<b>\$34,000</b>	<b>\$34,000</b>	
1	Portable pH Meter, pH Analyzer	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$1,300</u>	<u>\$1,300</u>	For Analyzing The Effluent pH At The Central Berkeley And St. Stephen Facilities. DHEC Requirement.
2	Portable Dissolved Oxygen Meter	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$2,000</u>	<u>\$2,000</u>	For Analyzing The Effluent Dissolved Oxygen At Central Berkeley And St. Stephen Facilities. DHEC Requirement.
3	Used Lockable Shipping Container	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$2,500</u>	<u>\$2,500</u>	For Equipment Storage At The St. Stephen Facility.
4	Industrial Grade Pressure Washer	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$3,000</u>	For Cleaning Equipment And Vehicles At Treatment Facilities. Specifically At The Sludge Handling Facilities. Steam Does A Better Job Removing Sludge And In Belt Press Cleaning.
5	Chlorine Analyzer	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$600</u>	For analyzing the chlorine residuals in effluent at central Berkeley and St. Stephen facilities.
6	Industrial Grade Steam Jenny	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$4,000</u>	<u>\$4,000</u>	For Cleaning Equipment And Vehicles At Treatment Facilities. Specifically At The Sludge Handling Facilities. Steam Does A Greater Job In Removing Sludge And In Belt Press Cleaning.
7	Zero Turning Radius Mower	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$9,000</u>	For Assignment To The St. Stephen Treatment Facility . Used in Landscape Maintenance.
8	Utility Trailer	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$2,500</u>	<u>\$2,500</u>	For Transporting Grass Cutting Equipment Between Outside Facilities.
<b>SUBTOTAL OPERATIONS - EQUIPMENT</b>			<b>\$12,300</b>	<b>\$24,900</b>	

Items	Description	Approved Yes / No	Amount Approved	Budget Request	Justification
<b>Safety</b>					
1	Replace Gas Meters	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$8,000</u>	<u>\$8,000</u>	Gas meters used by Superintendents are beyond economical repair. Ten (10) meters at \$800.00 ea .
2	MSDS Maintenance	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$5,000</u>	Update, add new MSDS's, fax services.
3	Misc. Safety Equipment	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$3,000</u>	add new/replace ladders. Continue adding strobe lighting to vehicles.
4	Gas Meters for Operators	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$14,000</u>	Outfit all operators and lab personnel with meters.
5	Docking Station	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$2,000</u>	<u>\$2,000</u>	The Docking Station will enable us to calibrate up to Ten (10) meters at one time.
<b>SUBTOTAL SAFETY - EQUIPMENT</b>			<b>\$10,000</b>	<b>\$32,000</b>	
<b>ENGINEERING</b>					
1	1/2 Ton Pickup	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$20,000</u>	<u>\$20,000</u>	While performing inspections of water and sewer construction within new developments 2wd is inadequate. This will replace VE150 which currently has 101,000 miles. VE150 will not be surplusd it will be used as an department pool vehicle.
2	1/2 Ton Pickup	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$20,000</u>	<u>\$20,000</u>	Requesting the vehicle to be 4X4. While performing inspections of water and sewer construction within new developments 2wd is inadequate.
<b>SUBTOTAL ENGINEERING - VEHICLES</b>			<b>\$40,000</b>	<b>\$40,000</b>	
1	Office Furniture	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$1,500</u>	<u>\$1,500</u>	Office furniture for new Field Inspector.
2	Office Furniture	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$1,500</u>	<u>\$1,500</u>	Office Furniture for new Data Entry Clerk.
3	Office Furniture	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$1,500</u>	<u>\$1,500</u>	Office Furniture for new EMS Coordinator.
<b>SUBTOTAL ENGINEERING - OFFICE FURN. MIS</b>			<b>\$4,500</b>	<b>\$4,500</b>	

Items	Description	Approved Yes / No	Amount Approved	Budget Request	Justification
1	Backup Software for Network	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$7,000</u>	<u>\$7,000</u>	Updated and more efficient backup software to accommodate new servers.
2	UPS	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$5,000</u>	<u>\$5,000</u>	Replace older, smaller UPS's in computer room.
3	Patch Panels	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$1,500</u>	<u>\$1,500</u>	To accommodate network growth.
4	Switches	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$6,500</u>	<u>\$6,500</u>	To accommodate network growth.
5	Rack	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$5,000</u>	<u>\$5,000</u>	To accommodate network growth.
6	Router	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$8,000</u>	<u>\$8,000</u>	To accommodate network growth.
7	KVM Switch	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$1,875</u>	<u>\$1,875</u>	To accommodate network growth.
8	Anti-Virus Subscription Fees	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$10,000</u>	<u>\$10,000</u>	Protection for Network.
9	Spyware	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$2,000</u>	<u>\$2,000</u>	Protection for Network.
10	Additional Fax Licenses	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$2,500</u>	<u>\$2,500</u>	Additional fax licenses for desktop messaging.
11	Additional VMWare License	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$3,500</u>	<u>\$3,500</u>	License needed to add another processor to VMWare server.
12	VMWare Dual Processor Software	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$5,000</u>	<u>\$5,000</u>	Processor for VMWare server.
13	Processor for xSeries	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$5,100</u>	<u>\$5,100</u>	Additional processor for VMWare server.
14	Ethernet Adapters for x Series	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$1,040</u>	<u>\$1,040</u>	Ethernet adapter for x series server to expand network.
15	Laptop & Docking Station for Operations Director	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$3,500</u>	<u>\$3,500</u>	Faster and newer technology for Deputy Director of Operations.
16	PC for Solid Waste Superintendent	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$3,000</u>	To replace old, slow computer.
17	PC for P&P Maintenance Planner	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$3,000</u>	<u>\$3,000</u>	To replace old, slow computer.
18	Three (3) PCs for Inventory	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$4,500</u>	<u>\$9,000</u>	To replace old, slow computer.
19	PC for New Billing Clerk	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$2,000</u>	PC for new billing clerk.
20	Wand Scanner for New Billing Clerk	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$260</u>	Wand scanner for new billing clerk.

Items	Description	Approved Yes / No	Amount Approved	Budget Request	Justification
21	ACD Telephone for New Billing Clerk	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$500</u>	ACD group for new billing clerk.
22	Conference Phone	<input checked="" type="radio"/> Yes No	<u>\$1,200</u>	<u>\$1,200</u>	Conference phone for conference room as requested by Director.
23	Printer for Director's Administrative Assistant	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$750</u>	Replace failing printer.
24	Computer for New Network Technician	<input checked="" type="radio"/> Yes No	<u>\$3,000</u>	<u>\$3,000</u>	PC for new network technician.
25	Computer and Software for Field Inspector	<input checked="" type="radio"/> Yes No	<u>\$4,000</u>	<u>\$4,000</u>	This will not be required if the requested position is not approved.
26	Computer and Software for Data Entry Clerk	<input checked="" type="radio"/> Yes No	<u>\$2,000</u>	<u>\$4,000</u>	This will not be required if the requested position is not approved.
27	Computer and Software for DRP Engineer	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$12,000</u>	This will not be required if the requested position is not approved. Costs include AutoCad and WaterCad.
	<b>SUBTOTAL MIS EQUIPMENT</b>		<b>\$85,215</b>	<b>\$110,225</b>	
1	Computer Furniture for New Network Technician	<input checked="" type="radio"/> Yes No	<u>\$1,000</u>	<u>\$1,000</u>	Computer furniture for new Network Technician.
	<b>SUBTOTAL MIS OFFICE FURN.</b>		<b>\$1,000</b>	<b>\$1,000</b>	
	<b>TOTAL SEWER CAPITAL EXPENSE</b>		<b>\$570,097</b>	<b>\$902,407</b>	
	<b>LEASE</b>				
1	15,000 GVWR Dump Truck	<input checked="" type="radio"/> Yes No	<u>\$31,000</u>	<u>\$31,000</u>	Replace VH 198 currently in the bone yard due to major mechanical problems.
2	Automated Time Tracking System	<input checked="" type="radio"/> Yes No	<u>\$22,000</u>	<u>\$22,000</u>	To link with payroll system.

Items	Description	Approved Yes / No	Amount Approved	Budget Request	Justification
3	Optical Scanning and Archiving System	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$100,000</u>	<u>\$100,000</u>	To optically scan documents for filing and archiving.
4	Upgrade for MP2 Equipment and Inventory system	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$50,000</u>	<u>\$50,000</u>	To up-grade equipemnt/inventory and purchasing systems.
5	Mini Excavator	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$45,000</u>	<u>\$45,000</u>	Two mini excavators are needed in the sewer department. One (1) for each tap crew. It will also be needed to handle the addition of St. Stephen. Replaces EH 230 in the Sewer Department.
6	20 Ton Tilt Bed Tag Trailer	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$30,000</u>	<u>\$30,000</u>	A second trailer is needed to haul VH 203 for quick response. The freightliner dump truck will be capable to haul the trackhoe giving us more options and flexibility to respond to emergencies.
7	5000 lb 3-stage Forklift	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$13,000</u>	<u>\$13,000</u>	We currently have no forklift capability at the landfill shop.
8	Scalehouse Server	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$20,000</u>	<u>\$20,000</u>	Scalehouse server needed to accommodate new scalehouse software and data.
9	Backup for Scalehouse	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$4,000</u>	<u>\$4,000</u>	Provide adequate backup power for new servers.
10	Large UPS (2) for Scalehouse Servers	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$3,500</u>	<u>\$3,500</u>	UPSs needed for scalehouse servers.
11	Exchange Server	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$15,000</u>	<u>\$15,000</u>	Replace older and slower server.
12	Admin Server	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$22,000</u>	<u>\$22,000</u>	Replace older and slower server.
13	Tape Library Backup Hardware for Network	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$12,720</u>	<u>\$12,720</u>	Faster and larger tape backup hardware to accommodate new servers.
<b>TOTAL SEWER LEASE EXPENSE</b>			<b>\$368,220</b>	<b>\$368,220</b>	

**Berkeley County Water & Sanitation Authority**  
**Sewer**

CAPITAL IMPROVEMENTS PROGRAM

FIVE YEAR SUMMARY

For the Fiscal Year Ending June 30, 2006

RECOMMENDED FINANCING:

CIF - Capital Improvement Fund  
03 BOND - 2003 Bond  
06 BOND - 2006 Bond  
F BOND - Future Bond  
SCSBCB - SC State Budget & Control Board Grant  
CDBG - Community Development Block Grant

PRIORITY	IDENTIFICATION	ITEM DESCRIPTION	FINANCE METHOD	FY 05-06	FY 06-07	FY 07-08	FY 08-09	FY 09-10	TOTAL FOR 5 YEARS
		<b>LBWWTP Upgrade</b>							
		Upgrade the LBWWTP to 18.0 MGD Treatment Capacity	03 BOND	8,400,000					8,400,000
		Purchase 29 Ac Additional Property from USN	06 BOND	638,000					638,000
		Reimburse USN for Removal of Trees	06 BOND	87,382					87,382
		Upgrade of the solids processing system and miscellaneous other systems to reach 22.5 MGD treatment capacity	06 BOND	3,000,000	6,000,000	3,000,000			12,000,000
1		Implement improvements to comply with Phase II TMDL requirements	F BOND				15,000,000	19,000,000	34,000,000
2	Three Dimensional Model	Participate in the development of the three dimensional model of the Cooper River	03 BOND	70,000					70,000
			CIF		40,000				40,000
		<b>Pump Station Elimination Project</b>							
	Pump Station 009 Elimination	Installation of 1,200 feet of 18" DI gravity sewer.	03 BOND	147,199					147,199
	Pump Station 012 Elimination	Installation of 3,250 feet of 15" DI gravity sewer.	03 BOND	413,595					413,595
	Pump Station 013 Elimination	Installation of 386 feet of 18" DI gravity sewer.	03 BOND	55,917					55,917
	Pump Station 017 Replacement	Replacement of existing station with a submersible package.	03 BOND	276,664					276,664
3	Pump Station 068 Elimination	Installation of 575 feet of 8" DI gravity sewer on piles.	03 BOND	253,970					253,970
		<b>2003 Sewer Extension Project</b>							
	Pump Station 047 Replacement and Force Main Relocation	New submersible pump station, 4,200 feet of 18", 11,000 feet of 24" force main, and 2,700 feet of 10" gravity sewer to eliminate PS 071.	03 BOND	4,409,938					4,409,938
4	Oaks Sewer Extension	New submersible pump station, 2,650 feet of 8", 1,400 feet of 12" and 870 feet of 14" gravity sewer and 1,705 feet of 8" force main.	03 BOND	1,095,435					1,095,435

PRIORITY	IDENTIFICATION	ITEM DESCRIPTION	FINANCE METHOD	FY 05-06	FY 06-07	FY 07-08	FY 08-09	FY 09-10	TOTAL FOR 5 YEARS
	<b>2003 Sewer Renovation and Replacement Project</b>								
	Pump Station 005 Replacement	Construction of a submersible station to replace PS 005.	03 BOND	1,155,396					1,155,396
	Existing Sewer Rehabilitation Pump Station 106 Force Main Upgrade	Lining or replacement of existing gravity sewer line identified to be contributing I&I.	06 BOND CIF		2,000,000	2,000,000	2,000,000		6,000,000
		Installation of 18,400 feet of 18" force main.	03 BOND	1,455,332				2,000,000	2,000,000
	Pump Station Renovations	Renovation of 8 pump stations in Hanahan and 1 in Pimlico to remove wet well - drywell safety concerns.	06 BOND	1,000,000	1,000,000	2,000,000			4,000,000
5	CBWWTP Flow Diversion	Construction project to divert flow from CBWWTP in order to delay the upgrade of the plant.	03 BOND	925,000					925,000
	<b>Ancrum Sewer Trunk Main Project</b>								
	Pump Station 007 Relocation	Construction of a new station to increase the capacity at PS 007 including 1,500 feet of 18" force main and 1,500 feet of 24" gravity sewer.	03 BOND	1,500,000					1,500,000
	Ancrum Sewer Trunk Main Project Section A	Installation of 3,550 feet of 42" gravity sewer.	03 BOND	1,796,991					1,796,991
	Ancrum Sewer Trunk Main Project Section B	Installation of 6,250 feet of 42" gravity sewer and the elimination of PS 074.	03 BOND	1,600,000					1,600,000
	Pump Station 051 Elimination	Installation of 1,100 feet of 8" gravity sewer and the elimination of PS 051.	03 BOND	280,000					280,000
	Pump Station 052 Elimination	Installation of 1,800 feet of 20" gravity sewer and the elimination of PS 052.	03 BOND	129,353					129,353
	Pump Station 050 Elimination	Installation of 1,800 feet of 15" gravity sewer and the elimination of PS 050.	03 BOND	383,512					383,512
	Hwy 78 Sewer Project	Installation of a new pump station and the extension of 8" gravity to serve along Hwy 78.	06 BOND	535,000					535,000
	Ancrum Sewer Trunk Main Project Sections C&D	Installation of 10,800 feet of 36" gravity sewer to provide service to areas west of Hwy 17-A.	06 BOND		2,000,000	3,200,000			5,200,000
6	Ancrum Sewer Trunk Main Project Sections F&G	Authority participation with the installation of large diameter trunk mains through new developments west of Hwy 17-A.	06 BOND		2,000,000	3,000,000			5,000,000
7	Gibbs Tract Pump Station	Authority participation with the upsizing of the pump station to serve the Gibbs and Salisbury Tracts along I-26.	06 BOND	100,000		250,000			350,000
8	Spring Grove Pump Station	Authority participation with the regionalizing of a development project.	CIF	100,000	200,000	200,000			500,000
9	EMS Gap Reduction	Complete items noted in the annual EMS gap analysis report.	CIF	200,000	100,000	50,000	50,000	50,000	450,000

PRIORITY	IDENTIFICATION	ITEM DESCRIPTION	FINANCE METHOD	FY 05-06	FY 06-07	FY 07-08	FY 08-09	FY 09-10	TOTAL FOR 5 YEARS
10	LBWWTP Fuel Island Upgrade	Upgrade of the dispensing and documentation system for the fuel island.	CIF	20,000					20,000
11	SCDOT Sewer Relocations	Relocate or construct new sewer lines required by SCDOT improvement projects.	CIF	300,000	150,000	150,000	150,000	150,000	900,000
12	Red Bank Road Sewer Repair	Relocation of sewer main that was damaged by SCDOT drainage pipes.	CIF	100,000					100,000
13	Miscellaneous Small Projects	Miscellaneous roadway bores, small projects and participation in upgrade of development projects.	CIF	75,000	75,000	75,000	75,000	75,000	375,000
14	Pimlico Right-of-Way Acquisition	Acquire right-of-way for the gravity sewer system in Pimlico.	CIF	150,000					150,000
15	Hwy 52 South Sewer Extension	Extend sewer from the Oaks Subdivision to Hwy 52.	CIF	25,000					25,000
			SCBCB	29,500					29,500
16	St Stephen Sewer System SSES & Repair	Perform investigative analysis on the sewer system, repair noted deficiencies and clear easements.	06 BOND	300,000	400,000	300,000			1,000,000
			CIF	100,000					100,000
			CDBG	500,000					500,000
17	Administration Building	To build new Water and Sewer Administration Facility - Design & Construction	06 BOND	1,000,000	1,600,000	1,000,000			3,600,000
18	Automotive Shop	Construct Automotive shop to the landfill site.	06 BOND	330,000					330,000
19	Pump Station # 27 Elimination	2,000 feet of 10" gravity sewer.	06 BOND		50,000	350,000			400,000
20	Pump Station # 69 Elimination	1,700 feet of 15" gravity sewer.	06 BOND		50,000	300,000			350,000
21	Pump Station # 39 Elimination	2,800 feet of 10" gravity sewer.	06 BOND		50,000	300,000			350,000
22	Pump Station # 33 Elimination	850 feet of 8" gravity sewer.	06 BOND		45,000	180,000			225,000
23	Pump Station # 53 Elimination	2,400 feet of 15" gravity sewer.	06 BOND		100,000	600,000			700,000
24	Pump Station Renovations	Renovation of Pump Stations in the system due to valve pit safety issues and the installation of wet well liner at 15 stations.	06 BOND	350,000	700,000	450,000			1,500,000
25	Repair of PS 061 and PS066	Repair of the piping and wet well from severe corrosion deterioration.	06 BOND	500,000	500,000				1,000,000
26	Pump Station 011 Elimination and Pump Station 049 Replacement	Diversion of flow from PS 011 to PS 049 and the replacement of PS 049 to accept the additional capacity.	06 BOND	200,000	250,000				450,000
27	CBWWTP Upgrade	Upgrade CBWWTP to 5.0 MGD.	06 BOND	5,000,000	10,000,000	5,000,000			20,000,000
28	Cypress Gardens Pump Station	Construction of a 300gpm pump station and 15,000 lf of 6" force main.	06 BOND	186,000	434,000				620,000
29	Back River Road Sewer Project	Installation of a new pump station and 8" gravity main to serve the Back River Road Area.	06 BOND	150,000	100,000	50,000			300,000

PRIORITY	IDENTIFICATION	ITEM DESCRIPTION	FINANCE METHOD	FY 05-06	FY 06-07	FY 07-08	FY 08-09	FY 09-10	TOTAL FOR 5 YEARS
30	Purchase Property for Administration Facility	Purchase Facility Site.	06 BOND	350,000					350,000
31	Canterhill Sewer Extension	Installation of sewer reach to include pump stations, force main and gravity sewer to serve tracts north west of Carnes Crossroads.	06 BOND	3,000,000	3,000,000	3,000,000			9,000,000
<b>TOTAL COST OF PROJECTS</b>				<b>42,674,183</b>	<b>30,844,000</b>	<b>25,455,000</b>	<b>17,275,000</b>	<b>21,275,000</b>	<b>137,523,183</b>

CIF	1,070,000	565,000	475,000	275,000	2,275,000	4,660,000
03 BOND	24,348,301	0	0	0	0	24,348,301
06 BOND	16,726,382	30,279,000	24,980,000	2,000,000	0	73,985,382
F BOND	0	0	0	15,000,000	19,000,000	34,000,000
SCBCB	29,500	0	0	0	0	29,500
CDBG	500,000	0	0	0	0	500,000
	42,674,183	30,844,000	25,455,000	17,275,000	21,275,000	137,523,183

**Berkeley County Water & Sanitation Authority**  
**Sewer Fund**  
*Projected Cash Flow Statement*

05-06-40

	Projected FY 05-06	Projected FY 06-07	Projected FY 07-08	Projected FY 08-09	Projected FY 09-10
<b>REVENUES:</b>					
Charges for sales and services	14,624,000	15,408,190	19,812,848	20,791,052	21,771,882
Other revenue	3,815,000	3,929,450	4,047,334	4,168,754	4,293,816
Interest	350,000	357,000	364,140	371,423	378,851
<b>TOTAL OPERATING REVENUE</b>	<b>18,789,000</b>	<b>19,694,640</b>	<b>24,224,321</b>	<b>25,331,228</b>	<b>26,444,550</b>
<b>OPERATING EXPENSES:</b>					
Personnel services	5,296,611	5,826,272	6,408,899	7,049,789	7,754,768
Contractual services	524,000	550,200	577,710	606,596	636,925
Maintenance and repairs	1,799,607	1,889,587	1,984,067	2,083,270	2,187,434
Utilities	700,500	735,525	772,301	810,916	851,462
Office expenses	323,029	339,180	356,139	373,946	392,644
Insurance	250,700	263,235	276,397	290,217	304,727
Other service and charges	230,976	242,525	254,651	267,384	280,753
<b>TOTAL OPERATING EXPENSES</b>	<b>9,125,423</b>	<b>9,846,525</b>	<b>10,630,165</b>	<b>11,482,118</b>	<b>12,408,713</b>
<b>Net Cash Flow From Operations</b>	<b>9,663,577</b>	<b>9,848,115</b>	<b>13,594,157</b>	<b>13,849,110</b>	<b>14,035,837</b>
<b>DEBT ISSUED:</b>					
Funds from Issued Debt	41,074,683	30,279,000	24,980,000	17,000,000	19,000,000
	41,074,683	30,279,000	24,980,000	17,000,000	19,000,000
<b>DEBT SERVICE:</b>					
Lease Agreement AS/400	15,000				
Lease agreement Heavy Equipment	70,000	69,498	69,498		
Hanahan Bond Issue	296,053	296,053	296,053	296,053	296,053
2003 Bonds	6,454,880	6,608,474	6,610,305	6,604,213	6,604,213
2006 Bonds			4,010,851	4,005,424	3,999,779
<b>TOTAL DEBT SERVICE</b>	<b>6,835,933</b>	<b>6,974,025</b>	<b>10,986,707</b>	<b>10,905,690</b>	<b>10,900,045</b>

**Berkeley County Water & Sanitation Authority**  
**Sewer Fund**  
*Projected Cash Flow Statement*

05-06-40

	Projected FY 05-06	Projected FY 06-07	Projected FY 07-08	Projected FY 08-09	Projected FY 09-10
<b>OTHER FUNDING SOURCES:</b>					
Contributed Capital	529,500				
Advances (To) / From Other Funds	0	0	0	0	0
	529,500	0	0	0	0
<b>CAPITAL IMPROVEMENTS:</b>					
Capital Improvement Fund	42,674,183	30,844,000	25,455,000	17,275,000	21,275,000
Capital Items	570,097	500,000	500,000	500,000	500,000
<b>TOTAL CAPITAL ITEMS</b>	<b>43,244,280</b>	<b>31,344,000</b>	<b>25,955,000</b>	<b>17,775,000</b>	<b>21,775,000</b>
Reserve Fund Increase(Decrease)	1,187,547	1,809,090	1,632,450	2,168,420	360,792
<b>FUNDS BROUGHT FORWARD</b>	<b>917,200</b>	<b>2,104,747</b>	<b>3,913,837</b>	<b>5,546,287</b>	<b>7,714,707</b>
<b>FUNDS AVAILABLE</b>	<b>2,104,747</b>	<b>3,913,837</b>	<b>5,546,287</b>	<b>7,714,707</b>	<b>8,075,499</b>
Debt Service Ratio	1.41	1.41	1.24	1.27	1.29
Number of Customers	30,000	31,750	33,500	35,250	37,000
Minimum Monthly Payment Increase	-		9.00		-
New Monthly Bill	33.60	33.60	42.60	42.60	42.60

**Berkeley County Water & Sanitation Authority**  
**Water Fund**  
**Budget**  
*Fiscal Year Ending June 30, 2006*

	2005 Original	2005 Current	Actual Through 2/28/2005	2004 Actual	2006 Requested	2006 Approved
<b>Revenues</b>						
<b>SERVICE CHARGES &amp; FEE REVENUE</b>						
Service Charge Revenue	\$4,303,000	\$4,303,000	2,611,258	\$4,106,926	\$4,542,823	\$4,542,823
Origin Fees	40,000	40,000	26,595	39,670	40,000	40,000
Late Charges	107,000	107,000	39,505	105,448	60,000	60,000
Returned Check Charge	10,000	10,000	5,600	9,505	7,500	7,500
Reconnect Fee	26,500	26,500	8,840	27,180	13,000	13,000
<b>TOTAL SERVICE CHARGES &amp; FEE REVENUE</b>	<b>4,486,500</b>	<b>4,486,500</b>	<b>2,691,798</b>	<b>4,288,729</b>	<b>4,663,323</b>	<b>4,663,323</b>
<b>OTHER REVENUES:</b>						
Impact Fees	375,000	375,000	217,525	368,300	300,000	300,000
Capacity Reservation Fees	450,000	450,000	362,200	271,200	400,000	400,000
Construction Charges-Others	28,000	28,000	24,579	27,473	35,000	35,000
Plan Review Fees	35,000	35,000	12,087	21,819	20,000	20,000
Legal Transfer Fee	9,000	9,000	3,600	4,000	6,000	6,000
Meter Set Charge	50,000	50,000	108,060	58,500	150,000	150,000
Miscellaneous Income	15,000	15,000	590	11,294	1,000	1,000
Solid Waste Administration Cost Reimbursement	74,286	74,286	62,193	45,913	74,286	74,286
Interest Income	60,000	60,000	2,282	69,124	50,000	50,000
Sale of Assets	350	350	0	-16	1,000	1,000
<b>TOTAL OTHER REVENUES</b>	<b>1,096,636</b>	<b>1,096,636</b>	<b>793,116</b>	<b>877,608</b>	<b>1,037,286</b>	<b>1,037,286</b>
<b>TOTAL REVENUES</b>	<b>\$5,583,136</b>	<b>\$5,583,136</b>	<b>3,484,914</b>	<b>5,166,337</b>	<b>5,700,609</b>	<b>\$5,700,609</b>

**Berkeley County Water & Sanitation Authority**  
**Water Fund**  
**Budget**  
*Fiscal Year Ending June 30, 2006*

	2005 Original	2005 Current	Actual Through 2/28/2005	2004 Actual	2006 Requested	2006 Approved
<b>Operating Expenses</b>						
<b>PERSONNEL COSTS</b>						
Salaries-Regular	\$922,252	\$922,252	421,620	\$756,596	1,130,927	\$1,130,927
Salaries-Overtime	38,144	38,143	26,415	34,105	40,000	40,000
Salaries-Personal Leave	80,574	80,574	48,807	81,430	70,000	70,000
Salaries-Annual Sick	0	0	0	18,820	1,000	1,000
Payroll Taxes-FICA	79,634	79,634	37,410	65,571	102,320	102,320
Retirement Contributions	78,269	78,268	24,143	56,941	93,470	93,470
Insurance-Workmans Comp	57,800	62,800	61,931	52,828	125,209	125,209
Insurance-Group Life	2,666	2,666	346	627	572	572
Insurance-Unemployment	1,649	1,649	728	3,245	4,166	4,166
Travel	11,888	11,888	4,915	5,331	12,000	8,000
Education	15,500	15,500	2,561	2,668	8,000	5,000
Insurance-Group	155,550	115,051	58,068	161,766	309,917	259,000
<b>TOTAL PERSONNEL COSTS</b>	<b>1,443,926</b>	<b>1,408,425</b>	<b>686,943</b>	<b>1,239,928</b>	<b>1,897,581</b>	<b>1,839,664</b>
<b>CONTRACTUAL SERVICES</b>						
Maintenance Contracts	8,500	8,500	1,687	5,459	6,000	6,000
Engineering Services	9,500	54,500	53,297	22,752	81,000	70,000
Legal Services	18,000	18,000	11,460	23,802	20,000	15,000
Accounting Services	7,500	7,500	4,641	5,185	7,000	6,500
Other Professional Services	35,500	23,500	13,685	-8,060	30,000	22,000
<b>TOTAL CONTRACTUAL SERVICES</b>	<b>79,000</b>	<b>112,000</b>	<b>84,770</b>	<b>49,137</b>	<b>144,000</b>	<b>119,500</b>

