

September 9, 2014  
Charleston, SC

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

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

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

Chairman Pryor asked for a moment of silence in memory of Deputy Joe Matuskovic and Radio Communications Manager Larry Britton. Rev. Gary McJunkin gave the invocation. Deputy Administrator for Human Services Jennifer Miller led in the pledge to the flag.

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

Ms. Condon moved approval of the minutes of August 26, 2014, seconded by Mr. Sass, and carried.

A report was read from the Finance Committee under date of September 4, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Council Member Joe Qualey regarding a resolution urging the South Carolina Congressional Delegation to support the funding of the City of Folly Beach's Storm Protection Project. It was stated that in September of 1992, the Assistant Secretary of the Army entered into an agreement with the City of Folly Beach to fund 85 percent of renourishment projects for the next 50 years because it was determined that the construction of the jetties heavily contributed to the erosion problem on Folly Beach. It was also stated that the Shore Protection Project is essential to the City of Folly Beach and Charleston County residents who use the beach.

Committee recommended that Council adopt a resolution urging the South Carolina Congressional Delegation to support the funding of the City of Folly Beach's Storm Protection Project.

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

The resolution is as follows:

**A RESOLUTION  
OF CHARLESTON COUNTY COUNCIL**

**Folly Beach  
Storm  
Protection Plan  
Resolution**

**Request to  
Adopt**

September 9, 2014

*URGING THE SOUTH CAROLINA CONGRESSIONAL DELEGATION TO SUPPORT  
THE FUNDING OF THE CITY OF FOLLY BEACH'S STORM PROTECTION PROJECT*

**WHEREAS**, in September of 1992, the Assistant Secretary of the Army entered into an agreement with the City of Folly Beach to fund 85 percent of renourishment projects for the next 50 years; and,

**WHEREAS**, this agreement was entered into by the Federal government because research determined that the Charleston jetties built by the Corps of Engineers is a major direct cause of Folly Beach's erosion problems; and,

**WHEREAS**, renourishment is estimated to be needed every six to eight years, at a cost of \$35 million, with Folly Beach paying at least \$5 million as a part of their local cost share; and,

**WHEREAS**, there are also other costs to renourishment including maintenance and annual monitoring; and,

**WHEREAS**, the Shore Protection Project is essential to the City of Folly Beach and Charleston County residents who use the beach.

**NOW, THEREFORE BE IT RESOLVED, BY CHARLESTON COUNTY COUNCIL**, that it fully supports the Folly Beach Storm Protection Project and urges the South Carolina Congressional Delegation to support the project.

CHARLESTON COUNTY COUNCIL

Teddie E. Pryor, Chairman  
September 9, 2014

ATTEST:

Beverly T. Craven, Clerk

An ordinance regarding financial incentives extended to Torqtek Design and Manufacturing, LLC, was given third reading by title only.

AN ORDINANCE

**AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF TAX AGREEMENT BY AND BETWEEN CHARLESTON COUNTY AND TORQTEK DESIGN AND MANUFACTURING, LLC, WHEREBY CHARLESTON COUNTY WILL ENTER INTO A FEE-IN-LIEU OF TAXES ARRANGEMENT WITH TORQTEK DESIGN AND MANUFACTURING, LLC; PROVIDING FOR PAYMENT BY TORQTEK DESIGN AND MANUFACTURING, LLC OF CERTAIN FEES IN LIEU OF AD VALOREM TAXES;**

Torqtek  
Financial  
Incentives

Ordinance 3<sup>rd</sup>  
Reading

**PROVIDING FOR CERTAIN SPECIAL SOURCE REVENUE OR INFRASTRUCTURE CREDITS PROVIDING FOR THE ALLOCATION OF FEE-IN-LIEU OF TAXES PAID BY TORQTEK DESIGN AND MANUFACTURING, LLC, UNDER THE AGREEMENT FOR ESTABLISHMENT OF MULTICOUNTY INDUSTRIAL BUSINESS PARK AND OTHER MATTERS RELATING THERETO.**

WHEREAS, Charleston County, South Carolina (the "County"), acting by and through its County Council (the "County Council") is authorised and empowered under and pursuant to the provisions of Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as amended (the "FILOT Act"), to designate real and tangible personal property as "economic development property" and to enter into an arrangement which provides for payment in lieu of taxes ("Negotiated FILOT Payments") for a project qualifying under the FILOT Act; and

WHEREAS, the County, acting by and through the County Council, is further authorised and empowered under and pursuant to the provisions of Title 4, Chapter 1 of the Code of Laws of South Carolina 1976, as amended (the "MCIP Act"), to provide for payments in lieu of taxes ("PILOT Payments") with respect to property located in a multi-county business or industrial park created under the MCIP Act and to create, in conjunction with one or more other counties, a multi-county park in order to afford certain enhanced tax credits to such investors; and

WHEREAS, Torqtek Design and Manufacturing, LLC, a Delaware limited liability company (the "Company"), intends to expand and upgrade its existing timing gears production facilities in Charleston County and to introduce new product lines for the manufacturing of other components for the automotive and related industries (such expansion is herein referred to as the "Project"); the Project is to be located at 4500 Leeds Avenue, North Charleston, in Charleston County (the "Project Site"); and

WHEREAS, the Project when completed will represent an anticipated "investment" (as defined in the FILOT Act) (the "Investment") by the Company in the aggregate of approximately \$12,000,000 in new machinery and equipment to be located at the Project Site in addition to its prior investment at the Project Site in the amount of approximately \$30-35 million; and

WHEREAS, the County has been advised that upon the completion of the Project, the Project will create employment for approximately 50 full-time employees in addition to the Company's current 138 employees at the Project Site; and

WHEREAS, the County, with the consent of the City of North Charleston, has previously authorized the inclusion of the Project Site within a multi-county industrial and business park pursuant to the MCIP Act; and

WHEREAS, the Project is located entirely within Charleston County and will be included in and subject to the multi-county park and fee-in-lieu of tax arrangements as described herein; and

WHEREAS, the County has made specific proposals, including proposals to offer certain economic development incentives set forth herein, for the purpose of inducing the Company to invest its funds to acquire and expand the Project (the "Incentives"); and

WHEREAS, it is in the public interest, for the public benefit, and in furtherance of the public purposes of the FILOT Act and the MCIP Act that the County Council provide final approval for qualifying the Project under the FILOT Act and to provide special source revenue or infrastructure credits pursuant to Section 4-1-175 of the Code for the Incentives;

NOW, THEREFORE, BE IT ORDAINED by the County Council as follows:

Section 1. Evaluation of the Project. County Council have evaluated the Project on the following criteria based upon the advice and assistance of the South Carolina Department of Revenue and the Board of Economic Advisors:

- (a) the purposes to be accomplished by the Project are proper governmental and public purposes;
  - (b) the anticipated dollar amount and nature of the investment to be made;
- and
- (c) the anticipated costs and benefits to the County.

Section 2. Findings by County Council. Based upon information provided by and representations of the Company, County Council's investigation of the Project, including the criteria described in Section 1 above, and the advice and assistance of the South Carolina Department of Revenue and the Board of Economic Advisors, as necessary, County Council hereby find that:

- (a) the Project constitutes a "project" as that term is defined in the FILOT Act;
- (b) the Project will serve the purposes of the FILOT Act;
- (c) the Investment by the Company in the Project is anticipated to be approximately \$12,000,000, all to be invested within the "investment period" (as defined in the FILOT Act); and the Company will, upon the completion of the Project, employ an additional approximately 50 full-time employees, in addition to the current 138 employees, at the Company's existing facility in Charleston County as is provided in the Fee-in-Lieu of Tax Agreement (the "FILOT Agreement") between the County, and the Company;
- (d) the Project will be located entirely within Charleston County and within the incorporated limits of the City of North Charleston;

- (e) the Project is anticipated to benefit the general public welfare of Charleston County and the City of North Charleston by providing services, employment, recreation, or other public benefits not otherwise adequately provided locally;
- (f) the Project gives rise to neither a pecuniary liability of the County or the City of North Charleston, nor a charge against either public body's general credit or taxing power;
- (g) the purposes to be accomplished by the Project are proper governmental and public purposes;
- (h) the inducement of the location of the Project is of paramount importance; and
- (i) the benefits of the Project to the public are greater than the cost to the public.