**Berkeley County Water & Sanitation Authority**  
**Water Fund**  
**Budget**  
*Fiscal Year Ending June 30, 2006*

	2005 Original	2005 Current	Actual Through 2/28/2005	2004 Actual	2006 Requested	2006 Approved
<b>MAINTENANCE &amp; REPAIRS</b>						
Equipment Rental	200	200	0	97	1,000	1,000
Building Rent					26,913	26,913
Tires	5,400	5,400	2,252	2,924	5,451	5,451
Equipment Maintenance	1,500	1,500	609	1,017	1,500	17,398
Miscellaneous Supplies	14,000	12,999	9,847	15,325	15,000	13,000
Consumable Supplies	200	3,200	2,508	213	4,000	3,500
Safety Equipment	7,540	6,540	3,675	7,434	6,000	6,000
Building Repairs/Maint.	200	1,200	279	786	650	650
Small Tools & Equipment	1,200	6,200	3,838	1,490	6,000	5,000
Gas & Oil	36,000	34,000	21,948	32,712	40,000	40,000
System Maint. - Lab	500	1,500	706	909	1,500	1,500
Water Well maintenance	0	0	0	907	0	0
System Maint.-Lines	215,000	209,000	114,387	226,868	200,000	200,000
<b>TOTAL MAINTENANCE &amp; REPAIRS</b>	<b>295,940</b>	<b>281,739</b>	<b>160,050</b>	<b>290,681</b>	<b>308,014</b>	<b>320,412</b>
<b>UTILITIES</b>						
Utilities-Water	478,000	478,000	343,485	566,187	550,000	550,000
Utilities-Power	2,600	2,600	2,163	2,678	3,500	6,000
<b>TOTAL UTILITIES</b>	<b>480,600</b>	<b>480,600</b>	<b>345,648</b>	<b>568,865</b>	<b>553,500</b>	<b>556,000</b>
<b>OFFICE EXPENSES</b>						
Office Expense-Postage	38,000	39,700	18,959	34,742	32,000	32,000
Office Expense-Supplies	18,500	17,500	12,602	18,293	17,931	16,000
Office Expense-Advertising	2,000	2,000	1,324	1,197	2,300	2,300
Telephone	10,560	22,562	10,303	11,090	18,000	15,000
Memberships/Dues/Subscriptions	4,600	4,600	3,294	3,739	5,000	4,000
Office Eq. Maint. Contracts	10,000	10,000	4,915	9,629	9,500	9,000

**Berkeley County Water & Sanitation Authority**  
**Water Fund**  
**Budget**  
*Fiscal Year Ending June 30, 2006*

	2005 Original	2005 Current	Actual Through 2/28/2005	2004 Actual	2006 Requested	2006 Approved
<b>TOTAL OFFICE EXPENSES</b>	<b>83,660</b>	<b>96,362</b>	<b>51,398</b>	<b>78,691</b>	<b>84,731</b>	<b>78,300</b>
<b>INSURANCE</b>						
Insurance - Property	7,500	7,500	4,168	7,146	7,500	7,500
Insurance - Equipment	39,000	39,000	7,816	13,398	39,000	39,000
Insurance - Torte	15,000	15,000	3,265	4,801	10,000	10,000
Insurance - Comprehensive & Collision (Vehicles)	8,000	8,000	1,954	3,350	5,000	5,000
Insurance - Liability (Vehicles)	37,000	37,000	10,421	17,864	37,000	37,000
<b>TOTAL INSURANCE EXPENSE</b>	<b>106,500</b>	<b>106,500</b>	<b>27,623</b>	<b>46,558</b>	<b>98,500</b>	<b>98,500</b>
<b>OTHER EXPENSES</b>						
Contingencies	100,000	100,000	0	0	50,000	65,000
Direct Assistance To County	9,100	9,100	4,550	9,100	9,100	9,100
Miscellaneous Expenses	250	250	5	235	250	250
Bank Charges	4,000	8,000	6,552	9,446	10,500	10,500
<b>TOTAL OTHER EXPENSES</b>	<b>113,350</b>	<b>117,350</b>	<b>11,107</b>	<b>18,780</b>	<b>69,850</b>	<b>84,850</b>
<b>TOTAL OPERATING EXPENSES</b>	<b>2,602,976</b>	<b>2,602,976</b>	<b>1,367,539</b>	<b>2,292,641</b>	<b>3,156,176</b>	<b>3,097,226</b>
<b>CAPITAL OUTLAY</b>						
Office Equipment	0	0	0	0	0	0
Vehicles	0	4,500	9,500	0	0	0
Tools & Equipment	37,000	32,500	37,904	834	0	0
Transfer to CIF	825,000	825,000	0	1,398,280	500,000	500,000
<b>TOTAL CAPITAL OUTLAY</b>	<b>862,000</b>	<b>862,000</b>	<b>47,404</b>	<b>1,399,114</b>	<b>500,000</b>	<b>500,000</b>

**Berkeley County Water & Sanitation Authority**  
**Water Fund**  
**Budget**  
*Fiscal Year Ending June 30, 2006*

	2005 Original	2005 Current	Actual Through 2/28/2005	2004 Actual	2006 Requested	2006 Approved
Debt Service						
<b>BONDS &amp; NOTES PAYABLE</b>						
2003 Bond Payable	2,038,383	2,038,383	559,592	2,038,383	2,038,383	2,038,383
Special Purpose Bond	15,000	15,000	0	0	0	0
2003 Equipment Lease	64,777	64,777	43,185	64,777	65,000	65,000
<b>TOTAL BONDS &amp; NOTES PAYABLE</b>	<b>2,118,160</b>	<b>2,118,160</b>	<b>602,777</b>	<b>2,103,160</b>	<b>2,103,383</b>	<b>2,103,383</b>
<b>TOTAL EXPENDITURES</b>	<b>\$5,583,136</b>	<b>\$5,583,136</b>	<b>\$2,017,720</b>	<b>\$5,794,915</b>	<b>5,759,559</b>	<b>\$5,700,609</b>

Berkeley County Water & Sanitation Authority  
Water

05-06-40

CAPITAL IMPROVEMENTS PROGRAM  
FIVE YEAR SUMMARY  
For the Fiscal Year Ending June 30, 2006

RECOMMENDED FINANCING:

- CIF - Capital Improvement Fund
- 03 BOND - 2003 Bond
- 06 BOND - 2006 Bond
- EPA - Environmental Protection Agency Grant
- CDBG - Community Development Block Grant
- SPBOND - Special Purpose Bond
- SC - Santee Cooper

PRIORITY	IDENTIFICATION	ITEM DESCRIPTION	FINANCE METHOD	FY 05-06	FY 06-07	FY 07-08	FY 08-09	FY 09-10	TOTAL FOR 6 YEARS
1	Water to Cross Schools	Service to Cross Elementary and High Schools. This project includes 87,700 feet of 12" and 6,200 feet of 24" pipe.	03 BOND	650,000					650,000
			EPA	1,290,000					1,290,000
2	2004 Water Improvement Project	This project contains the following Roads or Subdivisions: Seven Oaks Drive, Timber Way, Old Grade Road, Overton Subdivision (Overton Drive, Waterfront Drive, Beacon Avenue, Waterloo Drive and Ripple Avenue), Bluebird Lane, St. Johns Bethel Street, Horseshoe Road, Greenhill Road, Bayhill Lane, Old Cherry Hill Road, Melinda Drive, Red Oak Circle, Timbertand High School (129 ERU) (Gravel Hill Road), Blazing Trail, Cactus Trail, Wisteria Street and Canvas Lane), Elm Village (Elm Village Drive, Thunderbird Drive, Polinsettia Avenue, and Parrott Avenue), Berkeley Country Club (Sailors Avenue), Hayward Lane, Jessamine Drive, Marlow Drive and St. Michaels Place, Butter Road, (Dubard Street, Varner Street, Melvin Street, Dubard Street. This project includes 32,800 feet of 6", 13,500 feet of 8" and 12,550 feet of 12" pipe.	03 BOND	1,791,666					1,791,666
3	Old Field Water Project	Extend water into the Old Field area along Hwy 45, Hwy 35, and Hwy 52 to serve LMI qualified applicants.	CDBG	500,000					500,000
			CIF	100,000					100,000
4	Elevated Storage Tanks	Paint interior and exterior of Pimlico.	CIF	150,000					150,000
5	SC DOT Utility Relocation	Relocate Authority owned utilities as requested by SCDOT which are in conflict with highway improvements.	CIF	150,000	150,000	150,000	150,000	150,000	750,000

PRIORITY	IDENTIFICATION	ITEM DESCRIPTION	FINANCE METHOD	FY 05-06	FY 06-07	FY 07-08	FY 08-09	FY 09-10	TOTAL FOR 6 YEARS
			06 BOND	200,000	200,000	200,000			600,000
6	In House Water Line Extensions	Pipe and appurtenances to extend water lines for the existing system based on number of connections to cost.	CIF				200,000	200,000	400,000
7	Fire Hydrants	Install fire hydrants on the existing system were needed.	CIF	10,000	10,000	10,000	10,000	10,000	50,000
8	Emergency Connection to Moncks Corner	Expand the Monks Corner CDBG project to include an emergency connection between the Monks Corner System and the Authority System.	CIF	50,000					50,000
9	Automatic Water Meter Reading System	Convert all water meters to automatic read to improve efficiency of meter reading.	06 BOND	500,000	1,000,000	500,000			2,000,000
10	Oakley Road Water Project	Water distribution to serve Oakley Road and Mulberry Dr. The project includes 2,100' of 6", 5,050' of 8", & 3,400' of 12" pipe.	06 BOND		360,000				360,000
11	Umbria Road Water Project	Water distribution to serve Dr. Evans Rd., Hard Pinch Rd., and Umbria Rd. The project includes 28,550' of 8" pipe.	06 BOND	200,000	600,000				800,000
			CDBG	250,000	500,000	250,000			1,000,000
12	Cross Area Water Project	Water distribution to serve Azalea Lane, Bargain Drive, English Road, Groomstown Road, Mudville Road, Hwy 6, Longpoint Rd, McKinley Dr., Deville Rd., Oakley Dr., Ranger Dr., Sanders Rd., Sharper Dr., Short Cut Rd., Landing Rd., Spring Plains Rd., and Trojan Road. This project includes 17,150' of 6" of 8" and 77,300' of 12".	06 BOND	1,000,000	2,000,000	800,000			3,800,000
13	Swamp Fox Water Project	Extend water into the Swamp Fox area along Hwy 45 and Hwy 52.	06 BOND	200,000	200,000	200,000			600,000
			EPA	250,000	609,360	609,360			1,468,720
14	Jedburg Road Water Project	Install water main along Hwy 176 and Jedburg Road and construct an elevated water tower.	06 BOND	250,000	475,840	475,840			1,201,680
			SC	100,000					100,000
15	Expand the Water Treatment plant	Expand the Water Treatment plant to provide additional capacity for the Authority.	06 BOND	2,000,000	6,000,000	4,500,000			12,500,000
16	Alvin Area Water Project	Seven (7) miles of water line along Hwy.45. This project includes 7,150' of 6", 15,654' of 8", 15,550' of 10" and 43,850' of 12" pipe.	CIF				2,500,000		2,500,000
17	New Administration Facility	Construct a new Administration Building and relocate administration off the LBWWTP site.	06 BOND	400,000	500,000	400,000			1,300,000
18	Automotive Shop	Construct Automotive shop to the landfill site.	06 BOND	220,000					220,000
19	United Drive Water Project	Water distribution to serve Charity Church Road, Fortner Lane and United Drive. This project includes 1,536 feet of 6", 3,904 feet of 8" and 43,600 feet of 14" pipe.	CIF					1,700,000	1,700,000
20	Vineyard Boulevard Water Project	Water distribution to serve Vineyard Boulevard. This project includes 3,075 feet of 8" and 750 feet of 12" pipe.	06 BOND		125,000				125,000
21	East Church Street Water Project	Water distribution to serve East Church Street	06 BOND	50,000	375,000	300,000			725,000

PRIORITY	IDENTIFICATION	ITEM DESCRIPTION	FINANCE METHOD	FY 05-06	FY 06-07	FY 07-08	FY 08-09	FY 09-10	TOTAL FOR 6 YEARS
22	Spiers Circle Water Project	Water distribution to serve Spiers Circle. This project includes 7,300 feet of 6" pipe.	06 BOND		175,000				175,000
23	St. Stephen Water System	Repairs/Upgrades To System	06 BOND	250,000	750,000	500,000			1,500,000
24	Purchase CPW Service Area	Purchase College Park and Tall Pines Service areas from CPW	06 BOND		6,600,000				6,600,000
25	Purchase Property for Administrative Facility	Purchase of property for facility site.	06 BOND	350,000					350,000
26	2007 Water Improvement Project	Extension of water lines along various roads throughout the service area.	06 BOND	500,000	750,000	750,000			2,000,000
<b>Total Cost of Projects</b>				<b>\$ 11,411,666</b>	<b>\$ 21,380,200</b>	<b>\$ 9,645,200</b>	<b>\$ 360,000</b>	<b>\$ 4,560,000</b>	<b>\$ 47,357,066</b>

Total of Funding Sources

CIF	460,000	160,000	160,000	360,000	4,560,000	5,700,000
03 BOND	2,441,666	0	0	0	0	2,441,666
06 BOND	6,120,000	20,110,840	8,625,840	0	0	34,856,680
EPA	1,540,000	609,360	609,360	0	0	2,758,720
CDBG	750,000	500,000	250,000	0	0	1,500,000
SC	100,000	0	0	0	0	100,000
<b>Total of Funding Sources</b>	<b>\$ 11,411,666</b>	<b>\$ 21,380,200</b>	<b>\$ 9,645,200</b>	<b>\$ 360,000</b>	<b>\$ 4,560,000</b>	<b>\$ 47,357,066</b>

**Berkeley County Water & Sanitation Authority**  
**Water Fund**  
*Projected Cash Flow Statement*

05-06-40

	Projected FY 05-06	Projected FY 06-07	Projected FY 07-08	Projected FY 08-09	Projected FY 09-10
<b>REVENUES:</b>					
Charges for sales and services	4,663,323	5,195,907	7,682,731	8,438,334	9,195,256
Other revenue	1,087,286	1,109,032	1,131,212	1,153,837	1,176,913
Interest	50,000	51,500	53,045	54,636	56,275
<b>TOTAL OPERATING REVENUE</b>	<b>5,800,609</b>	<b>6,356,439</b>	<b>8,866,989</b>	<b>9,646,807</b>	<b>10,428,444</b>
<b>OPERATING EXPENSES:</b>					
Personnel services	1,839,664	2,023,630	2,225,993	2,448,593	2,693,452
Contractural services	119,500	125,475	131,749	138,336	145,253
Maintenance and repairs	320,412	336,433	353,254	370,917	389,463
Utilities	556,000	783,800	1,022,990	1,274,140	1,537,846
Office expenses	78,300	82,215	86,326	90,642	95,174
Insurance	98,500	103,425	108,596	114,026	119,727
Other service and charges	84,850	89,093	93,547	98,224	103,136
<b>TOTAL OPERATING EXPENSES</b>	<b>3,097,226</b>	<b>3,544,071</b>	<b>4,022,456</b>	<b>4,534,878</b>	<b>5,084,052</b>
<b>Net Cash Flow From Operations</b>	<b>2,703,383</b>	<b>2,812,369</b>	<b>4,844,533</b>	<b>5,111,929</b>	<b>5,344,393</b>
<b>DEBT ISSUED:</b>					
Funds from Issued of debt	8,561,666	20,110,840	8,625,840	0	0
<b>DEBT SERVICE:</b>					
2003 Equipment Lease	65,000	64,777	0	0	0
2003 Bonds	2,038,383	2,037,807	2,036,127	2,038,047	2,038,047
2006 Bonds			1,975,744	1,973,071	1,970,291
<b>TOTAL DEBT SERVICE</b>	<b>2,103,383</b>	<b>2,102,584</b>	<b>4,011,871</b>	<b>4,011,118</b>	<b>4,008,338</b>

**Berkeley County Water & Sanitation Authority**  
**Water Fund**  
*Projected Cash Flow Statement*

05-06-40

	Projected FY 05-06	Projected FY 06-07	Projected FY 07-08	Projected FY 08-09	Projected FY 09-10
<b>OTHER FUNDING SOURCES:</b>					
Contributed Capital	2,390,000	1,109,360	859,360	0	0
Advances (To) / From Other Funds					
	2,390,000	1,109,360	859,360	0	0
<b>CAPITAL IMPROVEMENTS:</b>					
Capital Improvement Fund	11,411,666	21,380,200	9,645,200	360,000	4,560,000
Capital Items	-	100,000	100,000	100,000	100,000
<b>TOTAL CAPITAL ITEMS</b>	<b>11,411,666</b>	<b>21,480,200</b>	<b>9,745,200</b>	<b>460,000</b>	<b>4,660,000</b>
Reserve Fund Increase(Decrease)	140,000	449,785	572,662	640,811	(3,323,945)
<b>FUNDS BROUGHT FORWARD</b>	<b>891,720</b>	<b>1,031,720</b>	<b>1,481,505</b>	<b>2,054,167</b>	<b>2,694,977</b>
<b>FUNDS AVAILABLE</b>	<b>1,031,720</b>	<b>1,481,505</b>	<b>2,054,167</b>	<b>2,694,977</b>	<b>(628,968)</b>
Debt Service Ratio	1.29	1.34	1.21	1.27	1.33
Number of Customers	12,000	13,750	15,500	17,250	19,000
Minimum Monthly Payment Increase			10.50	-	-
<b>New Monthly Bill</b>	<b>23.47</b>	<b>23.47</b>	<b>33.97</b>	<b>33.97</b>	<b>33.97</b>

**Berkeley County Water & Sanitation Authority**  
**Solid Waste Fund**  
**Budget**  
*Fiscal Year Ending June 30, 2005*

	2005 Original	2005 Current	Actual Through 2/28/2005	2004 Actual	2006 Requested	2006 Approved
<b>Revenues</b>						
<b>LANDFILL FEE REVENUE</b>						
Solid Waste User Fee	\$5,700,000	\$5,700,000	5,682,221	\$5,076,658	6,201,000	\$6,201,000
Services-Landfill Adv. Mobile Home	17,000	17,000	35,735	21,320	41,000	41,000
Services-Landfill Del. Tax Office	575,000	575,000	285,586	661,638	501,000	501,000
Services-Tire Fees-Rebates	57,500	57,500	47,403	55,964	61,000	61,000
Services-Naval Weapons Station	304,000	304,000	187,374	239,822	305,000	305,000
<b>TOTAL LANDFILL FEE REVENUE</b>	<b>6,653,500</b>	<b>6,653,500</b>	<b>6,238,318</b>	<b>6,055,402</b>	<b>7,109,000</b>	<b>7,109,000</b>
<b>SALVAGE REVENUES</b>						
Revenue-Recyclables	64,000	64,000	57,191	93,074	86,000	86,000
<b>TOTAL SALVAGE REVENUES</b>	<b>64,000</b>	<b>64,000</b>	<b>57,191</b>	<b>93,074</b>	<b>86,000</b>	<b>86,000</b>
<b>OTHER REVENUES</b>						
Revenue-Late Fees	16,000	16,000	7,905	16,982	12,000	12,000
Revenue-Bad Check Fees	350	350	150	340	250	250
Revenue-Compost	300	300	0	396	300	300
Revenue-Mulch	50	50	2,786	24	5,000	5,000
Tipping Fee - MSW	270,000	270,000	171,732	216,912	265,000	265,000
Tipping Fee - Yard Debris	51,000	51,000	72,694	60,768	70,000	70,000
Tipping Fee - C & D	1,054,000	1,054,000	380,072	1,147,402	810,000	810,000
Tipping Fee - Special Waste	555,000	555,000	90,055	437,355	200,000	200,000
Tipping Fee - Tires	25,000	25,000	20,465	28,493	31,000	31,000
Permit Fee Income	0	0	1,150	575	1,500	1,500
Decal Fee Income	0	0	2,380	870	3,000	3,000
Use of Reserve Funds	0	0	0	0	1,150,000	1,150,000
Miscellaneous Income	1,000	1,000	0	33,530	1,000	1,000
Interest Income	100,000	100,000	50,953	52,979	80,000	80,000
Sale of Assets	1,000	1,000	0	-4,796	50,000	50,000

**Berkeley County Water & Sanitation Authority**  
**Solid Waste Fund**  
**Budget**  
*Fiscal Year Ending June 30, 2005*

	2005 Original	2005 Current	Actual Through 2/28/2005	2004 Actual	2006 Requested	2006 Approved
TOTAL OTHER REVENUES	2,073,700	2,073,700	800,342	1,991,830	2,679,050	2,679,050
TOTAL REVENUES	\$8,791,200	\$8,791,200	7,095,852	8,140,306	9,874,050	\$9,874,050
<b>Operating Expenses</b>						
<b>PERSONNEL EXPENSES</b>						
Salaries-Regular	\$1,679,902	\$1,679,902	791,388	\$1,504,055	1,760,296	\$1,750,296
Salaries-Personal Leave	\$134,673	\$134,673	80,652	\$143,796	133,076	133,076
Salaries-Overtime	267,971	267,971	154,039	263,091	200,000	200,000
Salaries-Sick Leave	0	0	0	32,316	10,000	10,000
Payroll Taxes-FICA	159,315	159,315	78,790	146,160	160,143	160,143
Ret. Contributions	154,311	154,311	69,915	127,460	156,350	156,350
Insurance-Workman's Compensation	102,000	102,000	97,339	140,884	196,797	195,797
Insurance-Group Life	9,130	9,130	1,735	3,013	2,863	2,863
Insurance-Unemployment	6,596	6,596	1,720	7,783	6,857	6,857
Travel	10,000	10,000	8,224	10,977	14,335	14,335
Education	5,000	5,000	2,987	6,135	5,891	5,891
Insurance-Group	314,338	264,338	116,704	373,968	395,660	395,660
TOTAL PERSONNEL EXPENSES	2,843,236	2,793,236	1,403,494	2,759,639	3,042,268	3,031,268
<b>CONTRACTUAL SERVICES</b>						
Maintenance Contracts	13,000	13,000	4,365	9,212	10,000	10,000
Engineering Services	27,000	52,000	48,046	33,031	72,000	65,000
Legal Services	24,000	39,000	35,815	39,703	54,000	30,000
Accounting Services	7,600	7,600	6,873	7,406	10,310	6,600
Other Professional Services	64,000	49,000	23,818	215,883	50,000	46,000
Tire Recycling	36,000	36,000	28,235	39,465	40,000	39,000
TOTAL CONTRACTUAL SERVICES	171,600	196,600	147,152	344,701	236,310	196,600

**Berkeley County Water & Sanitation Authority**  
**Solid Waste Fund**

**Budget**

Fiscal Year Ending June 30, 2005

	2005 Original	2005 Current	Actual Through 2/28/2005	2004 Actual	2006 Requested	2006 Approved
<b>MAINTENANCE AND REPAIR COSTS</b>						
Equipment Rental	23,000	13,000	0	17,042	0	0
Building Rent					17,730	17,730
Tires	89,000	69,000	25,917	44,276	70,000	70,000
Vehicle Maintenance	0	35,000	27,465	12,939	45,000	45,000
Equipment Maintenance	560,682	546,832	599,111	583,112	447,638	457,920
Tire Repairs	70,000	70,000	54,901	80,890	85,000	65,000
Miscellaneous Supplies	25,000	25,000	14,109	32,421	25,000	22,000
Consumable Supplies	19,000	14,000	6,573	17,701	12,000	12,000
Building Repairs	8,000	13,000	9,541	7,807	14,000	10,000
Safety Equipment	15,000	15,000	5,675	10,049	10,000	10,000
Small Tools & Equipment	15,000	15,000	8,631	11,938	15,000	15,000
Trailer Maintenance	10,000	8,000	7	3,495	1,000	1,000
Gas & Oil	250,000	250,000	190,605	276,390	320,000	305,000
System Maintenance-General	63,000	63,000	49,940	71,551	78,000	78,000
System Maintenance-Chemicals	34,000	34,000	17,261	21,112	34,000	33,000
System Maintenance - Lab	10,000	5,000		2,050	0	0
Lab Tests-Contracted	3,000	6,000	4,670	5,977	9,000	9,000
Daily Cover (Posi-Shell)	140,000	150,000	183,986		300,000	298,000
Rock	10,000	10,000	9,116	4,823	50,000	39,000
Dirt	200,000	205,000	104,546	102,771	156,900	74,000
Hazardous Waste	1,000	1,000	0	0	1,000	1,000
Pipes & Culverts	5,000	5,000	2,858	0	4,000	4,000
<b>TOTAL MAINTENANCE AND REPAIR COSTS</b>	<b>1,550,682</b>	<b>1,552,832</b>	<b>1,314,912</b>	<b>1,306,342</b>	<b>1,695,268</b>	<b>1,566,650</b>
<b>UTILITIES</b>						
Utilities-Power	33,000	33,000	18,949	32,772	33,000	32,000
Utilities-Propane Gas	8,000	8,000	765	12,293	5,500	5,500

**Berkeley County Water & Sanitation Authority**  
**Solid Waste Fund**  
**Budget**  
*Fiscal Year Ending June 30, 2005*

	2005 Original	2005 Current	Actual Through 2/28/2005	2004 Actual	2006 Requested	2006 Approved
<b>TOTAL UTILITIES</b>	41,000	41,000	19,713	45,065	38,500	37,500
<b>OFFICE EXPENSES</b>						
Office Expense-Postage	4,000	4,000	1,899	4,185	4,000	3,500
Office Expense-Supplies	20,000	20,000	14,079	18,650	21,000	17,086
Office Expense-Advertising	13,000	8,000	4,752	15,353	10,000	9,000
Telephone	25,000	33,000	28,124	25,487	45,000	44,000
Memberships/Dues/Subscriptions	3,000	6,000	4,196	2,758	7,000	6,000
Office Equipment Maintenance	10,000	20,850	13,074	9,187	20,000	19,000
<b>TOTAL OFFICE EXPENSES</b>	75,000	91,850	66,123	75,621	107,000	98,586
<b>INSURANCE</b>						
Insurance - Property	9,000	9,000	5,862	10,048	9,672	9,672
Insurance - Equipment	40,000	40,000	11,072	18,981	18,269	19,269
Insurance - Torte	25,000	25,000	4,632	7,146	7,643	7,643
Insurance - Comprehensive & Collision (Vehicles)	7,000	7,000	2,605	4,466	4,299	4,299
Insurance - Liability (Vehicles)	40,000	40,000	14,133	24,228	23,319	23,319
<b>TOTAL INSURANCE</b>	121,000	121,000	38,304	64,869	63,202	64,202
<b>OTHER EXPENSES</b>						
Contingencies	150,000	150,000	0	0	200,000	150,000
Direct Assist. to County Offices	30,100	30,100	15,050	30,100	30,100	30,100
Miscellaneous Expenses	2,000	2,000	366	725	2,000	1,000
Bank Charges	1,000	2,000	1,149	4,724	2,000	2,000
Recycling	23,000	28,000	27,060	22,261	50,000	35,000
Administrative Overhead Expense	400,000	400,000	233,333	400,000	400,000	400,000
<b>TOTAL OTHER EXPENSES</b>	606,100	612,100	276,958	457,811	684,100	618,100
<b>TOTAL OPERATING EXPENSES</b>	\$5,408,618	\$5,408,618	3,266,656	5,054,047	5,866,648	\$5,612,906

**Berkeley County Water & Sanitation Authority**  
**Solid Waste Fund**  
**Budget**  
*Fiscal Year Ending June 30, 2005*

	2005 Original	2005 Current	Actual Through 2/28/2005	2004 Actual	2006 Requested	2006 Approved
<b>CAPITAL OUTLAY</b>						
Office Equipment	\$3,800	\$3,800	0		0	0
Vehicles	25,000	25,000	435,564		79,000	20,000
Tools & Equipment	488,250	488,250	112,657		545,606	170,319
Transfer to CIF	748,800	748,800			699,400	699,400
Reserves Used for CIF	0	0			1,150,000	1,150,000
<b>TOTAL CAPITAL OUTLAY</b>	<b>1,265,850</b>	<b>1,265,850</b>	<b>548,221</b>	<b>0</b>	<b>2,474,006</b>	<b>2,039,719</b>
<b>BONDS &amp; NOTES PAYABLE</b>						
Solid Waste Bond Payable - 2000 Issue	407,832	407,832	322,085	407,832	394,399	394,399
Solid Waste Bond Payable - 2002 Issue	327,581	327,581	266,628	327,581	318,132	318,132
Solid Waste Bond Payable - 2003 Issue	906,452	906,452	736,206	906,452	904,135	904,135
Special Purpose Bond	9,882	9,882	0	0	0	0
Lease Payable- 2001 Equipment	220,821	220,821	220,821	220,821	220,821	220,821
Lease Payable-2002 Equipment	152,020	152,020	152,020	152,020	152,020	152,020
Lease Payable-2003 Equipment	192,144	192,144	68,534	192,144	6,478	6,478
Lease Payable-2004 Equipment	0	0	0	0	325,440	325,440
<b>TOTAL BONDS &amp; NOTES PAYABLE</b>	<b>2,216,732</b>	<b>2,216,732</b>	<b>1,766,294</b>	<b>2,206,850</b>	<b>2,321,425</b>	<b>2,321,425</b>
<b>DEBT SERVICE RESERVE FUNDS</b>						
Funding of 2003 Debt Service Reserve Fund	(100,000)	-100,000			(100,000)	(100,000)
<b>TOTAL DEBT SERVICE RESERVE FUNDING</b>	<b>(100,000)</b>	<b>-100,000</b>			<b>(100,000)</b>	<b>(100,000)</b>
<b>TOTAL EXPENDITURES</b>	<b>\$8,791,200</b>	<b>\$8,791,200</b>	<b>5,581,172</b>	<b>7,260,897</b>	<b>10,562,079</b>	<b>\$9,874,050</b>

**BERKELEY COUNTY WATER & SANITATION AUTHORITY  
BUDGET REQUESTS FOR FISCAL YEAR 2006  
Capital Line Items**

05-06-40

FUND: Solid Waste

Items	Description	Approved Yes / No	2005/2006 Amount Approved	2005/2006 Budget Request	Justification
<b>Solid Waste</b>					
1	1-3" Trash Pump	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$1,600</u>	<u>\$1,600</u>	Replace old pump.
2	1-6'x10' Trailer	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$1,300</u>	<u>\$1,300</u>	Haul mowers to Convenience Center sites.
3	3-Riding lawn Mowers for CC	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$1,200</u>	<u>\$3,600</u>	Replace Stolen Mowers.
4	3-Leaf Blowers	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$750</u>	Replace Stolen Leaf Blowers.
5	3-Weed Eaters	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$750</u>	Replace Stolen Weed Eaters.
6	Under Carriage for D-6	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$22,000</u>	Normal Wear.
7	Install Belly Pan, Replace Blade & C-Frame on D-6	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$26,000</u>	Normal Wear.
8	Thumb for 320 Excavator	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$2,887</u>	For use in land clearing.
9	Two (2) Sets of Tower Lights	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$18,000</u>	For Night Work on the MSW.
10	6' Blade for Tractor	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$1,000</u>	<u>\$1,000</u>	Attachment to maintain roads.
11	Portable Litter Containment	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$11,000</u>	<u>\$22,000</u>	Control blowing litter on MSW.
12	Two (2) Computers	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$4,000</u>	<u>\$4,000</u>	Landfill Supervisor and Environmental Coordinator
13	6400 lb Hoist, 4-Post Truck Lift	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$31,108</u>	<u>\$31,108</u>	We do not have a lift capable of lifting the larger trucks at the landfill shop.
14	OSHA Rated Safety Stands	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$3,500</u>	<u>\$3,500</u>	Set of four (4) for trucks for extended repairs to large vehicles.
15	Broad Band Radios	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$32,611</u>	<u>\$32,611</u>	Replace all radios so they will be narrow band radios.
16	Petroleum Contaminated Soil Meter	Yes <input checked="" type="radio"/> No	<u>\$0</u>	<u>\$8,000</u>	Reading PCS.

Items	Description	Approved Yes / No	Amount Approved	Budget Request	Justification
<b>SUBTOTAL EQUIPMENT</b>			<b>\$87,319</b>	<b>\$179,106</b>	
1	Two (2) Used Pick-Up Trucks	Yes No	<u>\$20,000</u>	<u>\$45,000</u>	Replace VE-161, 1997 Ford with 229,000 miles and VE-112, 1989 GMC with 190,000 miles.
2	1/2 Ton Pick-Up	Yes No	<u>\$0</u>	<u>\$18,000</u>	For new Code Enforcement Officer
3	Vehicle for Accounting Manager	Yes No	<u>\$0</u>	<u>\$16,000</u>	Department functions that require a vehicle
<b>SUBTOTAL HEAVY EQ. &amp; VEHICLES</b>			<b>\$20,000</b>	<b>\$79,000</b>	
<b><u>RECYCLING</u></b>					
1	X-Stream Recycling Units	Yes No	<u>\$0</u>	<u>\$2,000</u>	For use at county events.
2	HHW Collection	Yes No	<u>\$0</u>	<u>\$150,000</u>	Start a HHW Collection Program.
3	E-Waste Collection	Yes No	<u>\$0</u>	<u>\$50,000</u>	Start an E-Waste Collection Program.
4	Ten (10) 40 CY Recycling Containers	Yes No	<u>\$60,000</u>	<u>\$60,000</u>	Support recycling growth.
<b>SUBTOTAL - RECYCLING</b>			<b>\$60,000</b>	<b>\$262,000</b>	
1	Camera Backup Hard Drives	Yes No	<u>\$10,000</u>	<u>\$10,000</u>	Expansion of Storage Capacity of Security Camera Storage to Accommodate Phase II & III.
2	Phase II & III Camera System	Yes No	<u>\$0</u>	<u>\$30,000</u>	Camera System for Landfill & Unmanned Scalehouse.
3	Unattended Software System	Yes No	<u>\$0</u>	<u>\$25,000</u>	Unattended Module & Hardware for Unmanned Scalehouse.
4	Unattended Printer System	Yes No	<u>\$0</u>	<u>\$5,000</u>	Bar Code Printer for Unmanned Scalehouse.
5	Cabling & Conduit for Wireless System for Camera	Yes No	<u>\$5,000</u>	<u>\$10,000</u>	Provide Connection Between the Tower and the Scalehouse.
6	PC Tablet & Docking Station for Accounting Manager & Clerk	Yes No	<u>\$3,500</u>	<u>\$7,000</u>	Wireless Communication for the Accounting Manager Between Sites. Provides Accounting Clerk the Ability to Input Wireless Notes While in the Field.

Items	Description	Approved Yes / No	Amount Approved	Budget Request	Justification
7	Accounting Module for Proprietary Software	Yes <input type="radio"/> No <input checked="" type="radio"/>	<u>\$0</u>	<u>\$10,000</u>	Add the Accounting Functions needed for Proprietary Software Systems to Bill Solid Waste Customers.
8	Heavy Duty Printers	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$2,000</u>	<u>\$4,000</u>	Replace Old Printers at the Scalehouse.
9	Flat Screen Computer Monitor	Yes <input type="radio"/> No <input checked="" type="radio"/>	<u>\$0</u>	<u>\$1,000</u>	Replace Old Monitors.
10	Update/Purchase Software	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$2,500</u>	<u>\$2,500</u>	Replace/Enhance Solid Waste Software.
<b>SUBTOTAL SOLID WASTE ADMIN</b>			<b>\$23,000</b>	<b>\$104,500</b>	
<b>TOTAL SOLID WASTE CAPITAL EXPENSE</b>			<b>\$190,319</b>	<b>\$624,606</b>	
<b>SOLID WASTE LEASE</b>					
1	Excavator 330	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$261,640</u>	<u>\$261,640</u>	Replace EH-201 CAT 330 Excavator with 7,291 hours.
2	Two (2) 938 Front End Loader	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$283,580</u>	<u>\$283,580</u>	Replace EH-210 CAT 938 with 6,489 hours and replace EH-281 CAT IT38 with 9,215 hours (Sold in August '04).
3	Tractor/Side Bush Hog	<input checked="" type="radio"/> Yes <input type="radio"/> No	<u>\$100,000</u>	<u>\$100,000</u>	Ditch maintenance.
4	Mack Tractor CXN613	Yes <input type="radio"/> No <input checked="" type="radio"/>	<u>\$0</u>	<u>\$89,300</u>	For Hauling Wood Chips.
5	Three (3) 44' Trailers	Yes <input type="radio"/> No <input checked="" type="radio"/>	<u>\$0</u>	<u>\$114,900</u>	For Hauling Wood Chips.
<b>TOTAL SOLID WASTE LEASE EXPENSE</b>			<b>\$645,220</b>	<b>\$849,420</b>	

**Berkeley County Water & Sanitation Authority  
Solid Waste**

*CAPITAL IMPROVEMENTS PROGRAM  
FIVE YEAR SUMMARY  
For the Fiscal Year Ending June 30, 2006*

RECOMMENDED FINANCING:

- CIF - Capital Improvement Fund
- SPBOND - Special Purpose Bond
- 03 BOND - Construction Bonds
- 06 Bond - Construction Bonds
- CLFD - Closure Sinking Fund

PRIORITY	IDENTIFICATION	ITEM DESCRIPTION	FINANCE METHOD	FY 05-06	FY 06-07	FY 07-08	FY 08-09	FY 09-10	TOTAL FOR 5 YEARS
1	Subtitle D Landfill Cells 1 & 2 Closure	Closure of Cells 1 & 2	CLFD			1,000,000			1,000,000
2	Wetlands Master Plan	Permitting & Purchasing Wetland Credits	CIF	40,000	737,380				777,380
3	Subtitle D 39 Acre Expansion	Design & Permitting	CIF	64,400					64,400
4	Additional Land	Additional 105 +/- land for expansion of the Landfill.	RESERVE	1,150,000					1,150,000
5	Administration Building	Construction of Admin. Building	06BOND	400,000					400,000
6	Landfill Master Site Plan	Engineering associated with evaluation for the best use of available land.	CIF	40,000					40,000
7	C & D Expansion	Expand C & D - 2004-05 engineering	CIF	60,000	50,000	550,000	550,000		1,210,000
8	Landfill Gas/Landfill Gas to Energy	Construct piping, wells, etc.	CIF	380,000	380,000				760,000
9	Miscellaneous Small Projects	Small projects to upgrade Landfill Facilities.	CIF	15,000	15,000	15,000	15,000	15,000	75,000
10	Fuel Island	New Gasoline and Fuel Island	CIF		200,000				200,000
11	Subtitle D Expansion	Construction of cells 7 & 8 of Subtitle D Landfill. To be prepared in the event of a hurricane.	CIF	100,000		4,000,000			4,100,000
12	Radio Antenna	Relocate Existing Antenna to Expand C&D	CIF					600,000	600,000
13	Purchase Property for Administrative Facility.	Purchase of property for Facility Site.	06BOND	300,000					300,000
14	Scale house / Entrance Facility Improvements	Construction of a new scale house and wheel wash.	BOND	325,000					325,000
15	C & D Landfill Closure	Design & Construction of Closure Cap	CLFD					1,029,200	1,029,200
<b>Total Cost of Projects</b>				<b>\$2,874,400</b>	<b>\$1,382,380</b>	<b>\$5,565,000</b>	<b>\$565,000</b>	<b>\$1,644,200</b>	<b>\$12,030,980</b>

CIF	699,400	1,382,380	4,565,000	565,000	615,000	7,826,780
RESERVE	1,150,000					1,150,000
CLFD	0	0	1,000,000	0	1,029,200	2,029,200
06BOND	700,000	0	0	0	0	700,000
03BOND	325,000	0	0	0	0	325,000
<b>Total of Funding Sources</b>	<b>\$2,874,400</b>	<b>\$1,382,380</b>	<b>\$5,565,000</b>	<b>\$565,000</b>	<b>\$1,644,200</b>	<b>\$12,030,980</b>

**Berkeley County Water & Sanitation Authority**  
**Solid Waste Fund**  
*Projected Cash Flow Statement*

	Projected FY 05-06	Projected FY 06-07	Projected FY 07-08	Projected FY 08-09	Projected FY 09-10
<b>REVENUES:</b>					
Charges for sales and services	7,109,000	7,768,196	8,001,242	8,241,279	8,488,518
Interest Income	80,000	100,000	100,000	100,000	100,001
Reserve Fund Transfer	1,150,000				
Other revenue	1,535,050	1,581,564	1,597,379	1,613,353	1,629,487
<b>TOTAL OPERATING REVENUE</b>	<b>9,874,050</b>	<b>9,449,760</b>	<b>9,698,621</b>	<b>9,954,632</b>	<b>10,218,005</b>
<b>OPERATING EXPENSES:</b>					
Personnel services	3,031,268	3,334,395	3,501,115	3,676,170	3,667,834
Contractual services	196,600	202,498	210,598	219,022	208,573
Maintenance and repairs	1,566,650	1,613,650	1,882,189	1,882,189	1,662,059
Utilities	37,500	38,625	40,170	41,777	39,784
Office expenses	98,586	101,544	105,605	109,830	104,590
Insurance	64,202	69,338	72,112	74,996	74,885
Other service and charges	618,100	636,643	624,283	624,283	655,742
<b>TOTAL OPERATING EXPENSES</b>	<b>5,612,906</b>	<b>5,996,692</b>	<b>6,436,072</b>	<b>6,628,267</b>	<b>6,413,467</b>
<b>Net Cash Flow From Operations</b>	<b>4,261,144</b>	<b>3,453,068</b>	<b>3,262,550</b>	<b>3,326,366</b>	<b>3,804,538</b>
<b>FUNDS FROM DEBT ISSUED:</b>					
Closure Fund/Reserves	1,150,000		1,000,000		1,029,200
2003 Bond	325,000				
2006 Series Bond	700,000		0		
	2,175,000	0	1,000,000	0	1,029,200
<b>DEBT SERVICE:</b>					
Dozer w/Excavator Attachment					
2000 Solid Waste Bond Issue	394,399	390,295	375,370	384,699	368,281
2002 Solid Waste Bond Issue	318,132	299,491	289,783	280,333	270,884

**Berkeley County Water & Sanitation Authority**  
**Solid Waste Fund**  
*Projected Cash Flow Statement*

	Projected FY 05-06	Projected FY 06-07	Projected FY 07-08	Projected FY 08-09	Projected FY 09-10
2003 Solid Waste Bond Issue	904,135	905,928	901,833	901,848	900,888
Lease Payable 2001 Equipment	220,821				
Lease Payable 2002 Equipment	152,019	152,019	152,019		
Lease Payable 2003 Equipment	6,478	6,478	6,478		
Lease Payable 2004 Equipment	325,440	325,440	325,440	325,440	325,440
<b>TOTAL DEBT SERVICE</b>	<b>2,321,424</b>	<b>2,079,651</b>	<b>2,050,923</b>	<b>1,892,320</b>	<b>1,865,493</b>
<i>OTHER FUNDING SOURCES:</i>					
2003 DS Reserve Refund	100,000				
Advances (To) / From Other Funds	0	0	0	0	0
	100,000	0	0	0	0
<i>CAPITAL IMPROVEMENTS:</i>					
Capital Improvement Fund	2,874,400	1,382,380	5,565,000	565,000	1,644,200
Capital Items	190,319	537,939	548,698	559,672	559,672
<b>TOTAL CAPITAL ITEMS</b>	<b>3,064,719</b>	<b>1,920,319</b>	<b>6,113,698</b>	<b>1,124,672</b>	<b>2,203,872</b>
Reserve Fund Increase(Decrease)	1,150,001	(546,902)	(3,902,071)	309,374	764,373
<b>FUNDS BROUGHT FORWARD</b>	<b>3,056,367</b>	<b>4,206,368</b>	<b>6,073,210</b>	<b>6,132,730</b>	<b>3,659,466</b>
<b>FUNDS AVAILABLE</b>	<b>4,206,368</b>	<b>3,659,466</b>	<b>2,171,139</b>	<b>6,442,104</b>	<b>4,423,839</b>
Debt Service Ratio	1.84	1.66	1.59	1.76	2.04

ORDINANCE NO. 05 - 06 - 41

**AN ORDINANCE PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2005, AND ENDING JUNE 30, 2006, FOR THE DEVON FOREST SPECIAL TAX DISTRICT OPERATIONAL BUDGET; AND TO PROVIDE FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE DEVON FOREST SPECIAL TAX DISTRICT DURING THE FISCAL YEAR**

WHEREAS, the Devon Forest Special Tax District Advisory Commission has presented to the Berkeley County Council a budget to provide for expenditures of revenues acquired by the Devon Forest Special Tax District pursuant to a uniform service charge; and

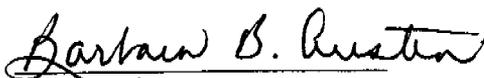
WHEREAS, the Berkeley County Council, in accordance with Section 4-9-140 of the South Carolina Code of Laws for 1976, as amended, desires to adopt the Commission's recommendations as and for the Budget of the Devon Forest Special Tax District for the fiscal year beginning July 1, 2005, and ending June 30, 2006.

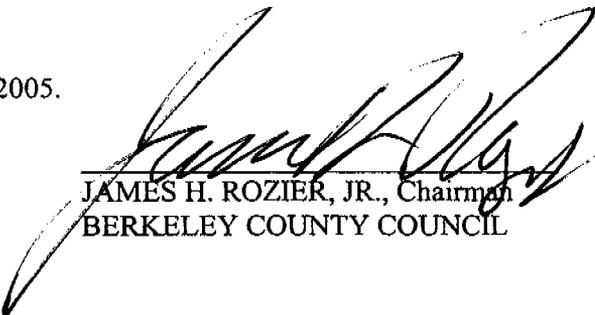
NOW, THEREFORE, BE IT ENACTED that there is hereby projected for the fiscal year 2005-2006 the following revenues from levy of uniform service charges in the Devon Forest Special Tax District and the following expenditures as set forth in Exhibit "A" attached hereto and made a part hereof by this reference.

ADOPTED this 20<sup>th</sup> day of June, A. D. 2005.

(SEAL)

ATTEST:

  
Barbara B. Austin  
Clerk of County Council

  
JAMES H. ROZIER, JR., Chairman  
BERKELEY COUNTY COUNCIL

First Reading: April 25, 2005  
Second Reading: May 23, 2005  
Public Hearing: June 20, 2005  
Third Reading: June 20, 2005

MEMBERS OF COUNTY COUNCIL

Phillip Farley  
PHILLIP FARLEY Voting yes

Dennis L. Fish  
DENNIS L. FISH Voting yes

Judith K. Spooner  
JUDITH K. SPOONER Voting yes

Excused  
JUDY C. MIMS Voting \_\_\_\_\_

William E. Crosby  
WILLIAM E. CROSBY Voting yes

Caldwell Pinckney, Jr.  
CALDWELL PINCKNEY, JR. Voting yes

Charles E. Davis  
CHARLES E. DAVIS Voting yes

Steve C. Davis  
STEVE C. DAVIS Voting YES

05-06-41

**AMENDMENT TO THE ORDINANCE OF  
THE DEVON FOREST SPECIAL TAX DISTRICT**

June 1, 2005

As set for in Bill No. 95-13, Ordinance No. 95-6-20 of the Devon Forest Special Tax District, the following amendment is presented to the members of the District Advisory Commission for consideration.

**SECTION VII**  
**METHOD OF FINANCING DEVON FOREST SPECIAL TAX DISTRICT**

Beginning with the tax year 2005, the annual uniform service charge to be assessed and collected in the Special Tax District shall be sixty dollars for improved lots.

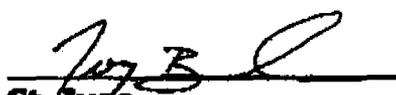
Beginning with the tax year 2005, the annual uniform service charge for all commercial properties located within the Devon Forest tax district shall be \$100.00

The Advisory Commission, having reviewed the Amendment, indicates their approval of its content by their signature below.

  
Ashton  
Deborah Royal  
Chairman

  
Buxton  
Scott McCain

  
Hastings  
Susan Meyer

  
St. Ives  
Troy Barber

  
Float - Ashton  
Lee Riddick

To accommodate the continuing growth and expenses within the Devon Forest Special Tax District, and to facilitate representation of all developments within the District, the following Amendment is submitted to Berkeley County Council for your review and subsequent approval.

DEVON FOREST SPECIAL TAX DISTRICT BUDGETFISCAL YEAR 2005-2006Operating ExpensesUtilities:

Berkeley Electric	\$ 2,400.00
-------------------	-------------

Community Maintenance:

Grounds Maintenance/Landscaping	\$ 12,000.00
Add Pine Straw/Bedding Plants	\$ 6,075.00

General and Administrative:

Mailing Services	\$ 200.00
Office supplies	\$ 25.00
PO Box	\$ 48.00

Miscellaneous Expenses:

Devon Forest Common Area Development Fund	\$ 4000.00
Bus Stop Trash Receptacles (10@\$100.00/ea)	\$ 1000.00

<u>Contingency Fund:</u>	\$ 2,127.00
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<u>Total Estimated Budget:</u>	\$ 27,850.00
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<u>Total Anticipated Revenue from 2004</u>	\$ 27,850.00
--	--------------

557	Improved Lots	\$50.00/ea	\$ 27,850.00
1	Unimproved (showroom)	\$25.00	\$ 25.00
	Apartment Complex		?
			\$ 27,875.00

February 1, 2005

Berkeley County Council  
Berkeley County Office Building  
223 North Live Oak Dr.  
Moncks Corner, SC 29461

Council Members:

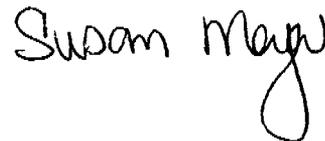
The Devon Forest Special Tax Advisory Commission has met and established a budget for the fiscal year July 1, 2005 through June 30, 2006. The members have agreed on the provisions of the attached budget and to submitting the budget for the County Council for their consideration and approval.

  
Deborah Royal - Ashton

  
Troy Barber - St. Ives

  
Scott McCain - Buxton

Susan Meyers - Hastings



Lee Riddick - Ashton (float)



ORDINANCE NO. 05 - 06 - 42

**AN ORDINANCE PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2005 AND ENDING JUNE 30, 2006 FOR THE PIMLICO SPECIAL TAX DISTRICT OPERATIONAL BUDGET; AND TO PROVIDE FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE PIMLICO SPECIAL TAX DISTRICT DURING THE FISCAL YEAR**

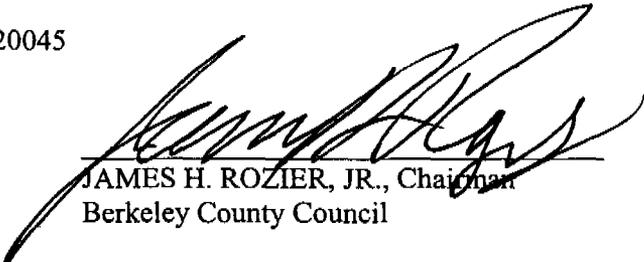
WHEREAS, the Pimlico Special Tax District Advisory Commission has presented to the Berkeley County Council a budget to provide for expenditures of revenues acquired by the Pimlico Special Tax District pursuant to a uniform service charge; and

WHEREAS, the Berkeley County Council, in accordance with Section 4-9-140 of the South Carolina Code of Laws for 1976, as amended, desires to adopt the Commission's recommendations as and for the Budget of the Pimlico Special Tax District for the fiscal year beginning July 1, 2005 and ending June 30, 2006

NOW, THEREFORE, BE IT ENACTED that there is hereby projected for the fiscal year 2005-2006 the following revenues from levy of uniform service charges in the Pimlico Special Tax District and the following expenditures as set forth in Exhibit "A" attached hereto and made a part hereof by this reference.

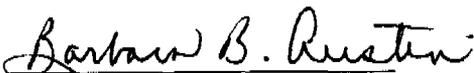
ADOPTED this 20<sup>th</sup> day of June A. D. 20045

(SEAL)



JAMES H. ROZIER, JR., Chairman  
Berkeley County Council

ATTEST:

  
Barbara B. Austin  
Clerk of County Council

First Reading: April 25, 2005  
Second Reading: May 23, 2005  
Public Hearing: June 20, 2005  
Third Reading: June 20, 2005

MEMBERS OF COUNTY COUNCIL

Phillip Farley  
PHILLIP FARLEY Voting yes

Dennis L. Fish  
DENNIS L. FISH Voting yes

Judith K. Spooner  
JUDITH K. SPOONER Voting yes

Excused 6-20-05  
JUDY C. MIMS Voting \_\_\_\_\_

William E. Crosby  
WILLIAM E. CROSBY Voting yes

Caldwell Pinckney, Jr.  
CALDWELL PINCKNEY, JR. Voting yes

Charles E. Davis  
CHARLES E. DAVIS Voting yes

Steve C. Davis  
STEVE C. DAVIS Voting yes

## DETAILED PIMLICO STD BUDGET 2005-2006

Print Date: 3/21/2005

Budget Item	Budget Amount	Expenditures Fiscal YTD	Balance	%Expended
<b>Operating &amp; Maintenance</b>				
STD Financial Records Audit	\$50.00	\$0.00	\$50.00	0.00%
STD Miscellaneous Supplies	\$25.00	\$0.00	\$25.00	0.00%
<b>Total O &amp; M</b>	<b>\$75.00</b>	<b>\$0.00</b>	<b>\$75.00</b>	<b>0.00%</b>
<b>Property Leases</b>				
Civic Club Bldg.	\$24,000.00	\$0.00	\$24,000.00	0.00%
<b>Total Leases</b>	<b>\$24,000.00</b>	<b>\$0.00</b>	<b>\$24,000.00</b>	
<b>STD Contingency Budget</b>	<b>\$2,236.00</b>		<b>\$2,236.00</b>	
<b>TOTAL BUDGET</b>	<b>\$26,311.00</b>	<b>\$0.00</b>	<b>\$26,311.00</b>	<b>0.00%</b>
<b>REVENUES FYTD</b>				
Berkeley County Tax Collected			\$0.00	
Checking Account Interest			\$0.00	
Money Market Acct Interest			\$0.00	
<b>Total Revenues FYTD</b>			<b>\$0.00</b>	
<b>BALANCES FYTD</b>				
Checking Account			\$0.00	
Money Market Account			\$0.00	
<b>Total Balances FYTD</b>			<b>\$0.00</b>	

## SUMMARIZED PIMLICO STD BUDGET 2005-2006

BUDGET ITEM	AMOUNT
Operating and Maintenance	\$75.00
Property Leases	\$24,000.00
Contingency	\$2,236.00
<b>Total Budget</b>	<b>\$26,311.00</b>

REVENUES	Qty.	Assessment	Extended Amt.	
Improved Lots	402	\$50.00	\$20,100.00	
Unimproved Lots	237	\$25.00	\$5,925.00	
Total Tax Collected by Berkeley County				\$26,025.00
Estimated Interest Income				\$286.00
Appropriated Fund Balance				\$0.00
<b>Total Revenues</b>				<b>\$26,311.00</b>

**PIMLICO SPECIAL TAX DISTRICT ADVISORY COMMISSION**  
1603 PIMLICO BLVD  
MONCKS CORNER, SOUTH CAROLINA 29461

Johnnie W. Baxley, Jr., Chairman  
Walt McKinney, Vice Chairman  
David Owens, Treasurer  
Linda Martin, Secretary  
Larry Brown, Commissioner

March 21, 2005

Ms. Barbara B. Austin  
Clerk of Council  
Berkeley County Council  
223 North Live Oak Drive  
Moncks Corner, South Carolina 29461

RE: Pimlico Special Tax District Proposed Budget for 2005-2006

Dear Ms. Austin:

Enclosed is a copy of the Pimlico Special Tax District's proposed budget for the 2005-2006 tax year. The proposal includes a recommendation to maintain the current \$50.00 assessment for improved lots and a \$25.00 assessment for unimproved lots. All commissioners support and approved this budget.

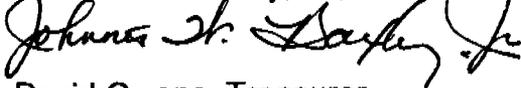
If I can be of any assistance regarding this proposal, please do not hesitate to contact me at the phone number or address below. Thank you for your time and assistance in this matter.

Please forward this request to Berkeley County Council for their consideration.

Sincerely,

PIMLICO SPECIAL TAX DISTRICT ADVISORY COMMISSION

Johnnie W. Baxley, Jr., Chairman



David Owens, Treasurer



1035 Live Oak Avenue  
Moncks Corner, SC 29461  
843-761-3285

cc: Ms. Kace Smith, County Finance Director  
STD Commisioners

ORDINANCE NO. 05 - 06 - 43

**AN ORDINANCE PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2005, AND ENDING JUNE 30, 2006, FOR THE SANGAREE SPECIAL TAX DISTRICT OPERATIONAL BUDGET; AND TO PROVIDE FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE SANGAREE SPECIAL TAX DISTRICT DURING THE FISCAL YEAR**

WHEREAS, the Sangaree Special Tax District Advisory Commission has presented to the Berkeley County Council a budget to provide for expenditures of revenue acquired by the Sangaree Special Tax District pursuant to a property tax levy; and

WHEREAS, the Berkeley County Council, in accordance with Section 4-9-140 of the South Carolina Code of Laws for 1976, as amended, desires to adopt the Commission's recommendations as and for the Budget of the Sangaree Special Tax District for the fiscal year beginning July 1, 2005, and ending June 30, 2006;

NOW, THEREFORE, BE IT ENACTED that there is hereby projected for the fiscal year 2005-2006 the following revenues from levy of property taxes in the Sangaree Special Tax District in the amount of 38.0 mills and the following expenditures as set forth in Exhibit "A" attached hereto and made a part hereof by this reference.

BE IT FURTHER ENACTED that transfers up to Two Thousand and no/100 (\$2,000.00) Dollars per occurrence and request by the Commission or the Tax District General Manager, in the operating budget only, may be transferred by action of the County Supervisor without further action required by the County Council.