Section 3. Fee-in-Lieu of Taxes Arrangement. Pursuant to the authority of the FILOT Act, the Project is designated as "economic development property" under the FILOT Act and there is hereby authorized a fee-in-lieu of taxes arrangement with the Company which will provide Negotiated FILOT Payments to be made with respect to the Project based upon a 6% assessment ratio with the millage rate which is the lower of (a) the cumulative property tax millage rate levied on behalf of all taxing entities within which the Project is located on June 30 of the year preceding the calendar year in which the FILOT Agreement is executed or (b) the cumulative property tax millage rate levied on behalf of all taxing entities within which the Project is located on June 30 of the calendar year in which the FILOT Agreement is executed, such rate to be fixed for the entire 20-year term of the fee-in-lieu of taxes, all as more fully set forth in the FILOT Agreement.

Section 4. Multi-County Park Incentive.

- (A) By separate ordinance of the County Council, the County has previously designated the Project Site as a multi-county business park pursuant to Article VIII, Section 13 of the South Carolina Constitution, the MCIP Act, and the terms of the Agreement for the Establishment of a Multi-County Industrial/Business Park.
- (B) The County will provide for three years that the annual allocation of the PILOT Payments generated by the Project within the boundaries of the Multi-County Park (the "MCP FILOT") will be distributed (after distribution of a portion of the PILOT Payments to the partner county in accordance with the MCIP Agreement) as follows:
  - (i) To the County, for providing the SSRCS (as defined in Section 5 hereof), an amount equal to the annual SSRC provided in Section 5 of this Ordinance and in the FILOT Agreement; and

- (ii) Except as may otherwise be provided by ordinance of the County Council from time to time, the balance of the MCP FILOT to the County and the other overlapping taxing entities, in the same relative percentages as the relative millage rates imposed by such taxing entities for the applicable tax year.

Section 5. Special Source Revenue Credits.

- (A) After the identification of qualifying public infrastructure located solely within Charleston County and the costs thereof to the satisfaction of the County, the County will provide to the Company an infrastructure or special source revenue incentive (the "SSRC") in the amount equal to 36% of each of the first three annual Negotiated FILOT Payments made with respect to the Project; provided, however, that the cumulative amount of such SSRC shall not exceed \$100,000.
- (B) The documents providing for the SSRC shall include customary terms providing: (i) for the recovery by the County, on a pro rata basis, of certain moneys if certain thresholds are not achieved (a "clawback" provision); (ii) that the Company will pay the County's administrative expenses associated with the approval and administration of the SSRC; (iii) that under certain terms and conditions, the County will have access to certain information of the Company; and (iv) that the Company will indemnify and hold the County harmless for claims, losses, and damages with respect to the Project.

Section 6. Execution of the Fee Agreement. The form, terms, and provisions of the FILOT Agreement presented to this meeting and filed with the Clerk of the County Council be and hereby are approved, and all of the terms, provisions, and conditions thereof are hereby incorporated herein by reference as if such FILOT Agreement were set out in this Ordinance in its entirety. The Chairman of the County Council and the Clerk of the County Council be and they are hereby authorised and directed to execute and deliver the FILOT Agreement in the name and on behalf of the County, and thereupon to cause the FILOT Agreement to be delivered to the Company. The FILOT Agreement is to be in substantially the form now before this meeting of County Council at which this Ordinance received third reading and hereby approved, or with any changes therein as shall not materially adversely affect the rights of the County thereunder, upon the advice of legal counsel, by the officials of the County executing the same, their execution thereof to constitute conclusive evidence of their approval of all changes therein from the form of FILOT Agreement now before this meeting.

Section 7. Miscellaneous.

- (a) The Chairman and all other appropriate officials of the County are hereby authorised to execute, deliver, and receive any other agreements and documents as may be required by the County in order to carry out, give effect to, and consummate the transactions authorised by this Ordinance.

(b) This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina.

(c) This Ordinance shall become effective immediately upon approval following third reading by the County Council.

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

(e) All ordinances, resolutions, and parts thereof in conflict herewith are, to the extent of the conflict, hereby repealed.

CHARLESTON COUNTY COUNCIL

Teddie E. Pryor, Chairman,

ATTEST:

Beverly T. Craven  
Clerk to County Council

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

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

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

An ordinance amending the Multi-County Park Ordinance Amendments was given third reading by title only.

**Multi-County  
Park  
Amendments**

**Ordinance  
3<sup>RD</sup> Reading**

AN ORDINANCE TO FURTHER AMEND THE AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK, BY AND BETWEEN CHARLESTON COUNTY, SOUTH CAROLINA AND COLLETON COUNTY, SOUTH CAROLINA, PROVIDING FOR THE DEVELOPMENT OF A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK, SO AS TO INCLUDE ADDITIONAL PROPERTY IN CHARLESTON COUNTY AS PART OF THE JOINT COUNTY INDUSTRIAL PARK.

WHEREAS, Charleston County, South Carolina (the "County") and Colleton County, South Carolina (jointly the "Counties") are authorized under Article VIII, Section 13 of the South Carolina Constitution to jointly develop an industrial or business park within the geographical boundaries of one or more of the member Counties; and

WHEREAS, in order to promote the economic welfare of the citizens of the Counties by providing employment and other benefits to the citizens of the Counties, the Counties entered into an Agreement for Development for a Joint County Industrial Park effective as of September 1, 1995 (the "Original Agreement"), to develop jointly an industrial and business park (the "Park"), as provided by Article VIII, Section 13 of the South Carolina Constitution and in accordance with Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended, (the "Act"); and

WHEREAS, the Original Agreement was initially approved by Charleston County Council Ordinance 972, adopted September 19, 1995; was further amended from time-to-time to add or remove property to the Park; and, in particular, was substantively amended by that First Modification to Agreement for Development for Joint County Industrial Park, effective December 31, 2006 (the "First Modification"), which First Modification was approved by Charleston County Council Ordinance 1475, adopted December 5, 2006; and by Colleton County Council Ordinance 06-R-20 adopted January 2, 2007; and

WHEREAS, the Original Agreement, as amended, is referred to herein as the "Agreement," and

WHEREAS, the Agreement contemplates the inclusion and removal of additional parcels within the Park from time to time; and

WHEREAS, the Counties desire to amend the Agreement to include certain additional parcels in order to fulfil commitments made to companies which are considering expansion or location decisions; and

WHEREAS, the Counties have determined that certain modifications of the Agreement are desirable, and the Counties desire to amend the Agreement to evidence such modifications;

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

SECTION 1. The Agreement is hereby amended so as to expand the Park premises located within Charleston County. Attached hereto as **Exhibit A** is the property description of the parcels to be added to the Park premises within Charleston County.

SECTION 2. All resolutions, ordinances, or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 3. This amendment to the Agreement shall become effective on the date of the later of (i) enactment of this Ordinance by the Charleston County Council,



after third and final reading and public hearing, (ii) adoption of a resolution by Colleton County Council approving expanding the Park premises to add the property described in **Exhibit A**, and (iii) adoption of a resolution by North Charleston City Council consenting to the inclusion in the Park premises of the property described in **Exhibit A**. The North Charleston City Council and Colleton County Council have been requested to give their respective approvals to this amendment by resolution.