ADOPTED this 20<sup>th</sup> day of June, A. D. 2005

(SEAL)

*James H. Rozier, Jr.*  
JAMES H. ROZIER, JR., CHAIRMAN  
BERKELEY COUNTY COUNCIL

ATTEST:

*Barbara B. Austin*  
Barbara B. Austin  
Clerk of County Council

First Reading: April 25, 2005  
Second Reading: May 23, 2005  
Public Hearing: June 20, 2005  
Third Reading: June 20, 2005

MEMBERS OF COUNTY COUNCIL

*Phillip Farley*  
PHILLIP FARLEY  
Voting *yes*

*Dennis L. Fish*  
DENNIS L. FISH  
Voting *yes*

*Judith K. Spooner*  
JUDITH K. SPOONER  
Voting *yes*

*Excused 6-20-05*  
JUDY C. MIMS  
Voting \_\_\_\_\_

*William E. Crosby*  
WILLIAM E. CROSBY  
Voting *yes*

*Caldwell Pinckney, Jr.*  
CALDWELL PINCKNEY, JR.  
Voting *yes*

*Charles E. Davis*  
CHARLES E. DAVIS  
Voting *yes*

*Steve C. Davis*  
STEVE C. DAVIS  
Voting *yes*

Budget Request for Fiscal Year 2005/2006

05-06-43

DEPARTMENT 47018 SANGAREE SPECIAL TAX DISTRICT

	<u>2003/2004</u>	<u>2004/2005</u>	<u>2005/2006</u>
* Total Personnel Services	275,663	280,507	385,329
* Total Operating Expenses	542,700	571,850	650,846
* Total Capital Outlay	0	130,000	200,000
Total Appropriation	<u>818,363</u>	<u>982,357</u>	<u>1,236,175</u>

Personnel Services

5101 Salaries	160,879	166,318	225,106
5102 Overtime	2,500	2,500	2,500
5104 Temporary Employees	31,280	31,500	31,500
5106 Student Interns	2,000	3,215	4,501
5108 Health Insurance	37,754	28,133	47,566
5109 Workers' Compensation Insurance	12,733	19,328	33,692
5110 Retirement Contribution - Regular	13,472	13,942	20,298
5112 FICA Taxes	15,045	15,571	20,166
	<u>275,663</u>	<u>280,507</u>	<u>385,329</u>

Operating Expenses

5151 Advertising	500	500	500
5201 Diesel Fuel	2,000	3,000	3,000
5202 Gasoline and Oil	3,500	4,000	6,000
5203 Tires	1,200	1,500	2,000
5205 Auto & Construction Equip Repairs	8,000	8,000	8,000
5251 Rent & Leases	0	0	2,000
5301 Maintenance & Service Contracts	5,000	5,000	5,000
5302 Equipment Repairs	2,000	2,000	2,000
5305 Construction Services	2,000	3,000	5,000
5317 Fertilizer, Seed, & Soil	2,000	2,000	10,000
5323 Radio Supplies & Repairs	500	500	1,000
5324 Radios	0	0	2,000
5328 Chemicals	1,000	1,000	2,000
5351 Utilities	18,000	20,000	20,000
5352 Communications	3,500	3,500	3,500
5353 Water	2,000	2,000	2,000
5380 Office Furniture and Equipment	0	1,000	1,000
5381 Office Supplies	4,000	3,000	3,000
5382 Other Operating Supplies	5,000	5,000	4,000
5385 Printing and Binding	1,000	1,000	1,000
5388 Postage	3,500	4,000	4,000
5392 Travel Reimbursement	500	500	500
5405 Computer Software	1,000	1,000	1,000
5451 Insurance & Bonds	6,000	6,000	8,000
5462 Tort Liability	0	1,850	3,346
5501 Cleaning & Sanitation Supplies	0	0	1,000
5502 Recreation Supplies	1,000	1,000	1,000
5503 Garbage Service Contract	280,000	300,000	300,000
5507 Signs	0	0	20,000
5508 Tools	1,000	1,000	3,000
5509 Equipment Accessories	0	0	2,000
5510 Small Equipment	2,000	2,000	3,000
5513 Computer Equipment	0	2,000	2,000
5515 Employee Training	1,000	1,000	1,000
5516 Contingency Fund	20,000	20,000	50,000
5520 Uniforms & Clothing	2,500	2,500	4,000
5522 Professional Services-Legal	5,000	5,000	5,000
5525 Professional Services-Engineer	0	0	5,000
5542 Special Contracts	155,000	155,000	150,000
5560 Other Operating Expenses	3,000	3,000	3,000
5563 Property Tax and Fees	0	0	1,000
	<u>542,700</u>	<u>571,850</u>	<u>650,846</u>

Capital Outlay

6101 Land	0	30,000	50,000
6102 Buildings	0	100,000	150,000
6103 Furniture and Fixtures	0	0	0
6104 Equipment	0	0	0
6105 Heavy Equipment	0	0	0
6106 Vehicles	0	0	0
	<u>0</u>	<u>130,000</u>	<u>200,000</u>

ORDINANCE NO. 05 - 06 - 44

**AN ORDINANCE PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2005, AND ENDING JUNE 30, 2006, FOR THE TALL PINES SPECIAL TAX DISTRICT OPERATIONAL BUDGET; AND TO PROVIDE FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE TALL PINES SPECIAL TAX DISTRICT DURING THE FISCAL YEAR**

WHEREAS, the Tall Pines Special Tax District Advisory Commission has presented to the Berkeley County Council a budget to provide for expenditures of revenues acquired by the Tall Pines Special Tax District pursuant to a uniform service charge; and

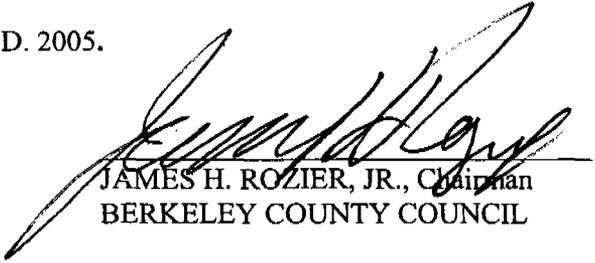
WHEREAS, the Berkeley County Council, in accordance with Section 4-9-140 of the South Carolina Code of Laws for 1976, as amended, desires to adopt the Commission's recommendations as and for the Budget of the Tall Pines Special Tax District for the fiscal year beginning July 1, 2005, and ending June 30, 2006;

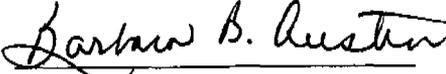
NOW, THEREFORE, BE IT ENACTED that there is hereby projected for the fiscal year 2005-2006 the following revenues from levy of uniform service charges in the Tall Pines Special Tax District and the following expenditures as set forth in Exhibit "A" attached hereto and made a part hereof by this reference.

ADOPTED this 20<sup>th</sup> day of June A. D. 2005.

(SEAL)

ATTEST:

  
JAMES H. ROZIER, JR., Chairman  
BERKELEY COUNTY COUNCIL

  
Barbara B. Austin  
Clerk of County Council

First Reading: April 25, 2005  
Second Reading: May 23, 2005p  
Public Hearing: June 20, 2005  
Third Reading: June 20, 2005

MEMBERS OF COUNTY COUNCIL

Phillip Farley  
PHILLIP FARLEY Voting yes

Dennis L. Fish  
DENNIS L. FISH Voting yes

Judith K. Spooner  
JUDITH K. SPOONER Voting yes

Excused 6-20-05  
JUDY C. MIMS Voting \_\_\_\_\_

William E. Crosby  
WILLIAM E. CROSBY Voting yes

Caldwell Pinckney, Jr.  
CALDWELL PINCKNEY, JR. Voting yes

Charles E. Davis  
CHARLES E. DAVIS Voting yes

Steve C. Davis  
STEVE C. DAVIS Voting ES

2005-2006 Tall Pines Special Tax District Budget

INCOME

Tall Pines Special Tax District 75,750.00

Operating Expenses

Capital Improvements 26,000.00

Community Maintenance

Cleaning Services 1,630.00  
 Facilities Repairs 2,500.00  
 Ground Maintenance 12,000.00  
 Patrol Officers 4,500.00  
 Security System 2,400.00

SUBTOTAL 23,030.00

General & Administrative

Crime Watch 500.00  
 Festivities 4,000.00  
 Newsletter Printing 2,000.00  
 Office Supplies 2,500.00  
 Postage Meter 1,650.00  
 Refreshments 250.00

SUBTOTAL 10,900.00

Legal Expenses

CPA 1,000.00  
 CPO Fees 150.00  
 DHEC 170.00  
 Insurance 6,000.00  
 Taxes 1,500.00

SUBTOTAL 8,820.00

Long Term Carryover:

Carryover From 2004-2005 18,560.00

Utilities

Electric 5,029.00  
 Phone 836.00  
 Sewer 430.00  
 Trash 115.00  
 Water 600.00

SUBTOTAL 7,000.00

TOTAL EXPENSES 94,310.00

Income Basis:

754 Houses @ \$100.00 per house 75,400.00  
 7 Unimproved Lots @ \$50.00 per lot 350.00  
 Carryover From 2004-2005 18,560.00

TOTAL INCOME 94,310.00

*Debbie McGinnis*  
 Secretary  
 Debbie McGinnis  
 Date: 2/24/05

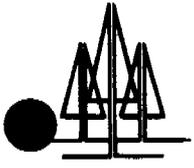
*Lori Kijwell*  
 Treasurer  
 Lori Kijwell  
 Date: 2/24/05

*Connie Cornelius*  
 2nd VICE PRESIDENT  
 Connie Cornelius  
 Date: 2/24/05

*Craig Byrner*  
 1st VICE PRESIDENT  
 Craig Byrner  
 Date: 2/24/05

*Randy W. McGinnis*  
 PRESIDENT  
 Randy W. McGinnis  
 Date: \_\_\_\_\_

*James A. ...*  
 TAX COMMISSION:



**TALL PINES PLANTATION**

CIVIC CLUB AND HOMEOWNERS ASSOC.

PO BOX 401

LADSON, SC 29456

05-06-44

April 24, 2005

Mr. Chairman  
Tall Pines Special Tax District

Dear Mr. Chairman,

Enclosed is the proposed budget for the year 2005-2006. This budget was presented at the Homeowners Association meeting on April 12, 2005. The budget was approved by a unanimous vote of those in attendance at the meeting. If you have any questions please contact me at 824-6991.

Thank you,

Randy McGinnis

President Tall Pines Homeowners Association

ORDINANCE NO. 05 - 06 - 45

**AN ORDINANCE 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; AND TO PROVIDE FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE SPECIAL FIRE TAX DISTRICT DURING THE FISCAL YEAR**

**WHEREAS**, the Advisory Commission for the Special Fire Tax District has presented to the Berkeley County Council its recommendations for revenues and expenditures as acquired by the Special Fire Tax District pursuant to a uniform service charge; and

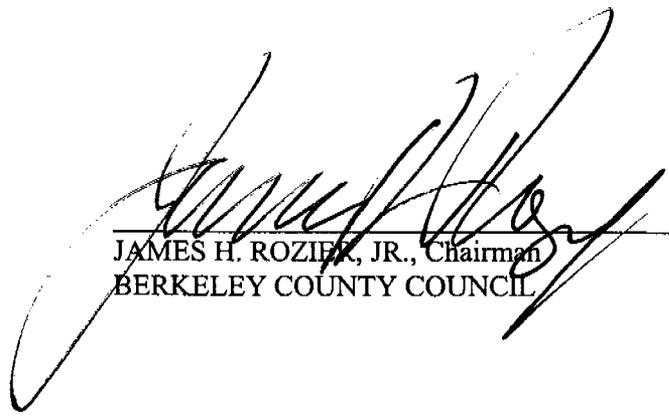
**WHEREAS**, the Berkeley County Council, in accordance with Section 4-9-140 of the Code of Laws of South Carolina, 1976, as amended, desires to adopt the Commission's recommendations as and for the budget of the Special Fire Tax District for the fiscal year beginning July 1, 2005, and ending June 30, 2006;

**NOW, THEREFORE, BE IT ENACTED** that there is hereby projected for the fiscal year 2004-2005 the following revenues from the levy of uniform service charges in the Special Fire Tax District and the following expenditures as set forth in Exhibit "A" attached hereto and made a part hereof by this reference, and which shall be allocated pro rata among the twenty-six (26) representative fire districts; and

**BE IT FURTHER ENACTED** that appropriate contractual documents shall be executed on behalf of the Advisory Commission and Berkeley County and the selected provider to accomplish the recommendations as set forth herein.

**ADOPTED** this 20<sup>th</sup> day of June A. D. 2005.

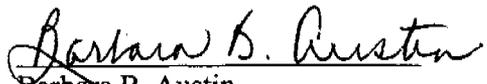
(SEAL)



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JAMES H. ROZIER, JR., Chairman  
BERKELEY COUNTY COUNCIL

ATTEST:

  
Barbara B. Austin  
Clerk of County Council

**FIRST READING:** April 25, 2005  
**SECOND READING:** May 23, 2005  
**PUBLIC HEARING:** June 20, 2005  
**THIRD READING:** June 20, 2005

MEMBERS OF COUNTY COUNCIL

*Phillip Farley*

PHILLIP FARLEY Voting yes

*Dennis L. Fish*

DENNIS L. FISH Voting yes

*Judith K. Spooner*

JUDITH K. SPOONER Voting yes

Excused 6-20-05

JUDY C. MIMS Voting \_\_\_\_\_

*William E. Crosby*

WILLIAM E. CROSBY Voting yes

*Caldwell Pinckney, Jr.*

CALDWELL PINCKNEY, JR. Voting yes

*Charles E. Davis*

CHARLES E. DAVIS Voting yes

*Steve C. Davis*

STEVE C. DAVIS Voting yes

ORDINANCE NO. 05 - 06 - 46

**AN ORDINANCE PROVIDING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2005, AND ENDING JUNE 30, 2006, FOR BERKELEY COUNTY; TO PROVIDE FOR LEVY OF TAXES ON ALL TAXABLE PROPERTY IN BERKELEY COUNTY FOR ALL COUNTY PURPOSES; TO PROVIDE FOR THE EXPENDITURES OF SAID TAXES AND OTHER REVENUES COMING INTO THE COUNTY FOR THE FISCAL YEAR BE IT ENACTED:**

**SECTION I.**

According to Section 4-9-30 of the Code of Laws of South Carolina, 1976, as amended, it is within the authority of the County Council of Berkeley County to make appropriations and to levy tax for the support thereof.

**SECTION II.**

It is the purpose and objective of the County Council in the enactment of this Ordinance to provide for the basic functions of the County Government and to strive to meet the needs of a growing County. The County Council in developing the Budget contained herein has sought to provide the needed services on a priority basis, at the same time remembering that it has an obligation to the citizens of Berkeley County to maintain an effective and economically operated government.

**SECTION III.**

The County Auditor is hereby authorized, empowered, directed, and required to levy upon all taxable property in Berkeley County for the fiscal year beginning July 1, 2005, and ending June 30, 2006, after taking into consideration all other revenue anticipated to accrue to Berkeley County during said fiscal year not earmarked for specific purposes, a tax not to exceed fifty-one and one-half (51.5) mills to raise a sufficient tax of money to pay the appropriations for the Berkeley County Budget made herein for said fiscal year.

**SECTION IV.**

There are herein projected for the fiscal year beginning July 1, 2005, and ending June 30, 2006, the following revenues as set forth in Exhibit "A" attached hereto and made a part hereof by this reference.

**SECTION V.**

There is hereby appropriated for the fiscal year beginning July 1, 2005, and ending June 30, 2006, the following sums of money in the amounts and for the purposes set forth in Exhibit "B" attached hereto and made a part hereof by this reference.

**SECTION VI.**

Departments, boards, commissions, etc. will not deviate from approved budgets and funds will not be expended for unauthorized expenditures. There may be a Quarterly Review by Council of the budget of each department, board, commission, office of an elected official, or any others for which funds have been allocated at which time funds, if available, may be re-allocated to cover any shortfalls or unanticipated expenditures. All departments, boards, commissions, elected officials, and any others will provide data, reports, statistics, and any other information as may be requested by Council. Failure to do so may result in the immediate withholding of funds at the discretion of County Council. All boards and commissions established by County Council shall provide to County Council upon request an Action Report/Summary of the meetings of such boards and commissions. All departments, boards, commissions, elected officials, and any others receiving funds herein are required to fully conform to the accounting, purchasing and personnel policies of the County.

**SECTION VII.**

A monthly meeting with the County Supervisor or designee and appropriate Council Committee chairman or subcommittee chairman may be held for the purpose of budget line item reviews. Where continuous (more than a quarter) over-runs (expenditures in excess of budgeted amount) are experienced, a Resolution by Council may be made directing the County Supervisor, after

consulting with the Director of Human Resources, to consider one or a combination of the following options if reconciliation of the excess expenditures cannot otherwise be accomplished:

1. A reduction in the department's employees' days per week, accomplished by work shift adjustments.
2. A reduction in the department's employees' hours per day, accomplished by work shift adjustments.
3. A reduction of the department's staff size.

Transfers of personnel from one department to another should be made where possible as openings occur rather than employing new personnel. Berkeley County government has a policy already established guiding the "reduction in work force" requirements where necessary.

#### SECTION VIII.

Itemized and supported/documented vouchers must be presented to the Director of Finance for any travel and lodging expenses by any County official and employee before any funds are reimbursed. Funds must be available in the appropriate budget before any such funds are expended. It shall be unlawful for any department or employee to charge in excess of actual miles.

#### SECTION IX.

Any funds budgeted for personnel, which are not expended by the end of the fiscal year, will revert to the general fund. Expenditures of additional funds for salary or personnel shall be funded from the contingency fund, unless another funding source exists, and approved by County Council. The Human Resources Director or designee must disclose the actual cost of a request, to include benefits, prior to final approval by Council.

All accrued leave payments will be expended from contingency upon approval of the Finance Director or designee throughout the fiscal year. Funds for temporary employment may be expended from existing personnel budgets upon approval of the Human Resources Director or designee throughout the year.

**SECTION X.**

The Treasurer's office will provide monthly reports to Council indicating source and amounts of revenue accruing to the County. Any income accrued from investments will go into the County's General Fund, unless mandated by Federal or State law, contract, or other binding agreement.

**SECTION XI.**

As provided by Section 4-9-150 of the Code of Laws of South Carolina 1976, as amended, the Council shall provide for an independent annual audit of all financial records and transactions of the County and any agency funded, in whole or in part, by County funds and may provide for more frequent audits as it deems necessary. Final audit reports shall be made available for public inspection. All departments, divisions and outside agencies which accept funds, in whole or in part, appropriated by Berkeley County Council through this budget shall cooperate fully as may be deemed necessary by the auditor conducting any audit hereunder.

**SECTION XII.**

Funds allocated to individual Rural Volunteer Fire Departments shall be in the form of, at least, annual disbursements and shall only be used for operational and/or capital improvements for the purpose of providing fire protection and suppression services to the community in which each fire department has service responsibilities. The Rural Volunteer Fire Departments may be requested by Council to provide data, reports, statistics and other information. Failure to do so may result in the withholding of funds until such data, reports, statistics and other information have been provided, at the discretion of County Council.

**SECTION XIII.**

County Council must approve requests for all unbudgeted capital items before purchase is made. No expenditure of contingency funds shall be made without approval of County Council or as otherwise permitted by this ordinance.

**SECTION XIV.**

Written contracts for services, rentals, and capital purchases within the guidelines of the Procurement Ordinance shall be prepared for review by the Committee on Public Works and Purchasing and, thereafter, presented for approval by County Council. When practical, the Purchasing Department should seek bids for purchase in quantity for any capital items in order to obtain the lowest price for these items.

**SECTION XV.**

All department heads are directed to assure that all County employees for which they are responsible give a full day's work for a full day's pay. This is to be accomplished through improving methods of accurate time and attendance records and procedures. Periodic reports identifying these improved methods and standards may be required.

**SECTION XVI.**

(1) All vehicles acquired by the County, from whatever source, must be approved by County Council before they are added to the County's insurance policy and before any operation or use occurs. All vehicles which are replaced by a County Council approved purchase of a new vehicle shall be disposed of unless otherwise provided for continued use by County Council. Such continued use and designation of using agency or department shall be at the discretion of County Council.

**SECTION XVII.**

Subject to the other provisions herein:

(1) Berkeley County Council may transfer by Resolutions funds or any portion thereof from any department, activity, or purpose to another department, activity or purpose.

(2) Transfers up to Ten Thousand and no/100 (\$10,000.00) Dollars per occurrence and request in the operating budget may be transferred by action of the Supervisor or his designee except where County Council has previously approved a supplementation for a line item from contingency.

(3) Transfers up to Twenty-Five Thousand and no/100 (\$25,000) Dollars per occurrence from the Contingency Fund may be authorized by the action of the Supervisor or designee for emergency purposes. The Supervisor shall advise Berkeley County Council of all necessary transfers made pursuant to this section at the next regularly scheduled Council meeting.

(4) Transfers may not be made between personnel line items without Council approval.

#### SECTION XVIII.

Compensation for certain personnel in the Sheriff's Office and Detention Center who report on a 28-day work period, who are paid overtime after 171 hours, and who are paid pursuant to the fluctuating workweek pay plan (29 CFR 778.114), shall be established on a basis to reflect overtime premium pay at time and one-half the regular rate of pay for overtime hours worked in each work period. The regular rate of pay for any such employee shall be found by dividing the salary for the period in which overtime is worked by the total hours worked in such period. The employee's overtime premium shall equal one and one-half of the regular hourly rate for such period for each hour worked in excess of 171 as permitted by the Fair Labor Standards Act. Council has previously determined the need to establish this method of pay for non-exempt employees in the Sheriff's Office and Detention Center receiving a fixed salary for fluctuating hours and, therefore, shall compensate all such employees on the 28-day work period by using this overtime (time and one-half) method. If the Sheriff's Office or Detention Center exceeds the overtime personnel budget by 10% for employees working under the fluctuating workweek pay plan, the County may take appropriate action including considering and using the traditional half-time "overtime rate" provisions of this plan as set forth in 29 CFR 778.114. The Sheriff or his designated Chief Deputy is further required to comply with the recommendation of the U.S. Department of Labor Compliance Officer regarding verification and accuracy of time sheets establishing actual hours worked.

#### SECTION XIX.

No employee, agent, board, commission, or elected official shall establish any checking or other bank account, or any line of credit, in the name of Berkeley County and/or using

Berkeley County's federal identification number without prior approval of the County Council. Such accounts must contain "Berkeley County" in the name of the account in addition to any other account descriptions that are necessary.

**SECTION XX.**

The Finance Director shall be provided copies of any and all applications or requests for grants funded by outside sources. Final acceptance of grants shall be presented to the appropriate County Council Committee for review and approval. Notice of the request for approval shall also be provided to the Finance Department one week prior to the Council Committee meeting. Submissions should include the entire application package as required by the granting agency and a line item budget in detail, in accordance with the County's standard budgeting practice, and shall disclose any required funding requirements for a grant match. To the extent possible, the grants shall be incorporated into the annual budget process.

**SECTION XXI.**

No County funds shall be expended for legal counsel by any department, board, commission, or elected official unless prior approval is obtained from the County Attorney. No contracts or agreements executed by a department head, board or commission member, or an elected official shall bind Berkeley County unless prior approval is given by County Council or unless ratified by act of County Council.

**SECTION XXII.**

If any clause, phrase, sentence, paragraph, appropriation or section of this Ordinance shall be held invalid, it shall not affect the validity of this Ordinance or the remaining phrases, clauses, sentences, paragraphs, appropriations, or sections.

**ADOPTED** this 20<sup>th</sup> day of **June, A. D. 2005.**

(SEAL)

JAMES H. ROZIER, JR., CHAIRMAN  
BERKELEY COUNTY COUNCIL

ATTEST:

Barbara B. Austin  
Barbara B. Austin  
Clerk of County Council

First Reading: April 25, 2005  
Second Reading: May 23, 2005  
Public Hearing: June 20, 2005  
Third Reading: June 20, 2005

MEMBERS OF COUNTY COUNCIL

Phillip Farley  
PHILLIP FARLEY Voting yes

[Signature]  
DENNIS L. FISH Voting yes

Judith K. Spooner  
JUDITH K. SPOONER Voting yes

Excused  
JUDY C. MIMS Voting \_\_\_\_\_

William E. Crosby  
WILLIAM E. CROSBY Voting yes

Caldwell Pinckney, Jr.  
CALDWELL PINCKNEY, JR. Voting yes

Charles E. Davis  
CHARLES E. DAVIS Voting yes

[Signature]  
STEVE C. DAVIS Voting yes

ORDINANCE NO. 05 - 06 - 47

BERKELEY COUNTY, SOUTH CAROLINA

SECOND SUPPLEMENTAL ORDINANCE NO.

A SECOND SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BERKELEY COUNTY, SOUTH CAROLINA, WATER AND SEWER SYSTEM REVENUE BONDS, SERIES 2005A, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$150,000,000; PRESCRIBING THE FORM AND DETAILS OF SUCH BONDS; DELEGATING CERTAIN MATTERS TO THE COUNTY SUPERVISOR; AND OTHER MATTERS RELATING THERETO.

Enacted: June 20, 2005

BE IT ORDAINED BY THE COUNTY COUNCIL OF BERKELEY COUNTY, SOUTH CAROLINA, IN COUNCIL ASSEMBLED:

Section 1. Definitions. The terms in this Section 1 and all words and terms defined in General Bond Ordinance No. 03-03-12 (the "General Bond Ordinance") enacted by the Council on March 10, 2003 (such General Bond Ordinance as from time to time amended or supplemented by Supplemental Ordinances being defined in the General Bond Ordinance as the "Ordinance") (except as herein otherwise expressly provided or unless the context otherwise requires), shall for all purposes of this Second Supplemental Ordinance have the respective meanings given to them in the Ordinance and in Section 1 hereof.

"2005A Debt Service Fund" shall mean the Fund established pursuant to Section 7 hereof to provide for the payment of the principal of and interest on the Series 2005A Bonds.

"2005A Debt Service Reserve Fund" shall mean the Fund established pursuant to Section 8 hereof (a) to insure the timely payment of the principal of and interest on the Series 2005A Bonds; and (b) to provide for the redemption of the Series 2005A Bonds.

"2005A Projects" shall mean the improving, extending and enlarging of the System, including any one or more of the projects described in Exhibit D hereto and any other matters with respect to the above improvements and such other improvements as the County or the Authority may deem necessary or incidental to the System.

"2005A Reserve Fund Requirement" shall mean, subject to Section 8 hereof, an amount as of the date of its calculation equal to the least of (a) ten percent (10%) of the original proceeds of the Series 2005A Bonds (less any original issue discount when such original issue discount represents more than a de minimis amount); (b) the maximum annual debt service on the Series 2005A Bonds for the then current or future Fiscal Year; or (c) one hundred twenty-five percent (125%) of the average annual debt service on the Series 2005A Bonds.

"Beneficial Owner" shall mean any purchaser who acquires beneficial ownership interest in any Initial Bond held by the Depository. In determining any Beneficial Owner, the County, the Registrar and the Paying Agent may rely exclusively upon written representations made and information given to the County, the Registrar and the Paying Agent, as the case may be, by the Depository or its Participants with respect to any Series 2005A Bond held by the Depository or its Participants in which a beneficial ownership interest is claimed.

"Bond Insurer" or "Insurer" shall mean Financial Security Assurance Inc., a New York stock insurance company, or any successor thereto or assignee thereof.

"Bonds of 1993" shall mean the \$18,437,139.20 original principal amount Water and Sewer System Revenue Refunding Bonds, Series 1993, dated August 12, 1993, and outstanding as of the date of this Second Supplemental Ordinance in the principal amount of \$6,480,000.

"Bonds of 2003" shall mean the \$98,725,000 original principal amount Water and Sewer System Revenue Bonds, Series 2003, dated April 1, 2003, and Outstanding as of the date of this Second Supplemental Ordinance in the principal amount of \$94,860,000.

"Bonds of 2005B" shall mean the not exceeding \$80,000,000 original principal amount Water and Sewer System Revenue Bonds, Series 2005B.

"Book-Entry Form" or "Book-Entry System" shall mean with respect to the Series 2005A Bonds, a form or system, as applicable, under which (a) the ownership of beneficial interests in the Series 2005A Bonds may be transferred only through a book-entry and (b) physical Series 2005A Bond certificates in fully registered form are registered only in the name of a Depository or its nominee as Holder, with the physical Series 2005A Bond certificates "immobilized" in the custody of the Depository. The book-entry maintained by the Depository is the record that identifies the owners of participatory interests in the Series 2005A Bonds, when subject to the Book-Entry System.

"Capitalized Interest Account of 2005A" shall mean the account by that name established pursuant to Section 7 of this Second Supplemental Ordinance.

"Construction Fund of 2005A" shall mean the fund established pursuant to Section 9 hereof into which a portion of the proceeds of the Series 2005A Bonds will be deposited and from which such proceeds will be disbursed to pay the Costs of Acquisition and Construction of the 2005A Projects and Costs of Issuance.

"Continuing Disclosure Certificate" shall have the meaning given that term in Section 14 hereof.

"Custodian" shall mean the bank, depository or trust company selected by the County as custodian of the Construction Fund of 2005A.

"Debt Service Reserve Policy" shall mean the municipal bond debt service reserve insurance policy issued by the Bond Insurer simultaneously with the issuance of the Series 2005A Bonds.

"Depository" shall mean any securities depository that is a "clearing corporation" within the meaning of the New York Uniform Commercial Code and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934, as amended, operating and maintaining, with its Participants or otherwise, a Book-Entry System to record ownership of beneficial interests in the Series 2005A Bonds, and to effect transfers of the Series 2005A Bonds, in Book-Entry Form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"First Supplemental Ordinance" shall mean First Supplemental Ordinance No. 03-03-13 enacted by the Council on March 10, 2003, authorizing the Bonds of 2003.

"Hanahan Bond" shall mean the \$4,375,000 original principal amount Water and Sewer System Revenue Bond (Junior Lien-Hanahan Project), Series 2001, dated May 10, 2001, and Outstanding as of the date of this Second Supplemental Ordinance in the principal amount of \$3,836,143.97.

"Initial Bonds" shall mean the Series 2005A Bonds initially issued in Book-Entry Form as provided in Section 4 hereof.

"Insurance Agreement" shall mean the insurance agreement between the County and the Bond Insurer relating to the Debt Service Reserve Policy if purchased by the County.

"Insurance Policy" shall mean the municipal bond insurance policy issued by the Bond Insurer guaranteeing the scheduled payment of principal of and interest on the Series 2005A Bonds when due.

"Insurer Default" shall mean any of the following: (a) there shall occur a default in the payment by the Bond Insurer of scheduled principal of or any interest on any Series 2005A Bond when required to be made by the Insurance Policy or the Debt Service Reserve Policy (if purchased by the County), as the case may be; (b) the Insurance Policy or the Debt Service Reserve Policy, as the case may be, shall have been declared null and void or unenforceable in a final determination by a court of law; (c) a proceeding shall have been instituted in a court having jurisdiction in the premises seeking a decree or order for relief in respect of the Bond Insurer in an involuntary case under any applicable bankruptcy, insolvency or other similar law now or hereafter in effect or for the appointment of a receiver, liquidator, assignee, custodian, trustee or sequestrator (or other similar official) of the Bond Insurer or for any substantial part of its property or for the winding-up or liquidation of its affairs and such proceeding shall remain undismissed or unstayed and in effect for a period of 30 consecutive days or such court shall enter a decree or order granting the relief sought in such proceeding; or (d) the Bond Insurer shall voluntarily suspend transaction of its business, shall commence a voluntary case under any applicable bankruptcy, insolvency or other similar law now or hereafter in effect, shall consent to the entry of an order for relief in an involuntary case under any such law or shall consent to the appointment of or taking possession by a receiver, liquidator, assignee, trustee, custodian or sequestrator (or other similar official) of the Bond Insurer or for any substantial part of its property, or shall make a general assignment for the benefit of creditors.