SECTION 4. Attached hereto is the Second Modification to Agreement for Development for Joint County Industrial Park (the "Second Modification"). The Chairman of the County Council is authorised to execute the Second Modification on behalf of the County and, after such execution on behalf of Colleton County, the Second Modification shall become effective on the date set forth in the Second Modification.

SECTION 5. Should any part of this ordinance be determined by a court of competent jurisdiction to be invalid, illegal, or against public policy, said offending section shall be void and of no effect and shall not render any other section herein, nor this ordinance as a whole, invalid. Any terms which, by their nature, should survive the suspension, termination, or expiration hereof shall be deemed to survive.

CHARLESTON COUNTY COUNCIL

Teddie E. Pryor, Chairman

ATTEST:

Beverly T. Craven, Clerk  
Charleston County Council

**EXHIBIT A**

PROPERTY DESCRIPTION  
CHARLESTON COUNTY ADDITIONAL PARCELS

PROPERTY DESCRIPTION FOR EACH PARCEL ADDED TO THE PARK BY THIS AMENDMENT AND INITIAL TAX YEAR (FOR TAXES WHICH WILL BE LEVIED ON PROPERTY OWNED ON DECEMBER 31 OF THE PRIOR CALENDAR YEAR).

Parcels to be Added

Property Description

The Boeing Company

See Schedule 1

400-00-00-032  
400-00-00-007 Already in MCP  
400-00-00-012 Abandoned – Absorbed into 400-00-00-007  
400-00-00-013 Abandoned – Absorbed into 400-00-00-007  
400-00-00-014 Abandoned – Absorbed into 400-00-00-007  
400-00-00-015 Abandoned – Absorbed into 400-00-00-007  
400-00-00-016 Abandoned – Absorbed into 400-00-00-007  
400-00-00-203

400-00-00-204  
400-00-00-205 SCRA Site – Old Parcel# 400-00-00-020  
409-00-00-007  
408-00-00-002  
408-00-00-005  
408-00-00-004  
408-00-00-003  
408-00-00-006  
408-00-00-042  
408-00-00-055  
393-00-00-066 Already in MCP  
393-00-00-068 Already in MCP  
393-00-00-069 Already in MCP  
  
393-00-00-100 KST Holdings  
400-00-00-021 SCRA Building  
502-09-00-003 Kinder Morgan  
502-09-00-004 Kinder Morgan  
395-00-00-003 Millard Refrig.

**SCHEDULE 1**

**PROPERTY DESCRIPTIONS**

**MAIN SITE LEASE AREA:**

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND, SITUATE, LYING AND BEING IN THE STATE OF SOUTH CAROLINA, COUNTY OF CHARLESTON AND IN THE CITY OF NORTH CHARLESTON, BEING SHOWN ON A DRAWING ENTITLED: "OVERALL LEASE EXHIBIT PREPARED FOR BOEING COMMERCIAL AIRPLANES CHARLESTON SOUTH CAROLINA, INC.", PREPARED BY HGBD SURVEYORS, LLC, DATED JULY 7, 2010, LAST REVISED NOVEMBER 3, 2010; SAID PROPERTY HAVING THE FOLLOWING METES AND BOUNDS TO WIT:

BEGINNING AT THE INTERSECTION OF THE WESTERN RIGHT-OF-WAY LINE OF THE NEW SOUTH AVIATION AVENUE RIGHT-OF-WAY AND THE NORTHERN RIGHT-OF-WAY LINE OF INTERNATIONAL BOULEVARD, THENCE TURNING AND RUNNING ALONG THE NORTHERN RIGHT-OF-WAY LINE OF INTERNATIONAL BOULEVARD FOR THE FOLLOWING COURSES AND DISTANCES: NORTH 86°06'15" WEST FOR A DISTANCE OF 267.92' TO A POINT; ALONG THE ARC OF A CURVE FOR A DISTANCE OF 179.26', SAID ARC OR CURVE HAVING A RADIUS OF 1,318.00', THE CHORD OF SAID ARC OR CURVE RUNNING NORTH 82°12'28" WEST FOR A DISTANCE OF 179.12' TO A POINT; THENCE TURNING AND RUNNING ALONG PROPERTY OF CHARLESTON COUNTY AIRPORT DISTRICT FOR THE FOLLOWING COURSES AND DISTANCES: NORTH 23°49'24" EAST FOR A DISTANCE OF 776.66' TO A POINT; THENCE NORTH 23°48'50" EAST FOR A DISTANCE OF 164.99' TO A POINT; THENCE NORTH 66°10'58" WEST FOR A

DISTANCE OF 692.33' TO A POINT; THENCE SOUTH 23°46'52" WEST FOR A DISTANCE OF 165.04' TO A POINT; THENCE NORTH 66°09'27" WEST FOR A DISTANCE OF 371.25' TO A POINT; THENCE SOUTH 28°52'38" WEST FOR A DISTANCE OF 806.02' TO A POINT; THENCE TURNING AND RUNNING ALONG THE NORTHERN AND EASTERN RIGHT-OF-WAY LINES OF INTERNATIONAL BOULEVARD FOR THE FOLLOWING COURSES AND DISTANCES: NORTH 66°06'41" WEST FOR A DISTANCE OF 209.91' TO A POINT; THENCE ALONG THE ARC OF A CURVE FOR A DISTANCE OF 1,138.95', SAID ARC OR CURVE HAVING A RADIUS OF 725.00', THE CHORD OF SAID ARC OR CURVE RUNNING NORTH 21°06'22" WEST FOR A DISTANCE OF 1,025.39' TO A POINT; THENCE NORTH 23°53'56" EAST FOR A DISTANCE OF 1,877.60' TO A POINT; THENCE TURNING AND RUNNING SOUTH 65°54'39" EAST ALONG THE SOUTHERN RIGHT-OF-WAY LINE OF PORSCHE BOULEVARD FOR A DISTANCE OF 180.00' TO A POINT; THENCE TURNING AND RUNNING NORTH 23°53'56" EAST ACROSS THE RIGHT-OF-WAY OF PORSCHE BOULEVARD AND ALONG THE EASTERN RIGHT-OF-WAY LINE OF DREAMLINER DRIVE FOR A DISTANCE OF 1,478.44' TO A POINT; THENCE TURNING AND RUNNING SOUTH 85°57'38" EAST ALONG THE SOUTHERN RIGHT-OF-WAY LINE OF FUEL FARM ROAD FOR A DISTANCE OF 21.26' TO A POINT; THENCE TURNING AND RUNNING NORTH 23°53'56" EAST ALONG THE EASTERN RIGHT-OF-WAY LINE OF FUEL FARM ROAD FOR A DISTANCE OF 138.22' TO A POINT; THENCE TURNING AND RUNNING ALONG PROPERTY OF CHARLESTON COUNTY AIRPORT DISTRICT FOR THE FOLLOWING COURSES AND DISTANCES: SOUTH 85°57'38" EAST FOR A DISTANCE OF 29.11' TO A POINT; THENCE ALONG THE ARC OF A CURVE FOR A DISTANCE OF 166.77', SAID ARC OR CURVE HAVING A RADIUS OF 212.50', THE CHORD OF SAID ARC OR CURVE RUNNING SOUTH 63°28'38" EAST FOR A DISTANCE OF 162.53' TO A POINT; THENCE SOUTH 56°31'15" EAST FOR A DISTANCE OF 38.43' TO A POINT; THENCE TURNING AND RUNNING ALONG THE BOUNDARY LINE OF AN EXISTING BOEING LEASE AREA FOR THE FOLLOWING COURSES AND DISTANCES: SOUTH 56°31'15" EAST FOR A DISTANCE OF 1,692.78' TO A POINT; THENCE TURNING AND RUNNING ALONG THE BOUNDARY LINE OF DELIVERY CENTER PARCEL 1 FOR THE FOLLOWING COURSES AND DISTANCES: SOUTH 56°31'15" EAST FOR A DISTANCE OF 307.84' TO A POINT; THENCE NORTH 44°52'17" EAST FOR A DISTANCE OF 126.21' TO A POINT; THENCE TURNING AND RUNNING SOUTH 63°12'00" EAST ALONG PROPERTY OF CHARLESTON COUNTY AIRPORT DISTRICT FOR A DISTANCE OF 157.78' TO A POINT; THENCE TURNING AND RUNNING ALONG THE BOUNDARY LINE OF DELIVERY CENTER PARCEL 2 FOR THE FOLLOWING COURSES AND DISTANCES: SOUTH 44°52'17" WEST FOR A DISTANCE OF 158.35' TO A POINT; THENCE SOUTH 25°58'40" EAST FOR A DISTANCE OF 152.34' TO A POINT; THENCE TURNING AND RUNNING ALONG THE WESTERN RIGHT-OF-WAY LINE OF THE NEW SOUTH AVIATION AVENUE RIGHT-OF-WAY FOR THE FOLLOWING COURSES AND DISTANCES: ALONG THE ARC OF A CURVE FOR A DISTANCE OF 1,088.19', SAID ARC OR CURVE HAVING A RADIUS OF 4,300.00', THE CHORD OF SAID ARC OR CURVE RUNNING SOUTH 16°18'53" WEST FOR A DISTANCE OF 1,085.29' TO A POINT; THENCE SOUTH 09°03'54" WEST FOR A DISTANCE OF 851.65' TO A POINT; THENCE ALONG THE ARC OF A CURVE FOR A DISTANCE OF 851.37', SAID ARC OR CURVE HAVING A RADIUS OF 970.00', THE CHORD OF SAID

ARC OR CURVE RUNNING SOUTH 34°12'34" WEST FOR A DISTANCE OF 824.31' TO A POINT; THENCE SOUTH 59°21'13" WEST FOR A DISTANCE OF 297.99' TO A POINT; THENCE ALONG THE ARC OF A CURVE FOR A DISTANCE OF 536.79', SAID ARC OR CURVE HAVING A RADIUS OF 805.00', THE CHORD OF SAID ARC OR CURVE RUNNING SOUTH 40°15'02" WEST FOR A DISTANCE OF 526.90' TO A POINT; THENCE SOUTH 50°15'47" WEST FOR A DISTANCE OF 139.85' TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 227.068 ACRES / 9,891,087 SQUARE FEET.

LESS AND EXCEPTING THAT PARCEL DESIGNATED AS "NORTH CHARLESTON SEWER DISTRICT" (T.M.S. 400-00-00-032) AS SHOWN ON THE AFOREMENTIONED DRAWING ENTITLED: "OVERALL LEASE EXHIBIT PREPARED FOR BOEING COMMERCIAL AIRPLANES CHARLESTON SOUTH CAROLINA, INC.", PREPARED BY HGBD SURVEYORS, LLC, DATED JULY 7, 2010, LAST REVISED NOVEMBER 3, 2010; SAID PARCEL HAVING THE FOLLOWING METES AND BOUNDS TO WIT:

COMMENCING AT A POINT LOCATED AT THE INTERSECTION OF THE SOUTHERN RIGHT-OF-WAY LINE OF PORSCHE BOULEVARD AND THE EASTERN RIGHT-OF-WAY LINE OF INTERNATIONAL BOULEVARD, THENCE TURNING AND RUNNING SOUTH 65°54'39" EAST ALONG THE SOUTHERN RIGHT-OF-WAY LINE OF PORSCHE BOULEVARD FOR A DISTANCE OF 180.00' TO A POINT; THENCE TURNING AND RUNNING IN A DIRECTION OF SOUTH 84°28'47" EAST FOR A DISTANCE OF 349.77' TO A POINT, BEING THE POINT OF BEGINNING; THENCE TURNING AND RUNNING ALONG PROPERTY OF CHARLESTON COUNTY AIRPORT DISTRICT FOR THE FOLLOWING COURSES AND DISTANCES: NORTH 23°57'35" EAST FOR A DISTANCE OF 50.31' TO A POINT; THENCE SOUTH 66°00'58" EAST FOR A DISTANCE OF 50.00' TO A POINT; THENCE SOUTH 23°49'55" WEST FOR A DISTANCE OF 49.88' TO A POINT; THENCE NORTH 66°30'42" WEST FOR A DISTANCE OF 50.11' TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 0.058 ACRES / 2,507 SQUARE FEET.

TMS NOS.: 400-00-00-007

ALSO

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND, SITUATE, LYING AND BEING IN THE STATE OF SOUTH CAROLINA, COUNTY OF CHARLESTON AND IN THE CITY OF NORTH CHARLESTON, BEING SHOWN AND DESIGNATED AS "LEASE AREA – PORTION OF TRACT "B" ON A DRAWING ENTITLED: 'OVERALL LEASE EXHIBIT PREPARED FOR BOEING COMMERCIAL AIRPLANES CHARLESTON SOUTH CAROLINA, INC.", PREPARED BY HGBD SURVEYORS, LLC, DATED JULY 7, 2010, LAST REVISED AUGUST 16, 2011. SAID PROPERTY HAVING THE FOLLOWING METES AND BOUNDS, TO-WIT:

BEGINNING AT THE INTERSECTION OF THE EXISTING NORTHERN RIGHT-OF-WAY LINE OF INTERNATIONAL BOULEVARD AND THE EXISTING WESTERN

RIGHT-OF-WAY LINE OF MARK CLARK EXPRESSWAY (INTERSTATE 526), THENCE TURNING AND RUNNING NORTH 86°06'15" WEST ALONG THE NORTHERN RIGHT-OF-WAY LINE OF INTERNATIONAL BOULEVARD FOR A DISTANCE OF 890.57' TO A POINT; THENCE TURNING AND RUNNING ALONG THE EXISTING EASTERN RIGHT-OF-WAY LINE OF NEW SOUTH AVIATION AVENUE RIGHT-OF-WAY FOR THE FOLLOWING COURSES AND DISTANCES: NORTH 19°26'23" EAST FOR A DISTANCE OF 28.33' TO A POINT; THENCE ALONG THE ARC OF A CURVE FOR A DISTANCE OF 462.51', SAID ARC OR CURVE HAVING A RADIUS OF 655.00', THE CHORD OF SAID ARC OR CURVE RUNNING IN A DIRECTION OF NORTH 39°07'29" EAST FOR A DISTANCE OF 452.96' TO A POINT; THENCE NORTH 59°21'13" EAST FOR A DISTANCE OF 297.99' TO A POINT; THENCE ALONG THE ARC OF A CURVE FOR A DISTANCE OF 983.03', SAID ARC OR CURVE HAVING A RADIUS OF 1,120.00', THE CHORD OF SAID ARC OR CURVE RUNNING IN A DIRECTION OF NORTH 34°12'34" EAST FOR A DISTANCE OF 951.78' TO A POINT; THENCE NORTH 09°03'54" EAST FOR A DISTANCE OF 851.65' TO A POINT; THENCE ALONG THE ARC OF A CURVE FOR A DISTANCE OF 920.56', SAID ARC OR CURVE HAVING A RADIUS OF 4,150.00', THE CHORD OF SAID ARC OR CURVE RUNNING IN A DIRECTION OF NORTH 15°25'11" EAST FOR A DISTANCE OF 918.68' TO A POINT; THENCE TURNING AND RUNNING SOUTH 25°58'40" EAST ALONG PROPERTY OF CHARLESTON COUNTY AIRPORT DISTRICT FOR A DISTANCE OF 38.40' TO A POINT; THENCE TURNING AND RUNNING ALONG THE EXISTING WESTERN RIGHT-OF-WAY LINE OF MARK CLARK EXPRESSWAY (INTERSTATE 526) FOR THE FOLLOWING COURSES AND DISTANCES: ALONG THE ARC OF A CURVE FOR A DISTANCE OF 1,405.80', SAID ARC OR CURVE HAVING A RADIUS OF 4,472.19', THE CHORD OF SAID ARC OR CURVE RUNNING IN A DIRECTION OF SOUTH 12°43'45" WEST FOR A DISTANCE OF 1,400.02' TO A POINT; THENCE SOUTH 03°47'47" WEST FOR A DISTANCE OF 393.65' TO A POINT; THENCE SOUTH 08°03'24" WEST FOR A DISTANCE OF 142.58' TO A POINT; THENCE SOUTH 07°46'11" WEST FOR A DISTANCE OF 309.18' TO A POINT; THENCE ALONG THE ARC OF A CURVE FOR A DISTANCE OF 438.91', SAID ARC OR CURVE HAVING A RADIUS OF 3,709.71', THE CHORD OF SAID ARC OR CURVE RUNNING IN A DIRECTION OF SOUTH 11°09'10" WEST FOR A DISTANCE OF 438.66' TO A POINT; THENCE SOUTH 14°31'32" WEST FOR A DISTANCE OF 447.76' TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 14.663 ACRES/638,727 SQUARE FEET.