"Interest Payment Date" shall have the meaning given to such term in Section 3(d).

"Participant" shall mean any bank, brokerage house or other financial institution for which, from time to time, the Depository effects book-entry transfers and pledges of securities deposited with the Depository.

"Paying Agent" shall mean Wachovia Bank, National Association, as Paying Agent for the Series 2005A Bonds.

"Permitted Investments" shall mean, with respect to the 2005A Debt Service Fund and 2005A Debt Service Reserve Fund, only such Permitted Investments, as defined in the General

Bond Ordinance, as also qualify under the following:

1. Direct obligations (other than an obligation subject to variation in principal repayment) of the United States of America ("United States Treasury Obligations"), (b) obligations fully and unconditionally guaranteed as to timely payment of principal and interest by the United States of America, (c) obligations fully and unconditionally guaranteed as to timely payment of principal and interest by any agency or instrumentality of the United States of America when such obligations are backed by the full faith and credit of the United States of America, or (d) evidences of ownership of proportionate interests in future interest and principal payments on obligations described above held by a bank or trust company as custodian, under which the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor and the underlying government obligations are not available to any person claiming through the custodian or to whom the custodian may be obligated.
2. Federal Housing Administration debentures.
3. The listed obligations of government-sponsored agencies which are not backed by the full faith and credit of the United States of America:
  - (i) Federal Home Loan Mortgage Corporation (FHLMC)
  - (ii) Participation certificates (excluded are stripped mortgage securities which are purchased at prices exceeding their principal amounts) - senior debt obligations
  - (iii) Farm Credit Banks (formerly: Federal Land Banks, Federal Intermediate Credit Banks and Banks for Cooperatives) consolidated system-wide bonds and notes
  - (iv) Federal Home Loan Banks (FHL Banks) consolidated debt obligations
  - (v) Federal National Mortgage Association (FNMA) senior debt obligations mortgage-backed securities (excluded are stripped mortgage securities which are purchased at prices exceeding their principal amounts)
  - (vi) Student Loan Marketing Association (SLMA) senior debt obligations (excluded are securities that do not have a fixed par value and/or whose terms do not promise a fixed dollar amount at maturity or call date)
  - (vii) Financing Corporation (FICO) debt obligations
  - (viii) Resolution Funding Corporation (REFCORP) debt obligations
4. Unsecured certificates of deposit, time deposits, and bankers' acceptances (having maturities of not more than 30 days) of any bank the short-term obligations of which are rated 'A-1' or better by S&P.
5. Deposits the aggregate amount of which are fully insured by the Federal Deposit Insurance Corporation (FDIC), in banks which have capital and surplus of at least \$5 million.
6. Commercial paper (having original maturities of not more than 270 days) rated 'A-1+' by

S&P and 'Prime-1' by Moody's.

7. Money market funds rated 'AAm' or 'AAm-G' by S&P, or better.
8. "State Obligations", which means:
  - a) Direct general obligations of any state of the United States of America or any subdivision or agency thereof to which is pledged the full faith and credit of a state the unsecured general obligation debt of which is rated 'A3' by Moody's and 'A' by S&P, or better, or any obligation fully and unconditionally guaranteed by any state, subdivision or agency whose unsecured general obligation debt is so rated.
  - b) Direct general short-term obligations of any state agency or subdivision or agency thereof described in (A) above and rated 'A-1+' by S&P and 'MIG-1' by Moody's.
  - c) Special Revenue Bonds (as defined in the United States Bankruptcy Code) of any state, state agency or subdivision described in (A) above and rated 'AA' or better by S&P and 'Aa' or better by Moody's.
9. Pre-refunded municipal obligations rated "AAA" by S & P and "Aaa" by Moody's meeting the following requirements:
  - a) the municipal obligations are (1) not subject to redemption prior to maturity or (2) the trustee for the municipal obligations has been given irrevocable instructions concerning their call and redemption and the issuer of the municipal obligations has covenanted not to redeem such municipal obligations other than as set forth in such instructions;
  - b) the municipal obligations are secured by cash or United States Treasury Obligations which may be applied only to payment of the principal of, interest and premium on such municipal obligations;
  - c) the principal of and interest on the United States Treasury Obligations (plus any cash in the escrow) has been verified by the report of independent certified public accountants to be sufficient to pay in full all principal of, interest, and premium, if any, due and to become due on the municipal obligations ("Verification");
  - d) the cash or United States Treasury Obligations serving as security for the municipal obligations are held by an escrow agent or trustee in trust for owners of the municipal obligations;
  - e) no substitution of a United States Treasury Obligation shall be permitted except with another United States Treasury Obligation and upon delivery of a new Verification; and

- f) the cash or United States Treasury Obligations are not available to satisfy any other claims, including those by or against the trustee or escrow agent.

10. Repurchase agreements:

With (1) any domestic bank, or domestic branch of a foreign bank, the long term debt of which is rated at least "A" by S&P and Moody's; or (2) any broker-dealer with "retail customers" or a related affiliate thereof which broker-dealer has, or the parent company (which guarantees the provider) of which has, long-term debt rated at least "A" by S&P and Moody's, which broker-dealer falls under the jurisdiction of the Securities Investors Protection Corporation; or (3) any other entity rated "A" or better by S&P and Moody's and acceptable to the Bond Insurer, provided that:

- a) The market value of the collateral is maintained at levels and upon such conditions as would be acceptable to S&P and Moody's to maintain an "A" rating in an "A" rated structured financing (with a market value approach);
- b) The Trustee or a third party acting solely as agent therefor or for the County (the "Holder of the Collateral") has possession of the collateral or the collateral has been transferred to the Holder of the Collateral in accordance with applicable state and federal laws (other than by means of entries on the transferor's books);
- c) The repurchase agreement shall state and an opinion of counsel shall be rendered at the time such collateral is delivered that the Holder of the Collateral has a perfected first priority security interest in the collateral, any substituted collateral and all proceeds thereof (in the case of bearer securities, this means the Holder of the Collateral is in possession);
- d) All other requirements of S&P in respect of repurchase agreements shall be met.
- e) The repurchase agreement shall provide that if during its term the provider's rating by either Moody's or S&P is withdrawn or suspended or falls below "A-" by S&P or "A3" by Moody's, as appropriate, the provider must, at the direction of the County or the Trustee (who shall give such direction if so directed by the Bond Insurer), within 10 days of receipt of such direction, repurchase all collateral and terminate the agreement, with no penalty or premium to the County or Trustee.

Notwithstanding the above, if a repurchase agreement has a term of 270 days or less (with no evergreen provision), collateral levels need not be as specified in (A) above, so long as such collateral levels are 103% or better and the provider is rated at least "A" by S&P and Moody's, respectively.

11. Investment agreements with a domestic or foreign bank or corporation (other than a life or property casualty insurance company) the long-term debt of which, or, in the case of a guaranteed corporation the long-term debt, or, in the case of a monoline financial guaranty insurance company, claims paying ability, of the guarantor is rated at least "AA" by S&P

and "Aa" by Moody's; provided that, by the terms of the investment agreement:

- a) interest payments are to be made to the Trustee at times and in amounts as necessary to pay debt service (or, if the investment agreement is for the construction fund, construction draws) on the Series 2005A Bonds;
- b) the invested funds are available for withdrawal without penalty or premium, at any time upon not more than seven days' prior notice; the County and the Trustee hereby agree to give or cause to be given notice in accordance with the terms of the investment agreement so as to receive funds thereunder with no penalty or premium paid;
- c) the investment agreement shall state that is the unconditional and general obligation of, and is not subordinated to any other obligation of, the provider thereof or, if the provider is a bank, the agreement or the opinion of counsel shall state that the obligation of the provider to make payments thereunder ranks *pari passu* with the obligations of the provider to its other depositors and its other unsecured and unsubordinated creditors;
- d) the County or the Trustee receives the opinion of domestic counsel (which opinion shall be addressed to the County and the Bond Insurer) that such investment agreement is legal, valid, binding and enforceable upon the provider in accordance with its terms and of foreign counsel (if applicable) in form and substance acceptable, and addressed to, the Bond Insurer;
- e) the investment agreement shall provide that if during its term
  - i) the provider's rating by either S&P or Moody's falls below "AA-" or "Aa3", respectively, the provider shall, at its option, within 10 days of receipt of publication of such downgrade, either (i) collateralize the investment agreement by delivering or transferring in accordance with applicable state and federal laws (other than by means of entries on the provider's books) to the County, the Trustee or a third party acting solely as agent therefor (the "Holder of the Collateral") collateral free and clear of any third-party liens or claims the market value of which collateral is maintained at levels and upon such conditions as would be acceptable to S&P and Moody's to maintain an "A" rating in an "A" rated structured financing (with a market value approach); or (ii) repay the principal of and accrued but unpaid interest on the investment, and
  - ii) the provider's rating by either S&P or Moody's is withdrawn or suspended or falls below "A-" or "A3", respectively, the provider must, at the direction of the County or the Trustee (who shall give such direction if so directed by the Bond Insurer), within 10 days of receipt of such direction, repay the principal of and accrued but

unpaid interest on the investment, in either case with no penalty or premium to the County or Trustee, and

- f) The investment agreement shall state and an opinion of counsel shall be rendered, in the event collateral is required to be pledged by the provider under the terms of the investment agreement, at the time such collateral is delivered, that the Holder of the Collateral has a perfected first priority security interest in the collateral, any substituted collateral and all proceeds thereof (in the case of bearer securities, this means the Holder of the Collateral is in possession);
- g) the investment agreement must provide that if during its term
  - i) the provider shall default in its payment obligations, the provider's obligations under the investment agreement shall, at the direction of the County or the Trustee (who shall give such direction if so directed by the Bond Insurer), be accelerated and amounts invested and accrued but unpaid interest thereon shall be repaid to the County or Trustee, as appropriate, and
  - ii) the provider shall become insolvent, not pay its debts as they become due, be declared or petition to be declared bankrupt, etc. ("event of insolvency"), the provider's obligations shall automatically be accelerated and amounts invested and accrued but unpaid interest thereon shall be repaid to the County or Trustee, as appropriate.

"Principal Payment Date" shall have the meaning given to such term in Section 3(a) relating to the Series 2005A Bonds.

"Purchase Contract" shall mean the Purchase Contract to be dated the date of execution and delivery thereof between the County and the Underwriters.

"Registrar" shall mean Wachovia Bank, National Association, as Registrar for the Series 2005A Bonds.

"Senior Lien Bonds" shall mean the outstanding Bonds of 1993 maturing on June 1 in the years 2011 and 2012.

"Series 2005A Bonds" shall mean the Berkeley County, South Carolina, Water and Sewer System Revenue Bonds, Series 2005A, in the aggregate principal amount of not exceeding \$150,000,000 authorized to be issued hereunder.

"St. Stephen Bond" shall mean the \$1,300,000 original principal amount Water and Sewer System Revenue Bond (Junior Lien-St. Stephen Project), Series 2005, to be issued by the County.

"Third Supplemental Ordinance" shall mean Third Supplemental Ordinance No. of the Council to be enacted by the Council, authorizing the Bonds of 2005B.

"Underwriters" shall mean Banc of America Securities LLC and Morgan Keegan & Co., Inc., as underwriters.

"Value" or "Values," with respect to any Permitted Investments for the 2005A Debt Service Fund and 2005A Debt Service Reserve Fund, calculated under the Ordinance, shall be determined as of any date of calculation as follows:

- (a) the bid price published by a nationally recognized pricing service as selected by the Trustee in its sole discretion;
- (b) as to certificates of deposit and bankers acceptances: the face amount thereof, plus accrued interest; and
- (c) as to any investment not specified above: the value thereof established by prior agreement among the County, the Trustee and the Bond Insurer.

Section 2. Certain Findings and Determinations.

The Council hereby finds and determines:

(a) This Second Supplemental Ordinance supplements the Ordinance, constitutes and is a "Supplemental Ordinance" within the meaning of such quoted term as defined and used in the Ordinance, and is enacted under and pursuant to the Ordinance.

(b) The Series 2005A Bonds constitute and are "Bonds" within the meaning of the quoted word as defined and used in the Ordinance. The 2005A Projects constitute a "Project" within the meaning of the quoted word as defined and used in the Ordinance.

(c) The Net Revenues pledged under the Ordinance are not encumbered by any lien and charge thereon or pledge thereof, other than (i) the lien and pledge created with respect to the Senior Lien Bonds which is prior and paramount to the lien upon the Net Revenues securing the Bonds (including but not limited to the Series 2005A Bonds); (ii) the lien and charge thereon and pledge thereof created by the Ordinance and the First Supplemental Ordinance securing the Bonds of 2003 on a parity with the lien and charge and pledge thereof securing the Series 2005A Bonds; (iii) the lien and charge thereon and pledge thereof created by the Ordinance and this Second Supplemental Ordinance for payment and security of the Series 2005A Bonds; (iii) the lien and charge thereon and pledge thereof to be created by the Ordinance and the Third Supplemental Ordinance for the payment and security of the Bonds of 2005B on a parity with the lien and charge and pledge thereof securing the Series 2005A Bonds; and (iv) the respective liens and charges securing the Hanahan Bond and the St. Stephen Bond which liens and charges are or will be junior and subordinate to the respective liens and charges for the payment and security of the Senior Lien Bonds, the Bonds of 2003, the Series 2005A Bonds and the Bonds of 2005B and any Bonds issued under the Ordinance.

(d) There does not exist an Event of Default, nor does there exist any condition which, after the passage of time or the giving of notice, or both, would constitute such Event of Default.

(e) The estimated Costs of Acquisition and Construction of the 2005A Projects to be financed in part with the proceeds of the Series 2005A Bonds is \$108,800,000. A portion of the proceeds of the Series 2005A Bonds will applied to purchase the water systems in the College Park and Tall Pines service areas presently owned and operated by the Charleston Commission of Public Works at an estimated cost of \$6,600,000 including repairs, replacements, additions and betterments which will be necessary in order that such systems be effective for their purpose.

(f) Article III of the General Bond Ordinance provides that one or more Series of Bonds may be issued for such purposes as may be permitted by the Act upon compliance with certain provisions of the General Bond Ordinance for the purposes of paying the Cost of Acquisition and Construction of one or more projects authorized to be financed under the Act. Bonds issued upon compliance with Section 3.2 and Section 3.3 of the General Bond Ordinance shall be issued on a parity as to the Net Revenues of the System in all respects *inter sese*.

(g) The 2005A Debt Service Reserve Fund established hereunder shall secure only the Series 2005A Bonds. The 2005A Reserve Fund Requirement will be satisfied through either the purchase of the Debt Service Reserve Policy issued by the Bond Insurer payable to the Paying Agent for the benefit of the Holders of the Series 2005A Bonds or by depositing a portion of the proceeds of the Series 2005A Bonds into the 2005A Debt Service Reserve Fund, or a combination thereof.

(h) The Series 2005A Bonds are being issued for the purposes of (i) improving and enlarging the System; i.e., the 2005A Projects; (ii) paying interest coming due on all or a portion of the Series 2005A Bonds through June 1, 2007; (iii) paying for the purchase of the Debt Service Reserve Policy or depositing a portion of the proceeds of the Series 2005A Bonds into the 2005A Debt Service Reserve Fund; and (iv) paying the Costs of Issuance, including the premium on the Insurance Policy, of the Series 2005A Bonds.

(i) The period of usefulness of the System is in excess of forty (40) years from the date hereof.

(j) It is necessary and in the best interest of the County to undertake the 2005A Projects and to issue the Series 2005A Bonds in the principal amount of not exceeding \$150,000,000 in accordance with the Act, the General Bond Ordinance and this Second Supplemental Ordinance for the purposes set forth above, which Series 2005A Bonds shall be issued on a parity with the remaining Outstanding Bonds of 2003 and the Bonds of 2005B to be issued.

Section 3. Authorization of Series 2005A Bonds.

(a) There is hereby authorized to be issued a Series of Bonds designated "Berkeley County, South Carolina, Water and Sewer System Revenue Bonds, Series 2005A" (the "Series 2005A Bonds"), in the aggregate principal amount of not exceeding \$150,000,000. The proceeds of the Series 2005A Bonds shall be used for the purposes set forth in Section 2(h) hereof.

The Series 2005A Bonds shall mature on June 1 in each of the years (the "Principal Payment Date") and in the principal amounts, and bear interest at the rates per annum (calculated on the basis of a 360-day year of twelve 30-day months), as determined by the County Supervisor pursuant to Section 11 hereof.

(b) Such of the Series 2005A Bonds as the County Supervisor shall determine pursuant to Section 11 hereof shall be subject to mandatory redemption at a redemption price equal to the principal amount of the Series 2005A Bonds to be redeemed, together with interest accrued from the date of redemption, in the years and in the amounts determined by the County Supervisor pursuant to Section 11 hereof.

At its option, to be exercised on or before the sixtieth (60<sup>th</sup>) day prior to any mandatory redemption date, the County may (i) deliver to the Registrar for cancellation Series 2005A Bonds which are subject to mandatory redemption in any aggregate principal amount desired or (ii) receive a credit in respect of its mandatory redemption obligation for any such Series 2005A Bonds which, prior to such date, have been purchased or redeemed (otherwise than through the operation of the mandatory redemption requirement) by the County and cancelled by the Registrar and not theretofore applied as a credit against any mandatory redemption obligation. Each Series 2005A Bond so delivered or previously purchased or redeemed shall be credited by the Registrar, at one hundred percent (100%) of the principal amount thereof, to the obligation of the County on those respective mandatory redemption obligations in chronological order, and the principal amount of the Series 2005A Bonds to be redeemed by operation of the mandatory redemption requirement shall be accordingly reduced.

The Registrar, without further authorization or direction from the County, shall give notice of all mandatory redemptions within the time periods and in the manner specified in Article V of the General Bond Ordinance.

(c) The Series 2005A Bonds shall originally be dated the date of their delivery, or such other date as the County Supervisor shall determine pursuant to Section 11 hereof, and shall be issued as fully registered Bonds in the denominations of \$5,000 and integral multiples of \$5,000. The Series 2005A Bonds shall be numbered and lettered in such a fashion as to maintain a proper record thereof.

(d) Principal of and redemption premium, if any, on the Series 2005A Bonds shall be payable at the corporate trust office of the Paying Agent, in Charlotte, North Carolina. Interest on the Series 2005A Bonds shall be payable December 1, 2005, and semiannually on June 1 and December 1 of each year thereafter (the "Interest Payment Dates"), in each case to the Holders as of the immediately preceding Record Date, such interest to be paid by the Paying Agent

by check or draft mailed to each Holder at the address as it appears on the Books of Registry maintained at the corporate trust office of the Registrar, in Charlotte, North Carolina, or, in the case of a Holder of \$1,000,000 or more in principal amount of Series 2005A Bonds, by wire transfer to an account within the continental United States upon the timely receipt of a written request of such Holder.

(e) The Series 2005A Bonds and the assignment provisions pertaining thereto shall be in substantially the form set forth in Exhibit A hereto, with such necessary or appropriate variations, omissions and insertions as are incidental to the series, numbers, denominations, maturities, interest rate or rates, redemption provisions, the purpose of issuance and other details thereof or as are otherwise permitted or required by law or by the Ordinance, including this Second Supplemental Ordinance.

(f) The following Statement of Insurance shall be attached to the Series 2005A Bonds:

STATEMENT OF INSURANCE

Financial Security Assurance Inc. ("Financial Security"), New York, New York, has delivered its municipal bond insurance policy with respect to the scheduled payments due of principal of and interest on the Bonds to Wachovia Bank, National Association, \_\_\_\_\_, \_\_\_\_\_, or its successor, as paying agent for the Bonds (the "Paying Agent"). Said Policy is on file, and is available for inspection at the principal office of the Paying Agent and a copy thereof may be obtained from Financial Security or the Paying Agent.

(g) A copy of the approving opinion to be rendered on the Series 2005A Bonds shall be attached to each Series 2005A Bond, preceding the same a certificate shall appear, which shall be signed on behalf of the County by a manual or facsimile signature of the Clerk to the County Council. Such certificate shall be in the form substantially as follows:

IT IS HEREBY CERTIFIED that the following is a true and correct copy of the approving opinion of McNair Law Firm, P.A., Greenville, South Carolina, the original of which was manually executed, dated and issued as of the date of the delivery of and payment for the bonds, and a copy of which is on file with Berkeley County, South Carolina.

BERKELEY COUNTY, SOUTH CAROLINA

By: Barbara B. Austin  
Clerk to County Council

Section 4. Book-Entry System; Recording and Transfer of Ownership of the Series 2005A Bonds.

The Initial Bonds will be eligible securities for the purposes of the Book-Entry System of transfer maintained by the Depository, and transfers of beneficial ownership of the Initial Bonds shall be made only through the Depository and its participants in accordance with rules specified by the Depository. Such beneficial ownership must be of \$5,000 principal amount of Bonds of the same maturity or any integral multiple of \$5,000.

The Initial Bonds will be issued in fully-registered form, as a single bond representing the entire principal amount of the Series 2005A Bonds or one bond for each of the maturities of the Series 2005A Bonds, in the name of Cede & Co., as the nominee of the Depository. When any principal of, premium, if any, or interest on the Initial Bonds becomes due, the County shall transmit or cause the Paying Agent to transmit to the Depository an amount equal to such installment of principal, premium, if any, and interest. Such payments will be made to Cede & Co. or other nominee of the Depository as long as it is owner of record on the applicable Record Date. Cede & Co. or other nominee of the Depository shall be considered to be the owner of the Initial Bonds so registered for all purposes of this Second Supplemental Ordinance, including, without limitation, payments as aforesaid and receipt of notices. The Depository shall remit such payments to the Beneficial Owners of the Series 2005A Bonds or their nominees in accordance with its rules and regulations.

Notices of redemption of the Initial Bonds or any portion thereof shall be sent to the Depository in accordance with the provisions of the General Bond Ordinance.

The Depository is expected to maintain records of the positions of Participants in the Initial Bonds, and the Participants and persons acting through Participants are expected to maintain records of the Beneficial Owners in the Initial Bonds. The County, the Trustee, the Registrar and the Paying Agent make no assurances that the Depository and its Participants will act in accordance with such rules or expectations on a timely basis, and the County, the Trustee, the Registrar and the Paying Agent shall have no responsibility for any such maintenance of records or transfer of payments by the Depository to its Participants, or by the Participants or persons acting through Participants to the Beneficial Owners.

The County, the Trustee, the Paying Agent and the Registrar may treat the Depository (or its nominee) as the sole and exclusive owner of the Series 2005A Bonds registered in its name for the purpose of payment of the principal of, interest or premium, if any, on the Series 2005A Bonds, giving any notice permitted or required to be given to Bondholders under the General Bond Ordinance or this Second Supplemental Ordinance, registering the transfer of the Series 2005A Bonds, obtaining any consent or other action to be taken by Bondholders and for all other purposes whatsoever, and shall not be affected by any notice to the contrary. The County, the Trustee, the Paying Agent and the Registrar shall not have any responsibility or obligation to any Participant, any person claiming a beneficial ownership interest in the Series 2005A Bonds under or through the Depository or any Participant, or any other person which is not shown on the Books of Registry of the County maintained by the Registrar as being a Bondholder, with respect to: the accuracy of any records maintained by the Depository or any Participant or the maintenance of any

records; the payment by the Depository or any Participant of any amount in respect of the principal of, interest or premium, if any, on the Series 2005A Bonds; the sending of any transaction statements; the delivery or timeliness of delivery by the Depository or any Participant of any notice which is permitted or required to be given to Bondholders thereunder; the selection of Bondholders to receive payments upon any partial redemption of the Series 2005A Bonds; or any consent given or other actions taken by the Depository as a Bondholder.

If (a) the Depository determines not to continue to act as securities depository for the Series 2005A Bonds and gives reasonable notice to the Registrar or the County; or (b) the County has advised the Depository of the County's determination that the Depository is incapable of discharging its duties, then the County shall attempt to retain another qualified securities depository to replace the Depository. Upon receipt by the County or the Registrar of the Initial Bonds together with an assignment duly executed by the Depository, the County shall execute and deliver to the successor depository, the Series 2005A Bonds of the same principal amount, interest rate and maturity. If the County is unable to retain a qualified successor to the Depository, or the County has determined that it is in its best interest not to continue the Book-Entry System of transfer or that interests of the Beneficial Owners of the Series 2005A Bonds might be adversely affected if the Book-Entry System of transfer is continued (the County undertakes no obligation to make any investigation to determine the occurrence of any events that would permit it to make any such determination), and has made provision to so notify Beneficial Owners of the Series 2005A Bonds by mailing an appropriate notice to the Depository, upon receipt by the County of the Initial Bonds together with an assignment duly executed by the Depository, the County shall execute, authenticate and deliver to the Participants the Series 2005A Bonds in fully-registered form, in authorized denominations; provided, however, that the discontinuation of the Book Entry System of registration and transfer with respect to the Series 2005A Bonds or the replacement of the Depository or any successor depository shall be subject to the applicable rules and procedures of the Depository or such successor depository on file or otherwise approved by the Securities and Exchange Commission.

Section 5. Optional Redemption of Series 2005A Bonds. Such of the Series 2005A Bonds as may be determined by the County Supervisor pursuant to Section 11 hereof shall be subject to redemption prior to maturity, at the option of the County, in whole or in part at any time in such order of their maturities as the County shall determine and by lot within a maturity, at the respective redemption prices with respect to each Series 2005A Bond, expressed as a percentage of principal amount of the Series 2005A Bonds to be redeemed, as shall be determined by the County Supervisor pursuant to Section 11 hereof, together, in each such case, with the interest accrued on such principal amount to the date fixed for redemption.

Section 6. Payment of the Series 2005A Bonds. The Series 2005A Bonds, together with the interest thereon, shall be payable, in such coin or currency of the United States of America which at the time of such payment is legal tender for public and private debts, solely from the Net Revenues of the System in accordance with the provisions of the Ordinance (including this Second Supplemental Ordinance). The Series 2005A Bonds shall be payable subordinate and inferior to the pledge securing the Senior Lien Bonds and shall be issued on a parity with the Bonds of 2003 and the Bonds of 2005B.

The Series 2005A Bonds, and the interest thereon, shall not be a debt of the County, nor a charge, lien or encumbrance, legal or equitable, upon any property of the County or upon any income, receipts or revenues of the County other than such of the Net Revenues of the System as are hereby pledged to the payment thereof. Such lien and pledge shall be, so long as any of the Senior Lien Bonds are outstanding, junior and subordinate only to the pledge of and lien upon the Net Revenues created by the payment of the Senior Lien Bonds. In the General Bond Ordinance the County has covenanted that it will not issue any further bonds pursuant to the authorization of the 1991 General Bond Ordinance (as defined in the General Bond Ordinance).

No recourse shall be had for the payment of the Series 2005A Bonds, or the interest thereon, or any part thereof, against the general fund of the County, nor shall the credit or taxing powers of the County be deemed to be pledged to the payment of the principal of and interest on the Series 2005A Bonds. The full faith, credit and taxing powers of the State of South Carolina or of the County are not pledged to the payment of the principal of or the interest on the Series 2005A Bonds, and the Series 2005A Bonds shall never constitute an indebtedness of the County within the meaning of any State constitutional provision (other than Article X, Section 14, Paragraph 10 of the South Carolina Constitution authorizing obligations payable solely from special sources not involving revenues from any tax or license) or statutory limitation.

Section 7. Establishment of 2005A Debt Service Fund and Capitalized Interest Account of 2005A. In accordance with Section 6.7 of the General Bond Ordinance, the 2005A Debt Service Fund is hereby directed to be established by the Trustee on the date of the original delivery of the Series 2005A Bonds for the benefit of the Holders of the Series 2005A Bonds.

There is hereby established the Capitalized Interest Account of 2005A in the 2005A Debt Service Fund. There shall be deposited into the Capitalized Interest Account of 2005A a portion of the proceeds of the Series 2005A Bonds which together with accrued interest, if any, on the Series 2005A Bonds will provide for the payment of all or a portion of the interest due and payable on the Series 2005A Bonds to and including June 1, 2007. At the written direction of a County Representative, moneys held for the credit of the Capitalized Interest Account of 2005A may be invested in Permitted Investments. Investment earnings on the moneys on deposit in the Capitalized Interest Account of 2005A shall be deposited in the 2005A Debt Service Fund. Amounts on deposit in the Capitalized Interest Account of 2005A shall be transferred to the Paying Agent not later than five (5) Business Days prior to each Interest Payment Date.

Section 8. Establishment of the 2005A Reserve Fund Requirement and 2005A Debt Service Reserve Fund.

In accordance with Section 6.8 of the General Bond Ordinance, the 2005A Debt Service Reserve Fund is hereby established on the date of the original delivery of the Series 2005A Bonds with regard to the Series 2005A Bonds. In this connection, in accordance with Section 6.8 of the General Bond Ordinance, the 2005A Debt Service Reserve Fund shall be satisfied by the County on the date of the original delivery of the Series 2005A Bonds, and thereafter maintained at, the 2005A Reserve Fund Requirement, for the benefit of the Holders of the Series 2005A Bonds, all as provided in the Ordinance; provided, however, that in the event of any full or partial defeasance of Series 2005A Bonds under Article XII of the General Bond Ordinance, then the

2005A Reserve Fund Requirement shall be recalculated based on the then Outstanding principal amount of Series 2005A Bonds. The 2005A Reserve Fund Requirement initially will be satisfied by the County either with the purchase of the Debt Service Reserve Policy issued by the Bond Insurer payable to the Paying Agent or by the deposit of a portion of the proceeds of the Series 2005A Bonds into the 2005A Debt Service Reserve Fund, or a combination thereof.

Section 9. Construction Fund of 2005A. There is hereby created and established the Construction Fund of 2005A which fund shall be held by a Custodian selected by the County. Payments from the Construction Fund of 2005A shall be made by the Custodian only upon receipt of the requisition below described.

A requisition signed by a County Representative stating, with respect to each payment:

- (i) The amount to be paid;
- (ii) The nature and purpose of the obligation for which such payment is requested;
- (iii) The person, firm or corporation to whom such obligation is owed or to whom a reimbursable advance has been made;
- (iv) That such obligation has been properly incurred and is a proper payment under the Series 2005A Bonds and has not been the basis of any previous advance;
- (v) That the County has not received notice of any mechanic's, materialmen's or other liens or right to liens or other obligations (other than those being contested in good faith) which should be satisfied or discharged before payment of such obligation is made; and
- (vi) That such payment does not include any amount which is then entitled to be retained under any holdbacks or retainages provided for in any agreement.

With respect to any such requisition for payment for work, materials or supplies, a certificate must be signed by a County Representative certifying that such obligation was incurred for work, material or supplies in connection with the acquisition, construction or installation of the 2005A Projects and that such work was actually performed in a satisfactory manner and such materials or supplies were actually used in or for such acquisition, construction or installation or delivered to the 2005A Projects for that purpose in accordance with the approved plans and specifications. Upon written direction to the Custodian by a County Representative, moneys in the Construction Fund of 2005A may also be expended for Costs of Issuance.

In making any such payment from the Construction Fund of 2005A, the Custodian may rely on such directions, requisitions and certifications delivered to it pursuant to this Section and the Custodian shall not have any liability with respect to making such payments in accordance

with such directions, requisitions and certifications for any liability with respect to the proper application hereof by the County.

Section 10. Designation of Registrar; Designation of Paying Agent. The Council hereby designates Wachovia Bank, National Association, as Registrar for the Series 2005A Bonds. The Council hereby further designates Wachovia Bank, National Association, as Paying Agent for the Series 2005A Bonds. The Custodian of the Construction Fund of 2005A shall be selected by the County Supervisor. The Registrar, Paying Agent and Custodian shall signify their acceptances of their respective duties upon delivery of the Series 2005A Bonds.

Section 11. Sale and Issuance of Series 2005A Bonds; Official Statement.

(a) The County Supervisor is hereby authorized and empowered to determine the original issue date of the Series 2005A Bonds; the aggregate principal amount of the Series 2005A Bonds, if less than authorized by this Second Supplemental Ordinance; the principal amount of each maturity of the Series 2005A Bonds; the interest rates for the Series 2005A Bonds; the Series 2005A Bonds to be subject to mandatory and optional redemption; the redemption prices of the Series 2005A Bonds subject to optional redemption; the manner in which the 2005A Reserve Fund Requirement will be satisfied; the Underwriters' discount, the original issue discount or original issue premium at which the Series 2005A Bonds will be sold; and the portion of the proceeds of the Series 2005A Bonds to be deposited into the Capitalized Interest Account of 2005A.

(b) The Council hereby finds and determines that the terms and provisions of the Purchase Contract are fair and reasonable and in the best interest of the County; that the Series 2005A Bonds shall be sold to the Underwriters upon the terms and conditions set forth in the Purchase Contract and upon the basis of the representations therein set forth, and that all conditions precedent to or concurrent with the acceptance of the Purchase Contract by the County have been met. The Council hereby approves the form of Purchase Contract attached hereto as Exhibit B, together with such amendments and modifications to the form thereof as the County Supervisor shall negotiate and approve, and authorizes and directs the County Supervisor to execute the Purchase Contract, as so modified and amended, and deliver the same to the Underwriters, the County Supervisor's execution and delivery of the Purchase Contract constituting conclusive evidence of his approval of the matters therein contained.

(c) The Council hereby approves the form of Preliminary Official Statement relating to the Series 2005A Bonds, copies of which have been presented to Council at this meeting, together with such amendments and modifications to the form thereof (the "Preliminary Official Statement") as the County Supervisor shall negotiate and approve. The County Supervisor is hereby authorized to "deem final" the Preliminary Official Statement for purposes of complying with the requirements set forth in Rule 15c2-12 of the Securities and Exchange Commission, promulgated under the Securities Exchange Act of 1934, as amended.

(d) The Council hereby authorizes the Final Official Statement of the County to be dated of even date with the execution and delivery of the Purchase Contract, relating to the Series 2005A Bonds, substantially in the form of the Preliminary Official Statement presented to

the meeting of Council at which this Second Supplemental Ordinance was enacted, with such modifications as the County Supervisor approves; the County Supervisor of the County is hereby authorized and directed to execute copies of the Final Official Statement and deliver the same to the Underwriters, which execution and delivery shall be conclusive evidence of the approval of any such modifications; and the County hereby authorizes the use and distribution of the Preliminary Official Statement, the Final Official Statement, the Ordinance (including this Second Supplemental Ordinance) and the information contained herein and therein in connection with the public offering and sale of the Series 2005A Bonds by the Underwriters.

(e) A copy of this Second Supplemental Ordinance shall be filed with the minutes of the meeting of Council at which this Second Supplemental Ordinance was enacted.

(f) The Council hereby ratifies, confirms and approves the action of the County Supervisor heretofore undertaken with regard to applications for bond insurance, other credit enhancements, and liquidity arrangements relating to the Series 2005A Bonds from municipal bond insurance companies or other financial institutions and further authorizes and empowers the County Supervisor to enter into, execute and deliver on behalf of the County, such loan, insurance, reimbursement or guaranty agreements as shall be necessary and advisable, with advice of counsel, in connection with the transactions and other matters referred to herein.

(g) The Council hereby authorizes the County Supervisor of the County to negotiate the terms of, and execute, in the name and on behalf of the County, and deliver investment agreements, forward delivery agreements, repurchase agreements and other agreements in connection with the Series 2005A Bonds, to prepare and solicit bids for providers of such agreements and to execute, in the name and on behalf of the County, written confirmations of any such agreements and other documents as may be necessary in connection therewith.

(h) The Council hereby authorizes and directs all of the officers and employees of the County to carry out or cause to be carried out all obligations of the County under the aforesaid Purchase Contract and to perform such other actions as they shall consider necessary or advisable in connection with the issuance, sale and delivery of the Series 2005A Bonds.

Section 12. Disposition of Proceeds of Series 2005A Bonds and Certain Other Moneys. The proceeds derived from the sale of the Series 2005A Bonds, net of any original issue discount or original issue premium, or both, Underwriters' discount and the premiums on the Insurance Policy and the Debt Service Reserve Policy, if purchased, plus accrued interest on the Series 2005A Bonds, if any, shall be deposited with the Trustee, the County (or a bank or financial institution designated by the County), and the Custodian, respectively, and used for the following purposes:

(a) An amount equal to the interest accrued, if any, upon the Series 2005A Bonds from the date thereof to the date of delivery thereof and payment therefor shall be deposited with the Trustee in the Interest Account in the 2005A Debt Service Fund to be applied to the payment of a portion of the first installment of interest on the Series 2005A Bonds.

(b) An amount which, together with the proceeds of the Series 2005A Bonds deposited into the Interest Account of the 2005A Debt Service Fund for the payment of accrued interest, if any, on the Series 2005A Bonds (together in either case with investment earnings thereon), will provide for the payment of all or a portion of the interest due and payable on the Series 2005A Bonds to and including June 1, 2007, shall be deposited with the Trustee in the Capitalized Interest Account of 2005A to be applied to the payment of all or a portion of the interest on the Series 2005A Bonds.

(c) If and as determined necessary or desirable by the County Supervisor, an amount equal to the 2005A Reserve Fund Requirement shall be deposited into the 2005A Debt Service Reserve Fund.

(d) The remainder of the proceeds of the Series 2005A Bonds shall be deposited with the Custodian into the Construction Fund of 2005A established in Section 9 hereof to be used for and applied to the payment of Costs of Acquisition and Construction of the 2005A Projects and Costs of Issuance in the manner provided in that Section.

The respective amounts specified in this Section 12 shall be determined by the County upon delivery of the Series 2005A Bonds and certified to the Trustee.

Section 13. Federal Tax Covenant. The County hereby covenants and agrees with the Holders of the Series 2005A Bonds that it will not take any action which will, or fail to take any action which failure will, cause interest on the Series 2005A Bonds to become includable in the gross income of the Bondholders for federal income tax purposes pursuant to the applicable provisions of the Code and the regulations promulgated thereunder in effect on the date of original issuance of the Series 2005A Bonds and that no use of the proceeds of the Series 2005A Bonds shall be made which, if such use had been reasonably expected on the date of issue of the Series 2005A Bonds would have caused the Series 2005A Bonds to be "arbitrage bonds," as defined in the Code; and to that end the County hereby shall:

(a) comply with the applicable provisions of Section 103 and Sections 141 and 150 of the Code and any regulations promulgated thereunder so long as any of the Series 2005A Bonds are Outstanding:

(b) establish such funds, make such calculations and pay such amounts, if necessary, in the manner and at the times required in order to comply with the requirements of the Code relating to required rebate of certain amounts to the United States; and

(c) make such reports of such information at the times and places required by the Code.

Section 14. Continuing Disclosure.

(a) The County hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate in the form attached hereto as Exhibit C with such changes as may be approved by the County Supervisor. Notwithstanding any

other provision of the Ordinance or this Second Supplemental Ordinance, failure of the County to comply with the provisions of the Continuing Disclosure Certificate shall not be considered an Event of Default under the Ordinance or this Second Supplemental Ordinance. The Continuing Disclosure Certificate shall be executed by the County Supervisor prior to the delivery of the Series 2005A Bonds and shall be in substantially the form attached hereto as Exhibit C, with such changes as the County Supervisor shall, upon advice of counsel, approve.

(b) The County covenants, so long as and to the extent required pursuant to Section 11-1-85, Code of Laws of South Carolina 1976, as amended, to file with a central repository for availability in the secondary bond market when requested:

- (i) an annual independent audit, within thirty days of the County's receipt of the audit; and
- (ii) event specific information within thirty (30) days of an event adversely affecting more than five (5%) percent of the Revenues or the County's tax base.

The only remedy for failure by the County to comply with the covenant in this Section 14 shall be an action for specific performance of this covenant; and failure to comply shall not constitute a default or an "Event of Default" under the Ordinance or this Second Supplemental Ordinance. Notwithstanding anything to the contrary contained in the Ordinance, the Trustee, the Registrar and the Paying Agent shall have no responsibility to monitor the County's compliance with this covenant. The County specifically reserves the right to amend this covenant in order to reflect any change in Section 11-1-85 of the Code of Laws of South Carolina 1976, as amended, without the consent of the Bond Insurer, the Registrar and the Paying Agent or Holder of any Series 2005A Bond.

Section 15. Bond Insurance Policy and Special Provisions Required Thereby. The following provisions shall apply notwithstanding anything to the contrary in the General Bond Ordinance or this Second Supplemental Ordinance.

Claims Upon the Insurance Policy and Payments by and to the Bond Insurer.

(a) If, on the third Business Day prior to the related scheduled Interest Payment Date or Principal Payment Date ("Payment Date") there is not on deposit with the Paying Agent, after making all transfers and deposits required under this Second Supplemental Ordinance and the General Bond Ordinance, moneys sufficient to pay the principal of and interest on the Series 2005A Bonds due on such Payment Date, the Paying Agent shall give notice to the Bond Insurer and to its designated agent (if any) (the "Bond Insurer's Fiscal Agent") by telephone or teletype of the amount of such deficiency by 12:00 Noon, New York City time, on such Business Day. If, on the second Business Day prior to the related Payment Date, there continues to be a deficiency in the amount available to pay the principal of and interest on the Series 2005A Bonds due on such Payment Date, the Paying Agent shall make a claim under the Insurance Policy and give notice to the Bond Insurer and the Bond Insurer's Fiscal Agent (if any) by telephone of the amount of such deficiency, and the allocation of such deficiency between the amount required to pay interest on the Series 2005A Bonds and the amount required to pay

principal of the Series 2005A Bonds, confirmed in writing to the Bond Insurer and the Bond Insurer's Fiscal Agent by 12:00 noon, New York City time, on such second Business Day by filling in the form of Notice of Claim and Certificate delivered with the Insurance Policy.

(b) In the event the claim to be made is for a mandatory sinking fund redemption installment, upon receipt of the moneys due, the Registrar shall authenticate and deliver to affected Bondholders who surrender their Series 2005A Bonds a new Series 2005A Bond or Series 2005A Bonds in an aggregate principal amount equal to the unredeemed portion of the Series 2005A Bond surrendered. The Registrar shall designate any portion of payment of principal on Series 2005A Bonds paid by the Bond Insurer, whether by virtue of mandatory sinking fund redemption, maturity or other advancement of maturity, on its books as a reduction in the principal amount of Series 2005A Bonds registered to the then current Bondholder, whether the Depository or its nominee or otherwise, and shall issue a replacement Series 2005A Bond to the Bond Insurer, registered in the name of Financial Security Assurance Inc., through the facilities of the Depository if the Series 2005A Bonds are then held in a Book Entry System or otherwise, in a principal amount equal to the amount of principal so paid (without regard to authorized denominations); provided that the Registrar's failure to so designate any payment or issue any replacement Series 2005A Bond shall have no effect on the amount of principal or interest payable by the County on any Series 2005A Bond or the subrogation rights of the Bond Insurer.

(c) The Paying Agent shall keep a complete and accurate record of all funds deposited by the Bond Insurer into the Policy Payments Account (described below) and the allocation of such funds to payment of interest on and principal paid in respect of any Series 2005A Bond. The Bond Insurer shall have the right to inspect such records at reasonable times upon reasonable notice to the Paying Agent.

(d) Upon payment of a claim under the Insurance Policy, the Paying Agent shall establish a separate special purpose trust account for the benefit of Holders of Series 2005A Bonds referred to herein as the "Policy Payments Account" and over which the Paying Agent shall have exclusive control and sole right of withdrawal. The Paying Agent shall receive any amount paid under the Insurance Policy in trust on behalf of Holders of Series 2005A Bonds and shall deposit any such amount in the Policy Payments Account and distribute such amount only for purposes of making the payments for which a claim was made. Such amounts shall be disbursed by the Paying Agent to Holders of the Series 2005A Bonds in the same manner as principal and interest payments are to be made with respect to the Series 2005A Bonds under the sections hereof and of the General Bond Ordinance regarding payment of Series 2005A Bonds. It shall not be necessary for such payment to be made by checks or wire transfers separate from the check or wire transfer used to pay debt service with other funds available to make such payments. Notwithstanding anything to the contrary otherwise set forth in the General Bond Ordinance, and to the extent permitted by law, in the event amounts paid under the Insurance Policy are applied to claims for payment of principal of or interest on the Series 2005A Bonds, interest on such principal of and interest on such Series 2005A Bonds shall accrue and be payable from the date of such payment at the greater of (i) the per annum rate of interest, publicly announced from time to time by JPMorgan Chase Bank, N.A. ("Chase") or its successor at its principal office in The City of New York, as its prime or base lending rate plus 3%, and (ii) the

then applicable rate of interest on the Series 2005A Bonds; provided that in no event shall such rate exceed the maximum rate permissible under applicable usury or similar laws limiting interest rates.

(e) Funds held in the Policy Payments Account shall not be invested by the Paying Agent and may not be applied to satisfy any costs, expenses or liabilities of the Paying Agent. Any funds remaining in the Policy Payments Account following a Payment Date shall promptly be remitted to the Bond Insurer.

Defeasance of Series 2005A Bonds.

Notwithstanding anything to the contrary set forth herein or in the General Bond Ordinance so long as the Insurance Policy is in effect and has not been wrongfully dishonored by the Bond Insurer, the following provisions shall apply with respect to the defeasance of the Series 2005A Bonds.

(a) Only (1) cash; (2) non-callable direct obligations of the United States of America ("Treasuries"); (3) evidences of ownership of proportionate interests in future interest and principal payments on Treasuries held by a bank or trust company as custodian, under which the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor and the underlying Treasuries are not available to any person claiming through the custodian or to whom the custodian may be obligated; or (4) pre-refunded municipal obligations rated "AAA" and "Aaa" by Standard & Poor's Rating Services ("S&P") and Moody's Investors Service, Inc. ("Moody's"), respectively; (5) subject to the prior written consent of the Bond Insurer, securities eligible for "AAA" defeasance under then existing criteria of S&P; or (6) any combination thereof, shall be authorized to be used to effect defeasance of the Series 2005A Bonds unless the Bond Insurer otherwise approves.

(b) To accomplish defeasance the County shall cause to be delivered (i) a report of an independent firm of nationally recognized certified public accountants or such other accountant as shall be acceptable by the Bond Insurer ("Accountant") verifying the sufficiency of the escrow established to pay the Series 2005A Bonds in full on the maturity or redemption date ("Verification"); (ii) an Escrow Deposit Agreement (which shall be acceptable in form and substance to the Bond Insurer); and (iii) an opinion of nationally recognized bond counsel to the effect that the Series 2005A Bonds are no longer "Outstanding" under the General Bond Ordinance; and (iv) a certificate of discharge of the Paying Agent with respect to the Series 2005A Bonds. Each Verification and defeasance opinion shall be acceptable in form and substance, and addressed, to the County, the Paying Agent and the Bond Insurer. The Bond Insurer shall be provided with final drafts of the above-referenced documentation not less than five Business Days prior to the funding of the escrow.

(c) Series 2005A Bonds shall be deemed "Outstanding" under the General Bond Ordinance and this Second Supplemental Ordinance unless and until they are in fact paid and retired or the above criteria are met.

(d) Amounts paid by the Bond Insurer under the Insurance Policy shall not be deemed paid for purposes hereof or of the General Bond Ordinance and shall remain Outstanding and continue to be due and owing until paid by the County in accordance with the provisions of this Second Supplemental Ordinance.

(e) This Second Supplemental Ordinance shall not be discharged with respect to the Series 2005A Bonds unless all amounts due or to become due to the Bond Insurer have been paid in full or duly provided for.

Additional Provisions Relating to Insurance Policy

Notwithstanding anything to the contrary contained herein or in the General Bond Ordinance so long as the Insurance Policy is in effect and has not been wrongfully dishonored by the Bond Insurer or the Bond Insurer is owed any amounts in connection therewith and no Insurer Default has occurred and is continuing, the following provisions shall apply with respect to the Bond Insurer and the Insurance Policy:

(a) The Bond Insurer shall be deemed to be the sole Holder of the Series 2005A Bonds for the purpose of exercising any voting right or privilege or giving any consent or direction or taking any other action that the Holders of the Series 2005A Bonds are entitled to take pursuant to Articles X and XI (pertaining to defaults and remedies) of the General Bond Ordinance. The Paying Agent shall take no action except with the consent, or at the direction, of the Bond Insurer. The Series 2005A Bonds shall not be accelerated without the consent of the Bond Insurer.

(b) Without limiting the obligations of the Bond Insurer under the Insurance Policy, in the event the Series 2005A Bonds are accelerated, the Bond Insurer may elect, in its sole discretion, to pay principal and interest accrued on such principal to the date of acceleration (to the extent unpaid by the County) and the Paying Agent shall be required to accept such amounts. Upon payment of such accelerated principal and interest accrued to the acceleration date as provided above, the Bond Insurer's obligations under the Insurance Policy with respect to such Series 2005A Bonds shall be fully discharged.

(c) No grace period for a covenant default under the General Bond Ordinance shall exceed 30 days, nor be extended for more than 60 days, without the prior written consent of the Bond Insurer. No grace period shall be permitted for payment defaults.

(d) The Bond Insurer shall be included as a third party beneficiary to the General Bond Ordinance and this Second Supplemental Ordinance.

(e) Other than as provided in paragraph A of Section 9.1 of the General Bond Ordinance no modification or amendment to the General Bond Ordinance or this Second Supplemental Ordinance may become effective except upon obtaining the prior written consent of the Bond Insurer. Copies of any modification or amendment to the General Bond Ordinance or

this Second Supplemental Ordinance shall be sent to S&P and Moody's at least 10 days prior to the effective date thereof.

(f) Unless the Bond Insurer otherwise directs, upon the occurrence and continuance of an Event of Default or the occurrence and continuance of an event which with notice or lapse of time or both would constitute an Event of Default amounts on deposit in the Construction Fund of 2005A shall not be disbursed but shall instead be applied to the payment of debt service or redemption price of the Series 2005A Bonds.

(g) The rights granted to the Bond Insurer under this Second Supplemental Ordinance to request, consent to or direct any action are rights granted to the Bond Insurer in consideration of its issuance of the Insurance Policy. Any exercise by the Bond Insurer of such rights is merely an exercise of the Bond Insurer's contractual rights and shall not be construed or deemed to be taken for the benefit or on behalf of the Holders of the Series 2005A Bonds nor does such action evidence any position of the Bond Insurer, positive or negative, as to whether consent of the Holders of the Series 2005A Bonds is required in addition to consent of the Bond Insurer.

(h) The Bond Insurer shall, to the extent it makes any payment of principal of or interest on the Series 2005A Bonds, become subrogated to the rights of the recipients of such payments in accordance with the terms of the Insurance Policy. The obligations to the Bond Insurer shall survive discharge or termination of this Second Supplemental Ordinance.

(i) The County shall pay or reimburse the Bond Insurer for any and all charges, fees, costs and expenses which the Bond Insurer may reasonably pay or incur in connection with (i) the administration, enforcement, defense of preservation of any rights or security in the General Bond Ordinance or this Second Supplemental Ordinance, (ii) the pursuit of any remedies under this Second Supplemental Ordinance or otherwise afforded by law or equity, (iii) any amendment, waiver or other action with respect to, or related to, this Second Supplemental Ordinance whether or not executed or completed, (iv) the violation by the County of any law, rule or regulation, or any judgment, order or decree applicable to it or (v) any litigation or other dispute in connection with this Second Supplemental Ordinance or the transactions contemplated thereby, other than the amounts resulting from the failure of the Bond Insurer to honor its obligations under the Insurance Policy. The Bond Insurer reserves the right to charge a reasonable fee as a condition to executing any amendment, waiver or consent proposed in respect of this Second Supplemental Ordinance.

(j) Without limiting the obligations of the Bond Insurer under the Insurance Policy, the Bond Insurer shall be entitled to pay principal of or interest on the Series 2005A Bonds that shall become Due for Payment but shall be unpaid by reason of Nonpayment (as such terms are defined in the Insurance Policy) by the County and any amounts due on the Series 2005A Bonds as a result of acceleration of the maturity thereof in accordance with the General Bond Ordinance, whether or not the Bond Insurer has received a Notice of Nonpayment (as defined in the Insurance Policy) or a claim upon the Insurance Policy.

(k) The Bond Insurer shall be provided by the County with the following information:

- (i) Annual audited financial statements relating to the System within 180 days after the end of the County's Fiscal Year and the County's annual budget within 30 days after the approval thereof together with such other information, data or reports as the Bond Insurer shall reasonably request in writing from time to time;
- (ii) Unless the 2005A Reserve Requirement is initially satisfied through the purchase of the Debt Service Reserve Policy, notice of any draw upon the 2005A Debt Service Reserve Fund within two Business Days after knowledge thereof other than (i) withdrawals of amounts in excess of the 2005A Debt Service Reserve Fund Requirement and (ii) withdrawals in connection with a refunding of the Series 2005A Bonds;
- (iii) Notice of any default known to the County within five Business Days after actual knowledge thereof;
- (iv) Prior notice of the advance refunding or redemption of any of the Series 2005A Bonds, including the principal amount, maturities and CUSIP numbers thereof;
- (v) Notice of the resignation or removal of the Paying Agent and Registrar and the appointment of, and acceptance of duties by, any successor thereto;
- (vi) Notice of the commencement of any proceeding by or against the County commenced under the United States Bankruptcy Code or any other applicable bankruptcy, insolvency, receivership, rehabilitation or similar law (an "Insolvency Proceeding");
- (vii) Notice of the making of any claim in connection with any Insolvency Proceeding seeking the avoidance as a preferential transfer of any payment of principal of, or interest on, the Series 2005A Bonds;
- (viii) A full original transcript of all proceedings relating to the execution of any amendment or supplement to this Second Supplemental Ordinance; and
- (ix) All reports, notices and correspondence to be delivered under the terms of the General Bond Ordinance or this Second Supplemental Ordinance .

(l) Notwithstanding satisfaction or other conditions to the issuance of Bonds (as defined in the General Bond Ordinance) pursuant to Section 3.3 and 3.4 of the General Bond Ordinance, no such issuance may occur (1) should any Event of Default (or any event which, once all notice or grace periods have passed, would constitute an Event of Default) have occurred and be continuing unless such Default shall be cured upon such issuance and (2) unless all debt service reserve funds with respect to any Bonds (as defined in the General Bond Ordinance) are fully funded at the respective requirements, if any, upon the issuance of such additional Bonds (as defined in the General Bond Ordinance), in either case unless otherwise permitted by the Bond Insurer.

(m) No contract shall be entered into nor any action taken by which the rights of the Bond Insurer or security for or sources of payment of the Series 2005A Bonds may be impaired or prejudiced except upon obtaining the prior written consent of the Bond Insurer.

(n) The written consent of the Bond Insurer shall be required prior to any sale or other disposition of assets of the System constituting more than ten (10%) percent of the total book value of the assets of the System.

Section 16. Debt Service Reserve Policy and Special Provisions Required Thereby.

If the County elects to satisfy the 2005A Reserve Fund Requirement by the purchase of the Debt Service Reserve Policy the provisions of this Section 16 shall apply. Notwithstanding anything to the contrary contained in this Second Supplemental Ordinance or in the General Bond Ordinance, so long as the Debt Service Reserve Policy is in effect and has not been wrongfully dishonored by the Bond Insurer or the Bond Insurer is owed any amounts in connection with a draw on the Debt Service Reserve Policy and no Insurer Default has occurred and is continuing, the following provisions shall apply with respect to the Bond Insurer and the Debt Service Reserve Policy.

(a) The County shall repay any draws (but solely from Revenues of the System) under the Debt Service Reserve Policy and pay all related reasonable expenses incurred by the Bond Insurer. Interest shall accrue and be payable on such draws and expenses from the date of payment by the Bond Insurer at the Late Payment Rate. "Late Payment Rate" means the lesser of (a) the greater of (i) the per annum rate of interest, publicly announced from time to time by Chase at its principal office in The City of New York, as its prime or base lending rate (the "Prime Rate") (any change in such Prime Rate to be effective on the date such change is announced by Chase) plus 3%, and (ii) the then applicable highest rate of interest on the Series 2005A Bonds and (b) the maximum rate permissible under applicable usury or similar laws limiting interest rates. The Late Payment Rate shall be computed on the basis of the actual number of days elapsed over a year of 365 days. In the event Chase ceases to announce its Prime Rate publicly, Prime Rate shall be the publicly announced prime or base lending rate of such national bank as the Bond Insurer shall specify.

Repayment of draws and payment of expenses and accrued interest thereon at the Late Payment Rate (collectively, "Policy Costs") shall commence in the first month following each draw, and each such monthly payment shall be in an amount at least equal to 1/12 of the aggregate of Policy Costs related to such draw.

Amounts in respect of Policy Costs paid to the Bond Insurer shall be credited first to interest due, then to the expenses due and then to principal due. As and to the extent that payments are made to the Bond Insurer on account of principal due, the coverage under the Debt Service Reserve Policy will be increased by a like amount, subject to the terms of the Debt Service Reserve Policy.

All cash and investments in the 2005A Debt Service Reserve Fund shall be transferred to the 2005A Debt Service Fund for payment of debt service on Series 2005A Bonds before any drawing may be made on the Debt Service Reserve Policy or any other credit facility, if any, credited to the 2005A Debt Service Reserve Fund in lieu of cash ("Credit Facility").

Payment of any Policy Costs shall be made prior to replenishment of any such cash amounts. Draws on all Credit Facilities (including the Debt Service Reserve Policy) on which there is available coverage shall be made on a pro-rata basis (calculated by reference to the coverage then available thereunder) after applying all available cash and investments in the 2005A Debt Service Reserve Fund. Payment of Policy Costs and reimbursement of amounts with respect to other Credit Facilities shall be made on a pro-rata basis prior to replenishment of any cash drawn from the 2005A Debt Service Reserve Fund.

(b) If the County shall fail to pay any Policy Costs in accordance with the provisions of Section 16(a) hereof, the Bond Insurer shall be entitled to exercise any and all legal and equitable remedies available to it, including those provided under this Second Supplemental Ordinance other than (i) acceleration of the maturity of the Series 2005A Bonds or (ii) remedies which would adversely affect Holders of the Series 2005A Bonds.

(c) This Second Supplemental Ordinance shall not be discharged until all Policy Costs owing to the Bond Insurer shall have been paid in full. The County's obligation to pay such amounts shall expressly survive payment in full of the Series 2005A Bonds.

(d) The rate covenant (Section 7.1 of the General Bond Ordinance) is hereby modified to also expressly provide for at least one times coverage of the County's obligations with respect to repayment of Policy Costs then due and owing.