TAXIWAY EXTENSION:

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND, SITUATE, LYING AND BEING IN THE STATE OF SOUTH CAROLINA, COUNTY OF CHARLESTON AND IN THE CITY OF NORTH CHARLESTON, BEING SHOWN ON A DRAWING ENTITLED: "LEASE AREA EXHIBIT PREPARED FOR THE BOEING COMPANY", PREPARED BY HGBD SURVEYORS, LLC, DATED JANUARY 17, 2010, LAST REVISED FEBRUARY 10, 2010; SAID PROPERTY HAVING THE FOLLOWING METES AND BOUNDS TO WIT:

COMMENCING AT THE INTERSECTION OF THE WESTERN RIGHT-OF-WAY OF SOUTH AVIATION AVENUE AND THE NORTHERN RIGHT-OF-WAY OF AIR FRAME DRIVE, THENCE PROCEEDING ALONG THE WESTERN RIGHT-OF-WAY OF SOUTH AVIATION AVENUE FOR THE FOLLOWING COURSES AND DISTANCES: ALONG A CURVE TO THE RIGHT IN A DIRECTION OF N23°36'03"E FOR A CHORD DISTANCE OF 49.47' (SAID CURVE HAVING A RADIUS OF 5,075.00' AND AN ARC LENGTH OF 49.47') TO A POINT, THENCE IN A DIRECTION OF N23°52'49"E FOR A DISTANCE OF 565.36' TO A POINT, THENCE ALONG A CURVE TO THE RIGHT IN A DIRECTION OF N34°22'33"E FOR A CHORD DISTANCE OF 318.78' (SAID CURVE HAVING A RADIUS OF 875.00' AND AN ARC LENGTH OF 320.57') TO A POINT, AND THENCE IN A DIRECTION OF N44°52'17"E FOR A DISTANCE OF 85.30' TO A POINT; THENCE TURNING AND PROCEEDING ALONG THE PROPERTY OF CHARLESTON COUNTY AVIATION AUTHORITY IN A DIRECTION OF N56°31'15"W FOR A DISTANCE OF 307.84' TO A POINT, THIS BEING THE TRUE POINT OF BEGINNING; THENCE PROCEEDING ALONG THE PROPERTY OF CHARLESTON COUNTY AVIATION AUTHORITY FOR THE FOLLOWING COURSES AND DISTANCES: IN A DIRECTION OF N56°31'15"W FOR A DISTANCE OF 1194.44' TO A POINT, THENCE IN A DIRECTION OF N56°31'15"W FOR A DISTANCE OF 498.34' TO A POINT, THENCE IN A DIRECTION OF N58°40'50"E FOR A DISTANCE OF 177.98' TO A POINT, THENCE IN A DIRECTION OF N28°11'32"E FOR A DISTANCE OF 279.64' TO A POINT, THENCE IN A DIRECTION OF N33°05'44"W FOR A DISTANCE OF 124.06' TO A POINT, THENCE IN A DIRECTION OF N56°55'55"E FOR A DISTANCE OF 242.88' TO A POINT, AND THENCE IN A DIRECTION OF S33°18'56"E FOR A DISTANCE OF 1806.04' TO A POINT, THIS BEING THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 13.640 ACRES / 594,172 SQUARE FEET.

DELIVERY CENTER PARCEL 1:

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND, SITUATE, LYING AND BEING IN THE STATE OF SOUTH CAROLINA, COUNTY OF CHARLESTON AND IN THE CITY OF NORTH CHARLESTON, BEING SHOWN ON A DRAWING ENTITLED: "LEASE AREA EXHIBIT PREPARED FOR BOEING COMMERCIAL AIRPLANES CHARLESTON SOUTH CAROLINA, INC.", PREPARED BY HGBD SURVEYORS, LLC, DATED JANUARY 17, 2010, LAST REVISED NOVEMBER 3, 2010; SAID PROPERTY HAVING THE FOLLOWING METES AND BOUNDS TO WIT:

COMMENCING AT THE INTERSECTION OF THE ABANDONED WESTERN RIGHT-OF-WAY LINE OF SOUTH AVIATION AVENUE AND THE EXISTING NORTHERN RIGHT-OF-WAY LINE OF AIR FRAME DRIVE, THENCE TURNING AND RUNNING ALONG THE ABANDONED WESTERN RIGHT-OF-WAY LINE OF SOUTH AVIATION AVENUE FOR THE FOLLOWING COURSES AND DISTANCES: ALONG THE ARC OF A CURVE FOR A DISTANCE OF 49.47', SAID ARC OR CURVE HAVING A RADIUS OF 5,075.00', THE CHORD OF SAID ARC OR CURVE RUNNING NORTH 23°36'03" EAST FOR A DISTANCE OF 49.47' TO A POINT; THENCE NORTH 23°52'49" EAST FOR A DISTANCE OF 565.36' TO A POINT; THENCE ALONG THE ARC OF A CURVE FOR A DISTANCE OF 320.57', SAID ARC OR CURVE HAVING A RADIUS OF 875.00',

THE CHORD OF SAID ARC OR CURVE RUNNING NORTH 34°22'33" EAST FOR A DISTANCE OF 318.78' TO A POINT; THENCE NORTH 44°52'17" EAST FOR A DISTANCE OF 85.30' TO A POINT BEING THE POINT OF BEGINNING; THENCE TURNING AND RUNNING NORTH 56°31'15" WEST ALONG PARCEL "A6", PROPERTY OF CHARLESTON COUNTY AIRPORT DISTRICT, FOR A DISTANCE OF 307.84' TO A POINT; THENCE TURNING AND RUNNING NORTH 33°18'56" WEST ALONG AN "EXISTING LEASE AREA", PROPERTY OF CHARLESTON COUNTY AIRPORT DISTRICT, FOR A DISTANCE OF 168.96' TO A POINT; THENCE TURNING AND RUNNING SOUTH 63°12'00" EAST WITHIN THE LIMITS OF PROPERTY OF CHARLESTON COUNTY AIRPORT DISTRICT FOR A DISTANCE OF 491.39' TO A POINT; THENCE TURNING AND RUNNING SOUTH 44°52'17" WEST ALONG THE ABANDONED WESTERN RIGHT-OF-WAY LINE OF SOUTH AVIATION AVENUE FOR A DISTANCE OF 126.21' TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 0.912 ACRE / 39,728 SQUARE FEET.