(e) The Paying Agent is required to ascertain the necessity for a claim upon the Debt Service Reserve Policy and to provide notice to the Bond Insurer in accordance with the terms of the Debt Service Reserve Policy at least five Business Days prior to each date upon which interest or principal is due on the Series 2005A Bonds. Where deposits are required to be made by the County with the Paying Agent to the 2005A Debt Service Fund more often than semi-annually, the Paying Agent shall give notice to the Bond Insurer of any failure of the County to make timely payment in full of such deposits within two Business Days after the date due.

Section 17. Further Actions. The County Supervisor and Chairman of County Council, the Clerk to County Council, the Director of the Authority, and Attorney to the Authority are hereby authorized and directed to take any and all such further actions as shall be deemed necessary or desirable in order to effectuate issuance of the Series 2005A Bonds pursuant to the Purchase Contract, to purchase the Insurance Policy and Debt Service Reserve Policy including the execution and delivery of the commitment relating thereto and the Insurance Agreement and to carry out the intentions of this Second Supplemental Ordinance.

Section 18. Headings. The headings and titles of the several sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this Second Supplemental Ordinance.

Section 19. Notices. All notices, certificates or other communications hereunder or under the Ordinance shall be sufficiently given and shall be deemed given when mailed by registered mail, postage prepaid, or given when dispatched by telegram addressed as provided in the

## General Bond Ordinance or as follows:

## If to the Authority:

Berkeley County Water and Sanitation Authority  
 Attention: Director  
 0 Pulaski Street  
 P. O. Box 1090  
 Goose Creek, SC 29445

## If to the Bond Insurer:

Financial Security Assurance Inc.  
 31 West 52<sup>nd</sup> Street  
 New York, New York 10019  
 Attention: Managing Director – Surveillance: Re: Policy No. \_\_\_\_\_  
 Telephone: (212) 826-0100; Telecopier: (212) 339-3556

## If to the County:

Berkeley County, South Carolina  
 1003 Hwy 52  
 Moncks Corner, SC 29461  
 Attention: County Supervisor

## If to the Paying Agent:

Wachovia Bank, National Association  
 1425 W.T. Harris Boulevard  
 Charlotte, NC 28288  
 Attention: Corporate Trust Department

## If to the Registrar or Trustee:

Wachovia Bank, National Association  
 1426 Main Street, 17<sup>th</sup> Floor SC8358  
 Columbia, SC 29201  
 Attention: Corporate Trust Department

In each case in which notice or other communication refers to an Event of Default, then a copy of such notice or other communication shall also be sent to the attention of General Counsel and shall be marked to indicate "URGENT MATERIAL ENCLOSED".

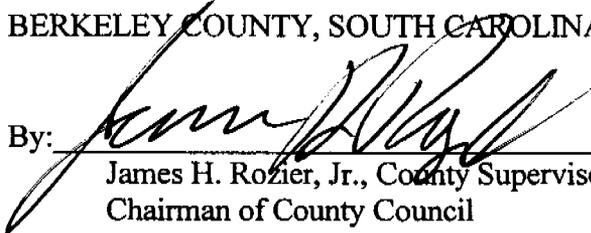
The County, the Authority, the Registrar, the Paying Agent, the Trustee and the Bond Insurer may, by notice given to the other parties, designate any further or different addresses to which subsequent notices, certificates or other communications shall be sent.

Section 20. Repeal of Inconsistent Ordinances and Resolutions. All ordinances and resolutions of the County, and any part of any ordinance or resolution, inconsistent with this Second Supplemental Ordinance are hereby repealed to the extent of such inconsistency.

Section 21. Effective Date. This Second Supplemental Ordinance shall become effective upon its enactment.

Enacted in Council duly assembled this 20th day of July, 2005.

BERKELEY COUNTY, SOUTH CAROLINA

By:   
James H. Rozier, Jr., County Supervisor and  
Chairman of County Council

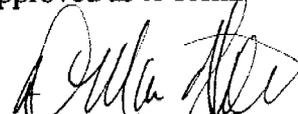
(SEAL)

ATTEST:

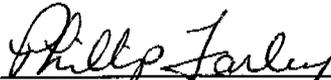
  
Barbara Austin, Clerk to County Council

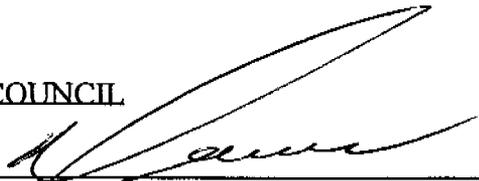
Date of First Reading: May 23, 2005  
Date of Second Reading: June 13, 2005  
Date of Third Reading: June 20, 2005

Approved as to form:

  
County Attorney, Berkeley County,  
South Carolina

MEMBERS OF COUNCIL

  
Phillip Farley Voting: yes

  
Dennis L. Fish Voting: yes

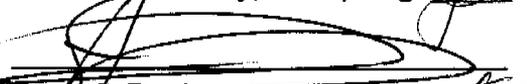
  
Judith K. Spooner Voting: yes

Excused 6-20-05  
Judy C. Mims Voting: \_\_\_\_\_

  
William E. Crosby Voting: yes

  
Caldwell Finckney, Jr. Voting: yes

  
Charles E. Davis Voting: yes

  
Steve C. Davis Voting: yes

## FORM OF SERIES 2005A BOND

UNITED STATES OF AMERICA  
 STATE OF SOUTH CAROLINA  
 BERKELEY COUNTY  
 WATER AND SEWER SYSTEM REVENUE BOND  
 SERIES 2005A

REGISTERED

No. R- \_\_\_\_\_

Original  
Issue DateMaturity  
DateInterest  
Rate

CUSIP

*(As set forth in Schedule A)*

REGISTERED HOLDER: CEDE &amp; CO.

PRINCIPAL AMOUNT: \$ \_\_\_\_\_

Berkeley County, South Carolina (the "County"), is justly indebted and, for value received, hereby promises to pay to the Registered Holder (named above), or registered assigns, but solely from the revenues hereinafter mentioned and not otherwise, the Principal Amount shown above on the Maturity Date shown above (unless the within Bond shall be subject to prior redemption and shall have been duly called for previous redemption and payment of redemption price made or provided for), upon presentation and surrender of this Bond at the principal office of Wachovia Bank, National Association, in Charlotte, North Carolina (the "Paying Agent"), and to pay interest, but solely from the Net Revenues hereinafter mentioned and not otherwise, on such principal amount from the date hereof at the Interest Rate per annum shown above (calculated on the basis of a 360 day year of twelve 30 day months) until this Bond matures. Interest on this Bond is payable December 1, 2005, and semiannually on June 1 and December 1 of each year thereafter until this Bond matures, and shall be payable by wire transfer to the registered holder owning at least \$1,000,000 aggregate principal amount of the Bonds to an account within the continental United States or by check or draft mailed to the person in whose name this Bond is registered on the registration books of the County maintained by Wachovia Bank, National Association, in Charlotte, North Carolina, as registrar (the "Registrar") at the close of business on the fifteenth (15th) day of the calendar month preceding each semiannual interest payment date. The principal, redemption premium, if any, and interest on this Bond are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts; provided, however, that interest on this fully registered Bond shall be paid by wire transfer, check or draft as set forth above.

THIS BOND HAS BEEN ISSUED UNDER THE PROVISIONS OF TITLE 6, CHAPTER 17, CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, AND DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE COUNTY WITHIN THE MEANING OF ANY STATE CONSTITUTIONAL PROVISIONS (OTHER THAN ARTICLE X, SECTION 14, PARAGRAPH 10 OF THE SOUTH CAROLINA CONSTITUTION AUTHORIZING OBLIGATIONS PAYABLE SOLELY FROM SPECIAL SOURCES NOT INVOLVING REVENUES FROM ANY TAX OR LICENSE) OR STATUTORY LIMITATION. THIS BOND AND THE BONDS OF THE SERIES OF WHICH IT IS ONE SHALL NOT CONSTITUTE A DEBT OF THE COUNTY, NOR A CHARGE, LIEN OR ENCUMBRANCE, LEGAL OR EQUITABLE, UPON ANY PROPERTY OF THE COUNTY OR ON ANY INCOME, RECEIPTS OR REVENUES THEREOF, OTHER THAN THE AFORESAID NET REVENUES OF THE SYSTEM (AS DEFINED HEREIN) PLEDGED THERETO. NO RECOURSE SHALL BE HAD FOR THE PAYMENT OF THIS BOND OR THE INTEREST THEREON AGAINST THE GENERAL FUND OF THE COUNTY AND NEITHER THE CREDIT NOR THE TAXING POWER OF THE COUNTY SHALL BE DEEMED TO BE PLEDGED THERETO. THE FULL FAITH, CREDIT AND TAXING POWERS OF THE COUNTY ARE NOT PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF OR INTEREST ON THIS BOND.

This Bond shall not be entitled to any benefit under the Bond Ordinance (hereinafter defined), nor become valid or obligatory for any purpose, until the certificate of authentication hereon shall have been duly executed by the Registrar.

This Bond is one of an authorized series of Bonds of the aggregate principal amount of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_) of like date of original issue, tenor and effect, except as to number, date of maturity, principal amount, date of authentication, registered holder, redemption provisions and rate of interest, issued by the County for the purpose of making certain improvements, enlargements and extensions to the County's water and sewer system (the "System"), paying interest coming due on all or a portion of the Bonds through June 1, 2007, and paying costs of issuance relating to the Bonds. This Bond and the series of Bonds of which it is one are authorized to be issued and are issued under, pursuant to and in full compliance with the Constitution and statutes of the State of South Carolina, including particularly Article X, Section 14(10) of the South Carolina Constitution, Title 6, Chapter 17, of the Code of Laws of South Carolina, 1976, as amended (the "Act"). This Bond and the series of Bonds of which it is one are also authorized to be issued and are issued under and pursuant to General Bond Ordinance No. 03-03-12 duly enacted on March 10, 2003, and a Second Supplemental Ordinance No. \_\_\_\_\_ duly enacted on \_\_\_\_\_, 2005, of the County Council of the County (collectively, the "Bond Ordinance"), under the Act which Bond Ordinance has been duly codified and indexed as prescribed by law.

The Bond Ordinance contains provisions defining terms, including the properties comprising the System; sets forth the revenues pledged for the payment of the principal of and interest on this Bond and the Bonds (as defined in the Bond Ordinance) of other series which may hereafter be issued on a parity herewith under the Bond Ordinance; sets forth the nature, extent and manner of enforcement of the security of this Bond and of such pledge, and the rights and remedies of the holder hereof with respect thereto; sets forth the terms and conditions upon which and the extent to which the Bond Ordinance may be altered, modified and amended; sets forth the terms

and conditions upon which this Bond is issued upon which other bonds may be hereinafter issued payable as to principal, premium, if any, and interest on a parity with this Bond and equally and ratably secured herewith; sets forth the rights, duties and obligations of the County thereunder; and sets forth the terms and conditions upon which the pledge made in the Bond Ordinance for the security of this Bond and upon which the covenants, agreements and other obligations of the County made therein may be discharged at or prior to the maturity or redemption of this Bond with provisions for the payment thereof in the manner set forth in the Bond Ordinance. Reference is hereby made to the Bond Ordinance to all of the provisions of which any holder of this Bond by the acceptance hereof thereby assents. The provisions of the Act and the Bond Ordinance shall be a contract with the holder of this Bond.

This Bond and the series of Bonds of which it is one and the interest thereon are special obligations of the County and are secured by and payable solely from, and secured equally and ratably by a pledge of and lien upon, the Net Revenues (as defined in the General Bond Ordinance) derived by the County from the System; such pledge and lien shall be junior and subordinate to the lien upon and pledge of the Net Revenues created for the payment of the Senior Lien Bonds (as defined in the General Bond Ordinance) of the County heretofore issued, and on a parity with the heretofore issued Bonds of 2003 and the Bonds of 2005B and any Series of Bonds (as such terms are defined in the Bond Ordinance) hereafter issued under the General Bond Ordinance payable from such Net Revenues on a parity and equally and ratably secured therewith.

This Bond and the series of Bonds of which it is one maturing on or prior to \_\_\_\_\_, 200\_\_, shall not be subject to redemption prior to their stated maturities. This Bond and the series of Bonds of which it is one maturing on or after \_\_\_\_\_, 20\_\_, shall be subject to redemption prior to maturity, at the option of the County, on and after \_\_\_\_\_1, 20\_\_, in whole or in part at any time in such order of their maturities as the County shall determine and by lot within a maturity, [at the redemption price equal to 100% of the principal amount of this Bond and the series of Bonds of which it is one to be redeemed together,] [at the redemption prices with respect to each Bond, expressed as a percentage of the principal amount to be redeemed, as set forth below, together, in each such case,] with the interest accrued on such principal amount to the date fixed for redemption:

Period During Which Redeemed (both dates inclusive)	Redemption Prices
_____ to _____	_____ %
_____ to _____	_____ %
_____ and thereafter	_____ %

If less than all the Bonds of the series of which this Bond is one of any maturity are called for redemption, the Bonds of such maturity to be redeemed shall be selected by lot by the Registrar. In the event this Bond is redeemable, as aforesaid, and shall be called for redemption, notice of the redemption hereof, describing this Bond and specifying the redemption date and the premium payable upon such redemption, shall be given by the Registrar by first class mail, postage prepaid, to the registered owner thereof not less than thirty (30) days and not more than sixty (60) days prior to the redemption date at the last address appearing upon the registration books of the County. If this Bond be redeemable and shall have been duly called for redemption and notice of the redemption hereof mailed as aforesaid, and if on or before the date fixed for such redemption, payment hereof shall be duly made or provided for, interest hereon shall cease to accrue from and after the redemption date hereof.

The Bonds of the series of which this Bond is one maturing in the year 20\_\_ shall be retired by sinking fund installments which shall be accumulated in the Bond Redemption Account in the 2005A Debt Service Fund (as defined in the Second Supplemental Ordinance) in amounts sufficient to redeem on June 1 of each year, at a redemption price equal to the principal amount of the Bond or Bonds to be redeemed, together with interest accrued thereon to the date fixed for redemption, the principal amount of such Bonds specified for each of the years shown below:

<u>Year</u>	<u>Principal Amount</u>
-------------	-------------------------

At its option, to be exercised on or before the sixtieth (60<sup>th</sup>) day prior to any mandatory redemption date, the County may (i) deliver to the Registrar for cancellation Bonds which are subject to mandatory redemption in any aggregate principal amount desired or (ii) receive a credit in respect of its mandatory redemption obligation for any such Bonds which, prior to such date, have been purchased or redeemed (otherwise than through the operation of the mandatory redemption requirement) by the County and cancelled by the Registrar and not therefore applied as a credit against any mandatory redemption obligation. Each Bond so delivered or previously purchased or redeemed shall be credited by the Registrar, at 100% of the principal amount thereof, to the obligation of the County on those respective mandatory redemption obligations in chronological order, and the principal amount of the Bonds of the series of which this Bond is one to be redeemed by operation of the mandatory redemption requirement shall be accordingly reduced.

This Bond is transferable, as provided in the Bond Ordinance, only upon the books of the County kept for that purpose at the principal office of the Registrar by the registered owner in person or by his duly authorized attorney upon surrender of this Bond together with a written

instrument of transfer satisfactory to the Registrar duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Bond or Bonds of the same aggregate principal amount, rate of interest and maturity shall be issued to the transferee in exchange therefor as provided in the Bond Ordinance. The County, the Registrar and the Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal or redemption premium, if any, hereof and interest due hereon and for all other purposes.

To the extent and in the manner permitted by the terms of the Bond Ordinance, the provisions of this Bond or of the Bond Ordinance, or any ordinance amendatory thereof or supplemental thereto, may be amended or modified by the County with the written consent of the holders of at least sixty-six and two-thirds percent (66-2/3%) in principal amount of the Bonds of the series of which this Bond is one then outstanding under the Bond Ordinance (including the Bond of the series of which this Bond is one); provided, that no such amendment or modification shall permit a change in the date of maturity of any installment of principal hereof or date of optional or mandatory redemption of any Bond or the date of payment of interest thereon or a reduction in the principal amount or redemption price thereof or rate of interest thereon without the consent of the holder of each such Bond affected thereby, or shall reduce the percentage of the principal amount of Bonds, the consent of the holders of which is required by the Bond Ordinance to effect such an amendment or modification.

Under the laws of the State of South Carolina, this Bond and the interest hereon are exempt from all State, county, municipal, school district and all other taxes or assessments, except estate or other transfer taxes, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

It is hereby certified, recited and declared that all acts, conditions and things required by the Constitution and statutes of the State of South Carolina to exist, to happen and to be performed precedent to and in the issuance of this Bond, do exist, have happened and have been performed in due time, form and manner as required by law; that the series of which this Bond is a part does not exceed any constitutional or statutory limitation of indebtedness; and that provision has been made for the payment of the principal of and interest on this Bond and the series of which it is a part, as provided in the Bond Ordinance.

IN WITNESS WHEREOF, the Berkeley County, South Carolina, has caused this Bond to be executed in its name by the facsimile signature of the Chairman of the County Council of the County and attested by the facsimile signature of the Clerk of the County under the seal of the County impressed, imprinted or reproduced hereon.

BERKELEY COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
Chairman, County Council of Berkeley County,  
South Carolina

(SEAL)

ATTEST:

\_\_\_\_\_  
Barbara Austin, Clerk to County Council

(FORM OF REGISTRAR'S CERTIFICATE OF AUTHENTICATION)

This Bond is one of the Bonds described in the within-mentioned Second Supplemental Ordinance of the Berkeley County, South Carolina.

WACHOVIA BANK, NATIONAL ASSOCIATION, as Registrar

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Authorized Officer

(FORM OF ASSIGNMENT)

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Transferee)

the within Bond and does hereby irrevocably constitute and appoint attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed

(Authorized Officer)

Notice: Signature must be guaranteed by an institution which is a participant in the Securities Transfer Agents Medallion Program ("STAMP") or similar program.

Notice: The signature to the assignment must correspond with the name of the registered holder as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations.

TEN COM - as tenants in common

UNIF GIFT MIN ACT -

TEN ENT - as tenants by the entireties

\_\_\_\_\_  
(Cust) Custodian (Minor)

JT TEN - as joint tenants with right of survivorship and not as tenants in common

under Uniform Gifts to Minors Act \_\_\_\_\_  
(State)

Additional abbreviations may also be used though not in above list.

STATEMENT OF INSURANCE

Financial Security Assurance Inc. ("Financial Security"), New York, New York, has delivered its municipal bond insurance policy with respect to the scheduled payments due of principal of and interest on the Bonds to Wachovia Bank, National Association, \_\_\_\_\_, \_\_\_\_\_, or its successor, as paying agent for the Bonds (the "Paying Agent"). Said Policy is on file, and is available for inspection at the principal office of the Paying Agent and a copy thereof may be obtained from Financial Security or the Paying Agent.

CERTIFICATE

IT IS HEREBY CERTIFIED that the following is a true and correct copy of the complete legal opinion (except for date, letterhead and signature) of McNair Law Firm, P.A., Greenville, South Carolina, the original of which was manually executed, dated and issued as of the date of the delivery of and payment for the bonds, and a copy of which is on file with Berkeley County, South Carolina.

BERKELEY COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
Clerk to Berkeley County Council

SCHEDULE A  
\$ \_\_\_\_\_  
Berkeley County, South Carolina  
Water and Sewer System Revenue Bonds,  
Series 2005A

<u>Maturity</u> <u>(_____1)</u>	<u>Principal</u> <u>Amount</u>	<u>Interest</u> <u>Rate</u>	<u>CUSIP</u> <u>Number</u>
------------------------------------	-----------------------------------	--------------------------------	-------------------------------

**FORM OF PURCHASE CONTRACT**

## EXHIBIT C

### FORM OF CONTINUING DISCLOSURE CERTIFICATE

This Continuing Disclosure Certificate (the "Disclosure Certificate") is executed and delivered by Berkeley County, South Carolina (the "County"), a county organized and existing under the laws of the State of South Carolina (the "State"), in connection with the issuance of the \$ \_\_\_\_\_ Berkeley County, South Carolina, Water and Sewer System Revenue Bonds, Series 2005 (the "Bonds"), issued pursuant to (i) General Bond Ordinance No. 03-03-12 enacted by the County Council of the County (the "Council") on March 10, 2003 (the "Bond Ordinance"), and (ii) Second Supplemental Ordinance No. \_\_\_\_ enacted by the Council on \_\_\_\_\_, 2005 (the "Supplemental Ordinance") (collectively, the Bond Ordinance and the Supplemental Ordinance and any other ordinances amendatory thereof or supplemental thereto are referred to as the "Ordinance"). The County hereby agrees as follows:

**SECTION 1. Purpose of the Disclosure Certificate.** This Disclosure Certificate is being executed and delivered by the County for the benefit of the Beneficial Owners of the Bonds and in order to assist the Participating Underwriters (defined below) in complying with Rule 15c2-12(b)(5) under the Securities and Exchange Act of 1934.

**SECTION 2. Definitions.** The following capitalized terms shall have the following meanings:

*"Annual Report"* shall mean any Annual Report provided by the County pursuant to, and as described in, Sections 3 and 4 of this Disclosure Certificate.

*"Beneficial Owner"* shall mean any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

*"Disclosure Representative"* shall mean the County Supervisor or his or her designee, or such other officer or employee as the County shall designate in writing from time to time.

*"Dissemination Agent"* shall mean an agent appointed in accordance with Section 7 herein.

*"Listed Events"* shall mean any of the events listed in Section 5(a) of this Disclosure Certificate.

*"National Repository"* shall mean all Nationally Recognized Municipal Securities Information Repositories for purposes of the Rule.

*"Official Statement"* shall mean the Official Statement of the County dated \_\_\_\_\_, 2005, prepared in connection with the issuance of the Bonds.

"Participating Underwriters" shall mean any of the original underwriters of the Bonds required to comply with the Rule in connection with offering of the Bonds, as indicated to the County by Banc of America Securities LLC and Morgan Keegan & Co., Inc.

"Repository" shall mean each National Repository and each State Depository, if any.

"Rule" shall mean Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

"State" shall mean the State of South Carolina.

"State Depository" shall mean any public or private repository or entity designated by the State as a state depository for the purpose of the Rule and recognized as such by the Securities and Exchange Commission. As of the date of this Disclosure Certificate, there is no State Depository.

### SECTION 3. Provision of Annual Reports.

(a) The County shall, or shall cause the Dissemination Agent to, provide to each Repository within seven months after the end of the County's fiscal year (presently June 30), commencing with the fiscal year ending June 30, 2005, an Annual Report which is consistent with the requirements of Section 4 of this Disclosure Certificate. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may include by reference other information as provided in Section 4 of this Disclosure Certificate; provided that the audited financial statements of the County may be submitted separately from the balance of the Annual Report and later than the date required above for the filing of the Annual Report if they are not available by that date. If the County's fiscal year changes, it shall give notice of such change in the same manner as for a Listed Event under Section 5(b).

(b) If the Annual Report has not been provided to the Repositories by the date required in subsection (a) above, the County shall send a notice to the Municipal Securities Rulemaking Board and the State Depository, if any, in substantially the form attached hereto as Exhibit A.

(c) The County shall determine each year prior to the date for providing the Annual Report the name and address of each National Repository and the State Depository, if any.

(d) Disclosure USA. Any filings under this Disclosure Certificate may be made solely by transmitting such filing to the Texas Municipal Council as provided at <http://www.disclosureusa.org> (or any successor website) unless the United States Securities and Exchange Commission has withdrawn the interpretive advice in its letter to the Texas Municipal Advisory Council dated September 7, 2004.

SECTION 4. Content of Annual Reports. The County's Annual Report shall contain or include by reference the following:

(a) The audited financial statements of the County for the prior fiscal year, prepared in accordance with generally accepted accounting principles as promulgated to apply to governmental entities from time to time by the Governmental Accounting Standards Board (or if not in conformity, to be accompanied by a qualitative discussion of the differences in the accounting principles and the impact of the change in the accounting principles on the presentation of the financial information). If the County's audited financial statements are not available by the time the Annual Report is required to be filed pursuant to Section 3(a), the Annual Report shall contain unaudited financial statements in a format similar to the financial statements contained in the final Official Statement, and the audited financial statements shall be filed in the same manner as the Annual Report when they become available.

(b) The statistics contained in the tables included under the heading entitled "THE SYSTEM" included in the Official Statement showing historical accounts for water and sewer, ten largest accounts for water and sewer, and water and sewer service rates, each for the fiscal year then concluded.

(c) The information contained in the tables included in the Official Statement under the headings entitled "FINANCIAL FACTORS-*Five-Year Summary*" and "*Historical and Projected Coverage*" and the information set forth in the Official Statement under "FINANCIAL FACTORS-Management Discussion and Analysis", all for the fiscal year then concluded.

Any or all of the items listed above may be included by specific reference to other documents, including official statements of debt issues of the County or related public entities, which have been submitted to each of the Repositories or filed with the Securities and Exchange Commission. If the document included by reference is a final official statement, it must be available from the Municipal Securities Rulemaking Board. The County shall clearly identify each such other document so included by reference.

#### SECTION 5. Reporting of Significant Events.

(a) Pursuant to the provisions of this Section 5, the County shall give, or cause to be given, in a timely manner, (i) to each National Repository or to the Municipal Securities Rulemaking Board, and (ii) to the State Depository, if any, notice of the occurrence of any of the following events with respect to the Bonds, if material:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;

- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions or events affecting the tax-exempt status of the Bonds;
- (7) Modifications to rights of the holders of the Bonds;
- (8) Bond calls;
- (9) Defeasances;
- (10) Release, substitution or sale of property securing repayment of the Bonds;
- (11) Rating changes.

(b) If the County determines that the occurrence of a Listed Event is material under applicable federal securities laws, the County shall promptly file a notice of such occurrence with each National Repository or the Municipal Securities Rulemaking Board and with each State Depository, if any. Notwithstanding the foregoing, notice of Listed Events described in subsections (a)(8) and (9) need not be given under this subsection any earlier than the notice (if any) of the underlying event is given to Beneficial Owners of affected Bonds pursuant to the Ordinance.

SECTION 6. Termination of Reporting Obligation. The County's obligations under this Disclosure Certificate shall terminate upon the legal defeasance, prior redemption or payment in full of all of the Bonds. If such termination occurs prior to the final maturity of the Bonds, the County shall give notice of such termination in the same manner as for a Listed Event under Section 5(b).

SECTION 7. Dissemination Agent. The County may, from time to time, appoint or engage a Dissemination Agent to assist in carrying out the obligations of the County under this Disclosure Certificate, and may discharge any such Agent, with or without appointing a successor Dissemination Agent. The Dissemination Agent shall not be responsible in any manner for the content of any notice or report prepared by the County pursuant to this Disclosure Certificate. The initial Dissemination Agent shall be the County.

SECTION 8. Amendment and Waiver. Notwithstanding any other provision of this Disclosure Certificate, the County may amend this Disclosure Certificate and any provision of this Disclosure Certificate may be waived, provided that the following conditions are satisfied:

- (a) If the amendment or waiver relates to the provisions of Sections 3(a), 4, or 5(a), it may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of an obligated

person (within the meaning of the Rule) with respect to the Bonds, or the type of business conducted;

(b) The undertaking, as amended or taking into account such waiver, would, in the opinion of nationally recognized bond counsel, have complied with the requirements of the Rule at the time of the original issuance of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances; and

(c) The amendment or waiver either (i) is approved by the Beneficial Owners of the Bonds in the same manner as provided in the Ordinance for amendments to the Ordinance with the consent of the Beneficial Owners, or (ii) does not, in the opinion of nationally recognized bond counsel, materially impair the interests of the Beneficial Owners of the Bonds.

In the event of any amendment or waiver of a provision of this Disclosure Certificate, the County shall describe such amendment in the next Annual Report, and shall include, as applicable, a narrative explanation of the reason for the amendment or waiver and its impact on the type (or, in the case of a change of accounting principles, on the presentation) of financial information or operating data being presented by the County. In addition, if the amendment relates to the accounting principles to be followed in preparing financial statements, (i) notice of such change shall be given in the same manner as for a Listed Event under Section 5(b), and (ii) the Annual Report for the year in which the change is made should present a comparison (in narrative form and also, if feasible, in quantitative form) between the financial statements as prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles.

SECTION 9. Additional Information. Nothing in this Disclosure Certificate shall be deemed to prevent the County from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the County chooses to include any information in any Annual Report or notice of occurrence of a Listed Event in addition to that which is specifically required by this Disclosure Certificate, the County shall have no obligation under this Disclosure Certificate to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

SECTION 10. Default. In the event of a failure of the County to comply with any provision of this Disclosure Certificate, the Beneficial Owners of the Bonds may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the County to comply with its obligations under this Disclosure Certificate. A default under this Disclosure Certificate shall not be deemed an Event of Default under the Ordinance, and the sole remedy under this Disclosure Certificate in the event of any failure of the County to comply with this Disclosure Certificate shall be an action to compel performance.

SECTION 11. Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the County, the Dissemination Agent, if any, the Participating Underwriters and Beneficial Owners from time to time of the Bonds, and shall create no rights in any other person or entity.

Dated: \_\_\_\_\_, 2005

BERKELEY COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
County Supervisor

**NOTICE TO REPOSITORIES OF  
FAILURE TO FILE ANNUAL REPORT**

Name of Issuer: Berkeley County, South Carolina

Name of Bond Issue: \$ \_\_\_\_\_ Berkeley County, South Carolina,  
Water and Sewer System Revenue Bonds,  
Series 2005

Date of Issuance: \_\_\_\_\_, 2005

NOTICE IS HEREBY GIVEN that the County of Berkeley, South Carolina has not provided an Annual Report with respect to the above-named Bonds as required by Section 3 of the Disclosure Certificate dated \_\_\_\_\_. [The County anticipates that the Annual Report will be filed by \_\_\_\_\_.]