DELIVERY CENTER PARCEL 2:

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND, SITUATE, LYING AND BEING IN THE STATE OF SOUTH CAROLINA, COUNTY OF CHARLESTON AND IN THE CITY OF NORTH CHARLESTON, BEING SHOWN ON A DRAWING ENTITLED: "LEASE AREA EXHIBIT PREPARED FOR BOEING COMMERCIAL AIRPLANES CHARLESTON SOUTH CAROLINA, INC.", PREPARED BY HGBD SURVEYORS, LLC, DATED JANUARY 17, 2010, LAST REVISED NOVEMBER 3, 2010; SAID PROPERTY HAVING THE FOLLOWING METES AND BOUNDS TO WIT:

COMMENCING AT THE INTERSECTION OF THE ABANDONED WESTERN RIGHT-OF-WAY LINE OF SOUTH AVIATION AVENUE AND THE EXISTING NORTHERN RIGHT-OF-WAY LINE OF AIR FRAME DRIVE, THENCE TURNING AND RUNNING ALONG THE ABANDONED WESTERN RIGHT-OF-WAY LINE OF SOUTH AVIATION AVENUE FOR THE FOLLOWING COURSES AND DISTANCES: ALONG THE ARC OF A CURVE FOR A DISTANCE OF 49.47', SAID ARC OR CURVE HAVING A RADIUS OF 5,075.00', THE CHORD OF SAID ARC OR CURVE RUNNING NORTH 23°36'03" EAST FOR A DISTANCE OF 49.47' TO A POINT; THENCE NORTH 23°52'49" EAST FOR A DISTANCE OF 565.36' TO A POINT; THENCE ALONG THE ARC OF A CURVE FOR A DISTANCE OF 320.57', SAID ARC OR CURVE HAVING A RADIUS OF 875.00', THE CHORD OF SAID ARC OR CURVE RUNNING NORTH 34°22'33" EAST FOR A DISTANCE OF 318.78' TO A POINT; THENCE NORTH 44°52'17" EAST FOR A DISTANCE OF 211.51' TO A POINT; THENCE TURNING AND RUNNING SOUTH 63°12'00" EAST ACROSS THE ABANDONED SOUTH AVIATION AVENUE RIGHT-OF-WAY FOR A DISTANCE OF 157.78' TO A POINT BEING THE POINT OF BEGINNING; THENCE TURNING AND RUNNING SOUTH 63°12'00" EAST WITHIN THE LIMITS OF PROPERTY OF CHARLESTON COUNTY AIRPORT DISTRICT FOR A DISTANCE OF 65.33' TO A POINT; THENCE TURNING AND RUNNING ALONG THE ARC OF A CURVE, BEING THE NEW SOUTH AVIATION AVENUE WESTERN RIGHT-OF-WAY LINE, FOR A DISTANCE OF 242.82', SAID ARC OR CURVE HAVING A RADIUS OF 4,300.00', THE CHORD OF SAID ARC OR CURVE RUNNING SOUTH 25°10'57" WEST FOR A DISTANCE OF 242.79' TO A POINT; THENCE TURNING AND RUNNING

NORTH 25°58'40" WEST ALONG TRACT "B", PROPERTY OF CHARLESTON COUNTY AIRPORT DISTRICT, FOR A DISTANCE OF 152.34' TO A POINT; THENCE TURNING AND RUNNING NORTH 44°52'17" EAST ALONG THE ABANDONED EASTERN RIGHT-OF-WAY LINE OF SOUTH AVIATION AVENUE FOR A DISTANCE OF 158.35' TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 0.437 ACRE / 19,044 SQUARE FEET.

COMPASS ROSE PARCEL:

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND, SITUATE, LYING AND BEING IN THE STATE OF SOUTH CAROLINA, COUNTY OF CHARLESTON AND IN THE CITY OF NORTH CHARLESTON, BEING SHOWN ON A DRAWING ENTITLED: 'LEASE AREA EXHIBIT PREPARED FOR BOEING COMMERCIAL AIRPLANES CHARLESTON SOUTH CAROLINA, INC>', PREPARED BY HGBD SURVEYORS, LLC, DATED JANUARY 17, 2010, LAST REVISED JULY 14, 2011; SAID PROPERTY HAVING THE FOLLOWING METES AND BOUNDS TO WIT:

COMMENCING AT THE INTERSECTION OF NORTHERN RIGHT-OF-WAY LINE OF AIRFRAME DRIVE AND THE WESTERN RIGHT-OF-WAY LINE OF ABANDONED SOUTH AVIATION AVENUE, THENCE TURNING AND RUNNING ALONG THE WESTERN RIGHT-OF-WAY OF ABANDONED SOUTH AVIATION AVENUE FOR THE FOLLOWING COURSES AND DISTANCES: ALONG A CURVE TO THE RIGHT IN A DIRECTION OF NORTH 23°36'03" EAST FOR A CHORD DISTANCE OF 49.47' (SAID CURVE HAVING A RADIUS OF 5,075.00') TO A POINT; THENCE IN A DIRECTION OF NORTH 23°52'49" EAST FOR A DISTANCE OF 565.36' TO A POINT; THENCE ALONG A CURVE TO THE RIGHT IN A DIRECTION OF NORTH 34°22'33" EAST FOR A CHORD DISTANCE OF 318.78' (SAID CURVE HAVING A RADIUS OF 870.00') TO A POINT, THENCE IN A DIRECTION OF NORTH 44°52'17" EAST FOR A DISTANCE OF 85.30' TO A POINT; THENCE TURNING AND RUNNING THROUGH THE PROPERTY OF THE CHARLESTON COUNTY AIRPORT DISTRICT FOR THE FOLLOWING COURSES AND DISTANCES: IN A DIRECTION OF NORTH 56°31'15" WEST FOR A DISTANCE OF 307.84' TO A POINT AND THENCE IN A DIRECTION OF NORTH 33°18'56" WEST FOR A DISTANCE OF 168.96' TO A POINT, THIS BEING THE TRUE POINT OF BEGINNING: THENCE CONTINUING THROUGH THE PROPERTY OF THE CHARLESTON COUNTY AIRPORT DISTRICT FOR THE FOLLOWING COURSES AND DISTANCES: IN A DIRECTION OF NORTH 33°18'56" WEST FOR A DISTANCE OF 779.20' TO A POINT, THENCE IN A DIRECTION OF NORTH 70°57'24" EAST FOR A DISTANCE OF 466.93' TO A POINT, THENCE IN A DIRECTION OF SOUTH 58°15'28" EAST FOR A DISTANCE OF 234.77' TO A POINT, THENCE SOUTH 23°08'35" EAST FOR A DISTANCE OF 232.08' TO A POINT, THENCE IN A DIRECTION OF SOUTH 26°48'00" WEST FOR A DISTANCE OF 553.65' TO A POINT AND THENCE IN A DIRECTION OF NORTH 63°12'00" WEST ALONG FOR A DISTANCE OF 61.21' TO A POINT, THIS BEING THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 7.531 ACRES/328,033 SQUARE FEET.

PHASE II - M PROPERTY:



ALL THOSE PIECES, PARCELS OR TRACT OF LAND, SITUATE, LYING AND BEING IN THE CITY OF NORTH CHARLESTON, COUNTY OF CHARLESTON, STATE OF SOUTH CAROLINA, SHOWN AND DESIGNATED AS PARCEL "A" CONTAINING 141.076 ACRES, MORE OR LESS, PARCEL "B" CONTAINING 103.036 ACRES, MORE OR LESS, AND PARCEL "C" CONTAINING 22.842 ACRES, MORE OR LESS, FOR A TOTAL OF 266.954 ACRES, MORE OR LESS, ON A PLAT ENTITLED "PLAT SHOWING THE SUBDIVISION OF T.M.S. 400-00-00-007, A 1,328+/- ACRE TRACT OF LAND & THE ABANDONMENT OF PROPERTY LINES OF T.M.S. 400-00-00-020, A 20.220 ACRE TRACT OF LAND & T.M.S. 400-00-00-011, A 5.002 ACRE TRACT OF LAND, OWNED BY THE CHARLESTON COUNTY AIRPORT DISTRICT TO CREATE PARCEL "A" (141.076 ACRES), PARCEL "B" (103.036 ACRES), PARCEL "C" (22.842 ACRES) & A RESIDUAL OF T.M.S. 400-00-00-007 (1,086 +/- ACRES) (RESIDUAL ACREAGE INCLUDES 28.151 ACRES CONTAINED WITHIN NEW PRIVATE VARIABLE WIDTH R/W (PORTIONS OF INTERNATIONAL BOULEVARD & MICHAUX PARKWAY) PREPARED BY HGBD SURVEYORS, LLC, DATED SEPTEMBER 12, 2012, LAST REVISED NOVEMBER 12, 2013, AND RECORDED DECEMBER 13, 2013, IN PLAT BOOK L13, PAGES 0422 - 0428 IN THE RMC OFFICE FOR CHARLESTON COUNTY, REFERENCE TO WHICH IS CRAVED FOR A MORE COMPLETE DESCRIPTION.

TOGETHER WITH A NON-EXCLUSIVE, PERPETUAL EASEMENT FOR ACCESS, INGRESS AND EGRESS TO U.S. INTERSTATE HIGHWAY NO. 526 AND DORCHESTER ROAD OVER, UPON AND ACROSS THOSE CERTAIN ROADS SHOWN AS "INTERNATIONAL BOULEVARD (NEW PRIVATE VARIABLE WIDTH R/W)" AND "MICHAUX PARKWAY (NEW PRIVATE VARIABLE WIDTH R/W)" AS SET FORTH ON THE ABOVE REFERENCED PLAT.

TAX MAP NUMBERS:

PARCEL A – 400-00-00-203  
PARCEL B – 400-00-00-204  
PARCEL C – 400-00-00-205

PHASE II P-1 PROPERTY:

PARCEL 1

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING IN THE COUNTY OF CHARLESTON, STATE OF SOUTH CAROLINA, SHOWN AS A 99 ACRE TRACT AND PARCEL B CONTAINING 6.24 ACRES FOR A TOTAL OF 105.24 ACRES AS SHOWN ON THAT CERTAIN PLAT ENTITLED "PLAT OF 3 TRACTS OF LAND OWNED BY THE ESTATE OF MILTON TRULUCK A TOTAL OF 121.24 ACRES, SITUATE: NORTH OF DORCHESTER ROAD, CHARLESTON COUNTY, S.C." BY A.L. GLEN, REG. SURVEYOR, DATED JANUARY 28, 1972 AND RECORDED IN PLAT BOOK P, AT PAGE 118 IN THE RMC OFFICE FOR CHARLESTON COUNTY, SOUTH CAROLINA. SAID TRACT OF LAND CONTAINING THE SAME BUTTING, BOUNDINGS AND DIMENSIONS AS SHOWN ON SAID PLAT.

TMS NO.: 409-00-00-007

PHASE II P-2 PROPERTY:

PARCEL 2

ALL THAT PIECE, PARCEL OR TRACT OF LAND, SITUATE, LYING AND BEING IN FETTERESSA SUBDIVISION, COUNTY OF CHARLESTON, STATE OF SOUTH CAROLINA, NORTH OF GLYN TERRACE SUBDIVISION ON THE EAST SIDE OF DORCHESTER ROAD, CONTAINING 16.04 ACRES, MORE OR LESS, AND BEING BOUNDED: ON THE NORTHEAST BY A 200 FOOT EASEMENT OF THE SOUTH CAROLINA ELECTRIC & GAS COMPANY AND THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY; ON THE SOUTHEAST BY LAND NOW OR FORMERLY OF SOUTH CAROLINA ELECTRIC & GAS COMPANY AND BY GLYN TERRACE SUBDIVISION; ON THE SOUTHWEST BY DORCHESTER ROAD AND FRONTING THEREON 230 FEET' AND ON THE NORTHWEST BY L AND NOW OR FORMERLY OF WILLIAMS FURNITURE CORPORATION. THE SAID TRACT IS FULLY SHOWN AND DELINEATED ON A MAP BY A.L. GLEN, SURVEYOR, DATED AUGUST 7, 1964 AND RECORDED AT PLAT BOOK R AT PAGE 152, AND BEING A PORTION OF FETTERESSA TRACT HERETOFORE CONVEYED TO WILLIAMS FURNITURE CORPORATION. SAID PROPERTY HAVING SUCH SIZE, SHAPE, DIMENSIONS AND BOUNDARIES AS WILL MORE FULLY APPEAR BY REFERENCE THERETO.

ALSO, A RIGHT-OF-WAY AND EASEMENT APPURTENANT TO THE LAND HEREINABOVE DESCRIBED, 50 FEET IN WIDTH OVER AND ACROSS THE 200 FOOT EASEMENT OF SOUTH CAROLINA ELECTRIC & GAS COMPANY AND THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY WHICH FORMS THE NORTHEASTERN BOUNDARY OF THE TRACT ABOVE DESCRIBED, AS GRANTED IN THAT DEED FROM WILLIAMS FURNITURE CORPORATION TO MILTON F. TRULUCK DATED AUGUST 31, 1964 AND RECORDED IN THE CHARLESTON COUNTY RMC OFFICE AT BOOK D81 AT PAGE 134.

TMS NO. 408-00-00-002

PARCEL 3

ALL THAT PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING IN THE COUNTY OF CHARLESTON, STATE OF SOUTH CAROLINA CONTAINING 33.1 ACRES, MORE OR LESS, AND BEING SHOWN AS TRACT B ON THAT CERTAIN PLAT ENTITLED "MAP OF 33.1 ACRE TRACT OF LAND OWNED BY WILLIAMS FURNITURE CORP SITUATE: NORTH CHARLESTON, CHARLESTON COUNTY, S.C." BY A.L. GLEN DATED APRIL 20, 1966 AND RECORDED IN PLAT BOOK U AT PAGE 124 IN THE CHARLESTON COUNTY RMC OFFICE. SAID PROPERTY HAVING SUCH SIZE, SHAPE, DIMENSIONS AND BOUNDARIES AS WILL MORE FULLY APPEAR BY REFERENCE THERETO.

SAVING AND EXCEPTING THEREFROM THE FOLLOWING:

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING IN THE COUNTY OF CHARLESTON, STATE OF SOUTH

CAROLINA, CONTAINING 4.53 ACRES, MORE OR LESS AND BEING SHOWN ON THAT CERTAIN PLAT ENTITLED "PLAT SHOWING THE SUBDIVISION OF A 36.670 ACRE TRACT OF LAND CITY OF NORTH CHARLESTON CHARLESTON COUNTY, SOUTH CAROLINA" BY FORSBERG ENGINEERING & SURVEYING, INC. DATED DECEMBER 5, 1988 AND RECORDED IN BOOK T180 AT PAGE 536 IN THE CHARLESTON COUNTY RMC OFFICE AND BEARING CHARLESTON COUNTY TMS NUMBER 408-00-00-050. SAID PROPERTY HAVING SUCH SIZE, SHAPE, DIMENSIONS AND BOUNDARIES AS WILL MORE FULLY APPEAR BY REFERENCE THERETO.