Dated: \_\_\_\_\_

BERKELEY COUNTY, SOUTH CAROLINA

**EXHIBIT D**

**LIST OF PROJECTS**

**Water Projects**

**Identification**

In House Water Line Extensions

**Item Description**

Pipe and appurtenances to extend water lines for the existing system based on number of connections to cost.

Automatic Water Meter Reading System

Convert all water meters to automatic read to improve efficiency of meter reading.

Oakley Road Water Project

Water distribution to serve Oakley Road and Mulberry Dr. The project includes 2,100' of 6", 5,050' of 8", & 3,400' of 12" pipe.

Umbria Road Water Project

Water distribution to serve Dr. Evans Rd., Hard Pinch Rd., and Umbria Rd. The project includes 28,550' of 8" pipe.

Cross Area Water Project

Water distribution to serve Azalea Lane, Bargain Drive, English Road, Groomstown Road, Mudville Road, Hwy 6, Longpoint Rd., McKinley Dr., Deville Rd., Oakley Dr., Ranger Dr., Sanders Rd., Sharper Dr., Short Cut Rd., Landing Rd., Spring Plains Rd., and Trojan Road. This project includes 17,150' of 6" 'of 8" and 77,300' of 12".

Swamp Fox Water Project

Extend water into the Swamp Fox area along Hwy 45 and Hwy 52.

Jedburg Road Water Project

Install water main along Hwy 176 and Jedburg Road and construct an elevated water tank.

Expand the Water Treatment Plant

Expand the Water Treatment Plant to provide additional capacity for the Authority.

New Administration Facility

Construct a new Administration Building and relocate administration of the LBWWTP site.

Automotive Shop

Construct Automotive shop at the landfill site.

Vineyard Boulevard Water Project

Water distribution to serve Vineyard Boulevard. This project includes 3,075 feet of 8" and 750 feet of 12" pipe.

East Church Street Water Project	Water distribution to serve East Church Street.
Spiers Circle Water Project	Water distribution to serve Spiers Circle. This project includes 7,300 feet of 6" pipe.
St. Stephen Water System	Repairs/Upgrades to System.
Purchase CPW Service Area	Purchase College Park and Tall Pine Service areas from CPW
Purchase Property for Administrative Facility	Purchase facility site.
2007 Water Improvement Project	Extension of water lines along various roads throughout the service area.
	<u>Wastewater Projects</u>
	Purchase 29Ac Additional Property from USN.
	Reimburse USN for Removal of Trees.
	Upgrade of the solids processing system and miscellaneous other systems to reach 22.5 MGD treatment capacity.
Pump Station Renovations	Renovation of 8 pump stations in Hanahan and 1 in Pimlico to remove wet well-drywell safety concerns.
Hwy 78 Sewer Project	Installation of a new pump station and the extension of 8" gravity to serve along Hwy 78.
Ancrum Sewer Trunk Main Project Sections C&D	Installation of 10,800 feet of 36" gravity sewer to provide service to areas west of Hwy 17-A.
Ancrum Sewer Trunk Main Project Sections F&G	Authority participation with the installation of large diameter trunk mains through new developments west of Hwy 17-A.
Administration Building	To build new Water and Sewer Administration Facility – Design & Construction.
Automotive Shop	Construct Automotive shop at the landfill site.
Pump Station #27 Elimination	2,000 feet of 10" gravity sewer.

Pump Station #69 Elimination	1,700 feet of 15" gravity sewer.
Pump Station #39 Elimination	2,800 feet of 10" gravity sewer.
Pump Station #33 Elimination	650 feet of 8" gravity sewer.
Pump Station #53 Elimination	2,400 feet of 15" gravity sewer.
Pump Station Renovations	Renovation of Pump Stations in the system due to valve pit safety issues and the installation of wet well liner at 15 stations.
Repair of PS 061 and PS066	Repair of the piping and wet well from severe corrosion deterioration.
Pump Station 011 Elimination and Pump Station 049 Replacement	Diversion of flow from PS 011 to PS 049 and the replacement of PS 049 to accept the additional capacity.
CBWWTP Upgrade	Upgrade CBWWTP to 5.0 MGD.
Cypress Gardens Pump Station	Construction of a 300gpm pump station and 15,000 lf of 6" force main.
Back River Road Sewer Project	Installation of a new pump station and 8" gravity main to serve the Black River Road Area.
Purchase Property for Administration Facility	Purchase facility site.
Canterhill Sewer Extension	Installation of sewer reach to include pump stations, force main and gravity sewer to serve tracts northwest of Carnes Crossroads.

ORDINANCE NO. 05 - 06 - 48

**AN ORDINANCE TO AMEND ORDINANCE NO. 99-7-41 AND TO ADOPT THE MOST RECENT VERSION OF VARIOUS INTERNATIONAL CODES RELATING TO BUILDING, RESIDENTIAL, GAS, PLUMBING, MECHANICAL, AND FIRE STANDARDS, AND ADOPTING CERTAIN PROVISIONS AND APPENDICES OF SAID CODES.**

**WHEREAS**, Berkeley County has adopted and enforced building codes to protect the public health and safety; and

**WHEREAS**, from time to time the standardized codes are amended or updated; and

**WHEREAS**, the State of South Carolina has mandated in S.C. Code § 6-9-50 (1976, as amended) that counties enforce the latest editions of certain codes and standards; and

**WHEREAS**, the State of South Carolina Department of Labor Licensing and Regulation now attempts to specify the required codes in version for uniform enforcement by local governments; and

**WHEREAS**, Berkeley County is desirous of amending its codes so as to adopt those codes and versions specified by the State of South Carolina so that uniformity throughout the industry may be obtained.

**NOW, THEREFORE, BE IT ORDAINED** by the Berkeley County Council, as follows:

The following codes, as promulgated by the International Code Council and in the version most recently adopted by the State of South Carolina's Department of Labor, Licensing and Regulation, shall constitute and become an ordinance of the County, and are hereby adopted as fully as though set out at length herein, excluding the appendices and including Chapter One, except as further provided herein. Provided, however, that the provisions of the codes which concern the qualification, removal, dismissal, duties, responsibilities of, and administrative procedures for all building officials, deputy building officials, chief inspectors, other inspectors, and assistants are not adopted herein.

Amendments to these codes shall become effective in the county on the effective date specified by the state.

2003 Editions:

International Building Code, including Chapter One  
International Residential Code, including Chapter One and Appendices E and G.  
International Mechanical Code, including Chapter One  
International Plumbing Code, including Chapter One  
International Fire Code, including Chapter One but excluding Section 105 of Chapter One  
International Fuel Gas Code, including Chapter One  
International Energy Efficiency Code, including Chapter One  
ICC Electrical Code Administrative Provisions, excluding Chapter Eleven, are hereby adopted.

**BE IT FURTHER ORDAINED:**

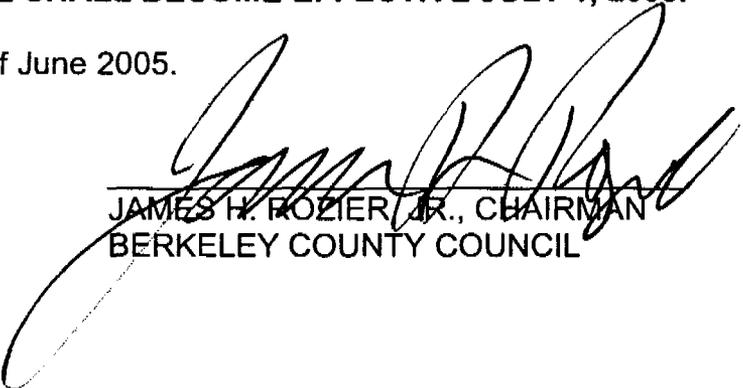
Construction documents shall accompany permit applications and shall contain all information required by the relevant Code(s). Construction documents shall be prepared by an architect or engineer properly licensed by the State of South Carolina with the exception of the following residential construction:

- a) Attached structures of 400 square feet or less,
- b) Open porch additions with or without roofs,
- c) Deck additions, or
- d) Detached accessory structures that are only one story in height, non-habitable, and maintain a 7/12 roof pitch or less.

All other required documents must be submitted for permit application.

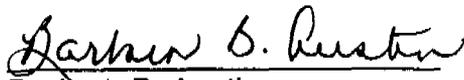
**THE WITHIN ORDINANCE SHALL BECOME EFFECTIVE JULY 1, 2005.**

**ADOPTED** this 20th day of June 2005.

  
JAMES H. ROZIER, JR., CHAIRMAN  
BERKELEY COUNTY COUNCIL

(SEAL)

ATTEST:

  
Barbara B. Austin  
Clerk of County Council

FIRST READING: May 23, 2005  
SECOND READING: June 13, 2005  
PUBLIC HEARING: June 20, 2005  
THIRD READING: June 20, 2005

MEMBERS OF COUNTY COUNCIL

*Phillip Farley*

PHILLIP FARLEY Voting yes

*Dennis L. Fish*

DENNIS L. FISH Voting yes

*Judith K. Spooner*

JUDITH K. SPOONER Voting \_\_\_\_\_

*Excused 6-20-05*

JUDY C. MIMS Voting \_\_\_\_\_

*William E. Crosby*

WILLIAM E. CROSBY Voting yes

*Caldwell Pinckney, Jr.*

CALDWELL PINCKNEY, JR. Voting yes

*Charles E. Davis*

CHARLES E. DAVIS Voting yes

*Steve C. Davis*

STEVE C. DAVIS Voting yes

**PROVIDING FOR THE TRANSFER OF FUNDS APPROPRIATED IN  
THE 2004-2005 BUDGET FOR BERKELEY COUNTY FOR COUNTY  
PURPOSES OTHER THAN AS SPECIFIED IN SAID BUDGET**

WHEREAS, Section 4-9-140 of the 1976 South Carolina Code of Laws, as amended, provides in part that upon approval of Council, funds appropriated in the annual budget may be transferred for purposes other than as specified in such budget, and to provide for expenditure of additional funds which have become available; and

WHEREAS, the need has arisen which necessitates a transfer of funds appropriated in the annual budget for Berkeley County for other purposes;

**NOW, THEREFORE, BE IT RESOLVED:**

**SECTION ONE**

There is hereby transferred from budget line items designated in the 2004-2005 Berkeley County Budget the sum of **FIVE THOUSAND THREE HUNDRED AND NO/100 (\$5,300.00)** as set forth in Exhibit "A" attached hereto and made a part hereof by this reference.

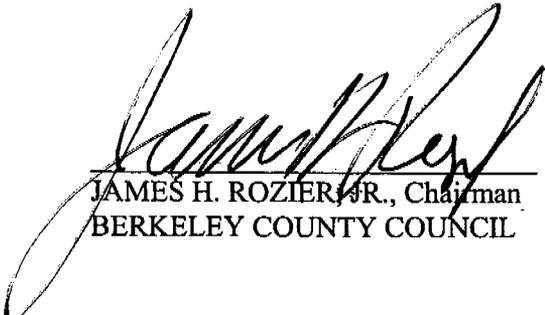
**SECTION TWO**

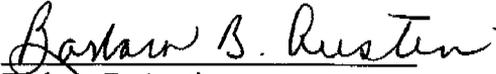
Allocations to budget line items as designated in the 2004-2005 Berkeley County Budget and as set forth in Exhibit "A" and Exhibit "B" attached hereto and made a part hereof by this reference, are approved herein.

**ADOPTED** this 20th day of June A. D. 2005.

(SEAL)

ATTEST:

  
\_\_\_\_\_  
JAMES H. ROZIER, JR., Chairman  
BERKELEY COUNTY COUNCIL

  
\_\_\_\_\_  
Barbara B. Austin  
Clerk of County Council

MEMBERS OF COUNTY COUNCIL

Phillip Farley

PHILLIP FARLEY Voting yes

Dennis L. Fish

DENNIS L. FISH Voting yes

Judith K. Spooner

JUDITH K. SPOONER Voting yes

excused 6-20-95

JUDY C. MIMS Voting \_\_\_\_\_

William E. Crosby

WILLIAM E. CROSBY Voting yes

Caldwell Pinckney, Jr.

CALDWELL PINCKNEY, JR. Voting yes

Charles E. Davis

CHARLES E. DAVIS Voting yes

Steve C. Davis

STEVE C. DAVIS Voting yes

**TRANSFER FROM:**

47010	Contingency Fund (6106-Vehicles)	\$5,300	
	44104 Emergency Medical Services		\$5,300

**TOTAL TRANSFERRED FROM:** **\$5,300**

**TRANSFER TO:**

44104	Emergency Medical Services		
	6106 Vehicles	\$5,300	
Total to Emergency Medical Services			\$5,300

**TOTAL TRANSFERRED TO:** **\$5,300**

**TRANSFER FROM:**

47010	Contingency Fund (6104-Capital Outlay-Equipment)	\$5,545	*
	43101 Maintenance Garage		*
			\$5,545

47010	Contingency Fund (5552-Fuel for Resale)	\$15,000	*
	47001 Airport Operations		*
			\$15,000

<b>TOTAL TRANSFERRED FROM:</b>		<b>\$20,545</b>	
--------------------------------	--	-----------------	--

**TRANSFER TO:**

43101	Maintenance Garage		
	6104 Capital Outlay-Equipment	\$5,545	*
	Total to Maintenance Garage		*
			\$5,545

47001	Airport Operations		
	5552 Fuel for Resale	\$15,000	*
	Total to Airport Operations		*
			\$15,000

<b>TOTAL TRANSFERRED TO:</b>		<b>\$20,545</b>	
------------------------------	--	-----------------	--

\* Note: County Council approved the above items to be retained in Contingency until actually needed in the line items and department. The actual amounts transferred are not to exceed the amounts indicated above.

AFFIDAVIT  
OF  
PUBLICATION

# The Post and Courier

State of South Carolina

County of Charleston

Personally appeared before me  
the undersigned advertising Clerk of the  
above indicated newspaper published  
in the City of Charleston, County and  
State aforesaid, who, being duly sworn,  
says that the advertisement of

(copy attached)

appeared in the issues of said newspaper

on the following day(s): \_\_\_\_\_

May 26, 2005

Subscribed and sworn to  
before me this 31<sup>st</sup> day

of May

A.D. 20 05

*Heather E. King*  
(Advertising clerk)

*Shelley D. Duhon*  
NOTARY PUBLIC, SC

My Commission expires October 10, 2013

AFFIDAVIT  
OF  
PUBLICATION

# The Post and Courier

State of South Carolina

County of Charleston

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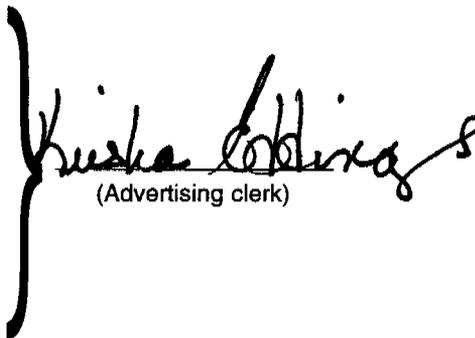
on the following day(s): \_\_\_\_\_

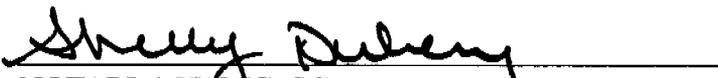
June 2, 2005

Subscribed and sworn to  
before me this 6<sup>th</sup> day

of June

A.D. 20 05

  
(Advertising clerk)



NOTARY PUBLIC, SC

My Commission expires October 10, 2013

# NOTICE OF PUBLIC HEARINGS

BERKELEY COUNTY COUNCIL will hold **Public Hearings** on **Monday, June 20, 2005, at 6:00 P. M.**, or as soon thereafter as may be heard following other public hearings, following the meeting of the Committee on Finance, in the Assembly Room, Berkeley County Office Building, 223 No. Live Oak Drive, Moncks Corner, S. C., to receive public comment, written or oral, regarding:

## ZONING AND OTHER MATTERS

1. **Bill No. 05-25**, an ordinance to provide for **noise control** in the unincorporated areas of Berkeley County; to provide for penalties thereof; and to repeal Ordinance No. 93-4-4 in its entirety.
2. **Bill No. 05-26**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina. Re: **Earthsource Engineering**, Clements Ferry Road, Charleston, TMS #271-00-02-029, (58.1 acres), from **GC, General Commercial District** and **F-1, Agricultural**, to **GC General Commercial District** and **R-4, Multi-Family Residential (Large Scale)**, Council District No. 8
3. **Bill No. 05-27**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina. Re: **Elizabeth Davis**, Hwy 45, Pineville-Russellville, TMS #013-00-02-046, (3 acres portion of 10 acres), from **F-1, Agricultural**, to **RNC, Rural and Neighborhood Commercial District**. Council District No. 7
4. **Bill No. 05-28**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina. Re: **Sam Simmons, Jr.**, 214 Sam Hill Drive, Cross, TMS #029-00-02-063, (1 acre), from **GC, General Commercial** to **F-1, Agricultural**. Council District No. 7.
5. **Bill No. 05-29**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina. Re: **Lindbergh and Associates**, Cypress Gardens and HWY 52, Moncks Corner, TMS #197-00-01-017, (6 acre portion of 10 acre total), from **HI Heavy Industrial** to **GC, General Commercial**. Council District No. 3.
6. **Bill No. 05-30**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina. Re: **Sybil Thornhill**, 1064 Edgewater Road, Pineville, TMS #022-00-01-002 (7.76 acres) from **F-1, Agricultural District** to **R-3, Mobile Home Park District**. Council District No. 7.
7. **Bill No. 05-31**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina. Re: **Black Oak, LLC**, Pauline and Barn Roads, Bonneau, TMS #057-00-02-047 (128.29 acres), from **F-1, Agricultural** to **R-2 Manufactured Residential District**. Council District No. 8.
8. **Bill No. 05-32**, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina. Re: **Oakley Ventures, LLC**, Highway 52, Moncks Corner, TMS #181-00-02-102 (138.562 acres) from **R-3, Mobile Home Park** to **R-1, Single Family Residential**. Council District No. 8.
9. **Bill No. 05-33**, an ordinance providing for the establishment of **vested rights** to develop property in Berkeley County.
10. **Bill No. 05-34**, an ordinance to amend the **Berkeley County Comprehensive Plan**, Ordinance No. 99-4-18, as amended by Ordinance No. 04-08-48, pursuant to South Carolina Code of Laws Section 6-29-510 (1976, as amended).

## SPECIAL TAX DISTRICT BUDGETS

11. **Bill No. 05-36**, an ordinance providing for the fiscal year beginning **July 1, 2005, and ending June 30, 2006**, for the **Devon Forest Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Devon Forest Special Tax District during the fiscal year.
12. **Bill No. 05-37**, an ordinance providing for the fiscal year beginning **July 1, 2005, and ending June 30, 2006**, for the **Pimlico Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Pimlico Special Tax District during the fiscal year.
13. **Bill No. 05-38**, an ordinance providing for the fiscal year beginning **July 1, 2005, and ending June 30, 2006**, for the **Sangaree Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Sangaree Special Tax District during the fiscal year.
14. **Bill No. 05-39**, an ordinance providing for the fiscal year beginning **July 1, 2005, and ending June 30, 2006**, for the **Tall Pines Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Tall Pines Special Tax District during the fiscal year.
15. **Bill No. 05-40**, an ordinance 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; and to provide for the expenditures of the revenues received by the Special Fire Tax District during the fiscal year.

May 24, 2005

Barbara B. Austin, CCC  
Clerk of County Council

02-98197

AFFIDAVIT  
OF  
PUBLICATION

# The Post and Courier

State of South Carolina

County of Charleston

Personally appeared before me  
the undersigned advertising Clerk of the  
above indicated newspaper published  
in the City of Charleston, County and  
State aforesaid, who, being duly sworn,  
says that the advertisement of

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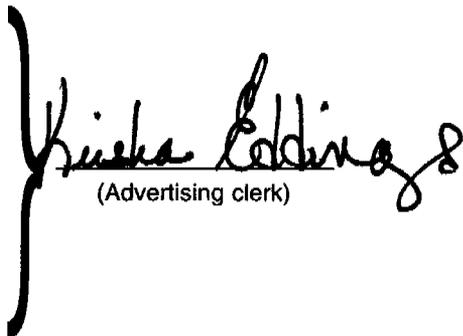
on the following day(s): \_\_\_\_\_

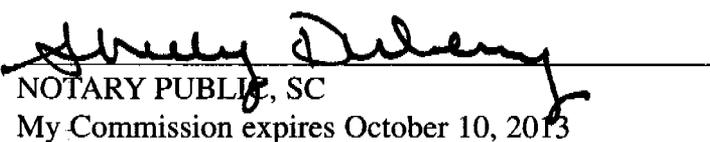
June 2, 2005

Subscribed and sworn to  
before me this 6<sup>th</sup> day

of June

A.D. 20 05

  
(Advertising clerk)

  
NOTARY PUBLIC, SC  
My Commission expires October 10, 2013

# PUBLIC NOTICE

Notice is given that the Berkeley County Council will hold a public hearing on June 20, 2005, at 6:00 p.m., on Bill No. 05-35, Berkeley County Water and Sanitation Authority's Budget Ordinance for the fiscal year 2005-2006 operating budget. As required by Section 6-1-80, Code of Laws of South Carolina, 1976, as amended, the public is advised of the following:

1. The budget of the Berkeley County Water and Sanitation Authority, including the Water and Sewer Departments, and the Solid Waste Fund for the current fiscal year is \$31,952,336 for revenues and \$31,952,336 for disbursements.
2. The proposed budget of the Berkeley County Water and Sanitation Authority including the Water and Sewer Departments and the Solid Waste Fund for Fiscal Year ending June 30, 2006 is \$ 34,363,659 for revenues and \$34,363,659 for disbursements.
3. The proposed fiscal year 2006 operating budget of the Berkeley County Water and Sanitation Authority is increased \$2,411,323 or 7.5%.
4. The current and proposed rates and service charges for the Berkeley County Water and Sanitation Authority are as follows:

<b>WATER:</b>	Current FY 04-05	Proposed FY 05-06
Minimum charge (1st 2000 gallons)	\$ 12.88	\$ 12.88
Next 1000 gallons or part thereof	3.23	3.23
Next 1000 gallons or part thereof	3.23	3.23
Next 1000 gallons or part thereof	2.00	2.00
Next 1000 gallons or part thereof	2.13	2.13
Next 1000 gallons or part thereof	2.27	2.27
Next 1000 gallons or part thereof	2.41	2.41
Every 1000 gallons thereafter	2.58	2.58
Over 100,000 gallons per day	by contract	by contract
Impact fee (per 300 gallons flow)	\$ 475.00	\$ 475.00
Capacity Reservation Fee	800.00	1,128.00
Origin Fee (non-refundable)	20.00	20.00
Reconnect Fee (if service is disconnected)	40.00	40.00

<b>SEWER:</b>	Current FY 04-05	Proposed FY 05-06
Residential	\$33.60/month	\$33.60/month
Commercial (water meter) reading per 1000 gallons over 6500 gallons)	4.31	4.31
Commercial (sewer flow meter) per 1000 gallons over 5500 gallons	5.09	5.09
Over 100,000 gallons per day	by contract	by contract
Impact fee (per 300 gallons flow)	1250.00	1250.00
Capacity Reservation Fee	750.00	1,607.00
Origin Fee (non-refundable)	20.00	20.00
Reconnect fee (if service is disconnected)	40.00	40.00
Reconnect fee (for plugged sewer)	100.00	100.00
Septage (Per 100 Gallons Flow)	10.00	10.00

<b>SOLID WASTE:</b>	Current FY 04-05	Proposed FY 05-06
Tipping Fee per ton (MWS )	50.00	50.00
Single Family	75.00	75.00
Multi-Family	60.00	60.00
Small nonresidential generator	75.00	75.00
Commercial Cubic yard/week	130.00	130.00
Tipping Fee per ton C&D	19.00	19.00
Tipping Fee per ton land clearing debris	19.00	19.00
Tipping Fee per ton roofing materials	19.00	19.00

AFFIDAVIT  
OF  
PUBLICATION

# The Post and Courier

State of South Carolina

County of Charleston

Personally appeared before me  
the undersigned advertising Clerk of the  
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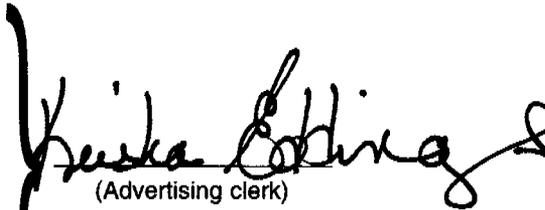
on the following day(s): \_\_\_\_\_

June 2, 2005

Subscribed and sworn to  
before me this 6<sup>th</sup> day

of June

A.D. 20 05

  
(Advertising clerk)

  
NOTARY PUBLIC, SC  
My Commission expires October 10, 2013

## NOTICE OF PUBLIC HEARINGS

BERKELEY COUNTY COUNCIL will hold a **Public Hearing** on **Monday, June 20, 2005**, at **6:00 P.M.**, or as soon thereafter as may be heard following other Public Hearings, immediately following the meeting of the **Committee on Finance**, in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, S.C., on **Bill No. 05-41**, the County of Berkeley's Budget Ordinance for the fiscal year 2003-2004.

As required by Section 6-1-80, Code of Laws of South Carolina, 1976, as amended, the public is advised of the following:

1. The budget for the current operating fiscal year is \$41,835,542 for revenues and \$41,835,542 for expenditures.
2. The proposed budget for the fiscal year 2005-2006 is \$41,473,249 for revenues and \$45,473,249 for expenditures.
3. The proposed percentage change in the estimated operating budgets between the current fiscal year and the proposed for next fiscal year is 11.1 percent.
3. Ad valorem property taxes in the amount of 54.0 mills were levied in the current fiscal year. This consists of 49.5 mills for operations, 4.5 mills for bonded indebtedness. Additionally 4.0 mills were levied on behalf Trident Technical College.
3. The County of Berkeley estimates 52.0 mills will be required for the fiscal year 2005-2006 budget. The estimated breakdown will be 47.0 mills for operations, 5.0 mills for bonded indebtedness. Additionally, 4.0 mills are estimated on behalf of Trident Technical College.

Public comments, written or oral, are invited.

May 24, 2005

Barbara B. Austin, CCC  
Clerk of County Council

AFFIDAVIT  
OF  
PUBLICATION

# The Post and Courier

State of South Carolina

County of Charleston

Personally appeared before me  
the undersigned advertising Clerk of the  
above indicated newspaper published  
in the City of Charleston, County and  
State aforesaid, who, being duly sworn,  
says that the advertisement of

(copy attached)

appeared in the issues of said newspaper

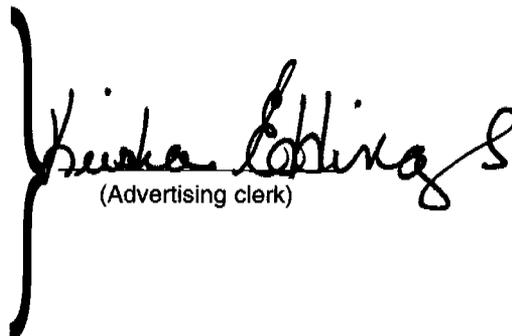
on the following day(s): \_\_\_\_\_

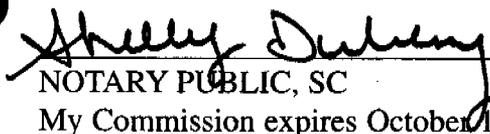
June 2, 2005

Subscribed and sworn to  
before me this 6<sup>th</sup> day

of June

A.D. 2005

  
(Advertising clerk)

  
NOTARY PUBLIC, SC  
My Commission expires October 10, 2013

# NOTICE OF PUBLIC HEARINGS

**BERKELEY COUNTY COUNCIL** will hold **Public Hearings** on **Monday June 20, 2005, at 6:00 P. M.**, or as soon thereafter as may be heard following other public hearings, following the meeting of the Committee on Finance, in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, S.C., to receive public comment, written or oral, regarding:

1. **Bill No. 05-52, an ordinance amending Ordinance No. 99-7-41,** implementing the most recent version of **various International Codes** relating to building, residential, gas, plumbing, mechanical, and fire standards, and adopting certain provisions and appendices of said codes.

May 26, 2005

Barbara B. Austin, CCC  
Clerk of County Council

BERKELEY CO COUNCIL  
P.O. Box 6122  
Moncks Corner SC 29461

Number of Copies: 1

## AFFIDAVIT OF PUBLICATION

# The Post and Courier

State of South Carolina

County of Charleston

Personally appeared before me the undersigned advertising  
Clerk of the above indicated newspaper published in the  
City of Charleston, County and State aforesaid, who, being  
by sworn, says that the advertisement of

(Copy attached)

appeared in the issues of said newspaper on the following  
day(s):

06/05/2005

at a cost of \$ 352.50

Account# C0060820

Order# C220V187

P.O. Number: operating

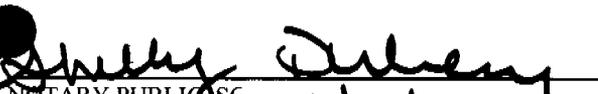
Subscribed and sworn to before

me this 7<sup>th</sup> day

of June

A.D. 2005

  
Keisha Robinson  
Advertising Clerk

  
NOTARY PUBLIC SC  
My Commission expires 10/10/13