TMS NO.: 408-00-00-005

PARCEL 4

ALL THAT PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING IN THE COUNTY OF CHARLESTON, STATE OF SOUTH CAROLINA SHOWN AND DESIGNATED AS TRACT C ON THAT CERTAIN PLAT ENTITLED "MAP OF 33.1 ACRE TRACT OF LAND OWNED BY WILLIAMS FURNITURE CORP SITUATE: NORTH CHARLESTON, CHARLESTON COUNTY, S.C." BY A.L. GLEN DATED APRIL 20, 1966 AND RECORDED IN PLAT BOOK U AT PAGE 124 IN THE CHARLESTON COUNTY RMC OFFICE. SAID PROPERTY HAVING SUCH SIZE, SHAPE, DIMENSIONS AND BOUNDARIES AS WILL MORE FULLY APPEAR BY REFERENCE THERETO.

SAVING AND EXCEPTING THEREFROM THE FOLLOWING TWO PARCELS:

I. ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING IN THE COUNTY OF CHARLESTON, STATE OF SOUTH CAROLINA AND SHOWN AND DESIGNATED AS "NEW LOT B TMS 408-00-00-052" ON THAT CERTAIN PLAT ENTITLED "PLAT SHOWING THE RESUBDIVISION OF TRACT C-1 2.297 ACRES AND TRACT C 9.56 ACRES AND THE ABANDONMENT OF A PROPERTY LINE CREATING NEW LOT B, 3.335 ACRES AND THE RESIDUAL, NEW LOT 1, 8.5 ACRES" BY FORSBERG ENGINEERING AND SURVEYING, INC. DATED NOVEMBER 21, 2008 AND RECORDED IN PLAT BOOK L09 AT PAGE 0332 IN THE CHARLESTON COUNTY RMC OFFICE. SAID PROPERTY HAVING SUCH SIZE, SHAPE, DIMENSIONS AND BOUNDARIES AS WILL MORE FULLY APPEAR BY REFERENCE THERETO. TMS NO.: 408-00-00-052

II. ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND, SITUATE, LYING AND BEING IN THE COUNTY OF CHARLESTON, STATE OF SOUTH CAROLINA, CONTAINING 2.81 ACRES, MORE OR LESS, AND BEING SHOWN AND DESIGNATED AS "TRACT A" ON THAT CERTAIN PLAT ENTITLED "PLAT SHOWING TRACT A BEING SUBDIVIDED FROM TMS 408-00-00-004 PROPERTY OF MILTON F. TRULUCK AND A NEW 25' ACCESS EASEMENTS A PART OF 16.0 TRACT OWNED BY EDNA D. AND CHARLES E. TRULUCK, TRUSTEES, LOCATED IN CITY OF NORTH CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA" BY DAVIS & FLOYD, INC. DATED DECEMBER 7, 2000 AND RECORDED IN PLAT BOOK EE AT PAGE 713 IN THE CHARLESTON COUNTY RMC OFFICE. SAID PROPERTY HAVING SUCH SIZE, SHAPE,

DIMENSIONS AND BOUNDARIES AS WILL MORE FULLY APPEAR BY  
REFERENCE THERETO. TMS NO.: 408-00-00-053

TMS NO.: 408-00-00-004

PARCEL 5

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING IN THE COUNTY OF CHARLESTON, STATE OF SOUTH CAROLINA, CONTAINING 2.057 ACRES, MORE OR LESS, AND BEING SHOWN AS "MILTON F. TRULUCK THE TRUST 2.057 ACRES" ON THAT CERTAIN PLAT ENTITLED "PLAT SHOWING THE SUBDIVISION OF A 36.670 ACRES TRACT OF LAND CITY OF NORTH CHARLESTON, CHARLESTON COUNTY, S.C." BY FORSBERG ENGINEERING & SURVEYING, INC. DATED DECEMBER 5, 1988 AND RECORDED AS EXHIBIT A TO THAT CERTAIN DEED RECORDED AT BOOK T180 AT PAGE 539 IN THE CHARLESTON COUNTY RMC OFFICE. SAID PROPERTY HAVING SUCH SIZE, SHAPE, DIMENSIONS AND BOUNDARIES AS WILL MORE FULLY APPEAR BY REFERENCE THERETO.

TMS NO.: 408-00-00-003

PARCEL 6

ALL THOSE CERTAIN PIECES, PARCELS OR TRACTS OF LAND SITUATE, LYING AND BEING IN THE CITY OF NORTH CHARLESTON, COUNTY OF CHARLESTON, STATE OF SOUTH CAROLINA, AND SHOWN AND DESIGNATED AS "TRACT 'B' 31.87 ACRES", "R/W NO. 1" AND "PORTION OF R/W NO. 1 3.57 ACRES" ON THAT CERTAIN PLAT OF DORCHESTER GARDENS APARTMENTS ENTITLED "SUBDIVISION PLAT OF 48.19 ACRES LOCATED IN THE CITY OF NORTH CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA" PREPARED BY HAROLD J. LEAMOND, SOUTH CAROLINA REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR NO. 2507, SIGMA ENGINEERS, INC., CONSULTING ENGINEERS & LAND SURVEYORS, DATED DECEMBER 20, 1983 AND RECORDED IN PLAT BOOK AY AT PAGE 186 IN THE CHARLESTON COUNTY RMC OFFICE. SAID PROPERTY HAVING SUCH SIZE, SHAPE, DIMENSIONS AND BOUNDARIES AS WILL MORE FULLY APPEARS BY REFERENCE THERETO.

TMS NOS.: 408-00-00-006 (TRACT B)  
408-00-00-042 (PORTION OF R/W NO. 1)  
408-00-00-055 (R/W NO. 1)

NORTH CAMPUS:

TRACT 7

ALL THAT CERTAIN PIECE, PARCEL AND TRACT OF LAND, LYING AND BEING IN PALMETTO COMMERCE PARK, CITY OF NORTH CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA, KNOWN AS "TRACT 7", AS SHOWN AND DESIGNATED ON A PLAT ENTITLED "PLAT SHOWING THE ABANDONMENT OF THE PROPERTY LINES BETWEEN TMS NO. 393-00-00-010 (CONTAINING 318.756 ACRES), TMS NO. 393-00-00-005 (CONTAINING 281.725 ACRES), TMS NO. 393-00-

00-006 (CONTAINING 197.824 ACRES), TMS NO. 393-00-00-033 (CONTAINING 22.100 ACRES) AND TO FORM A 820-405 TRACT INTO NEW TRACT 5 (CONTAINING 258.330 ACRES), TRACT 6 (CONTAINING 160.237 ACRES), TRACT 7 (CONTAINING 14.330 ACRES), TRACT 8 (CONTAINING 12.728 ACRES), TRACT 9 (CONTAINING 34.818 ACRES), TRACT 10 (CONTAINING 106.945 ACRES), TRACT 11 (CONTAINING 24.853 ACRES), AND TRACT 12 (CONTAINING 207.164 ACRES), PROPERTY OF SPRING GROVE ASSOCIATES LOCATED IN PALMETTO COMMERCE PARK, THE CITY OF NORTH CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA" BY HLA, INC., DATED NOVEMBER 2, 2005, AND RECORDED IN THE RMC OFFICE FOR CHARLESTON COUNTY ON DECEMBER 21, 2005, IN PLAT BOOK EJ, AT PAGE 434, REFERENCE TO WHICH IS CRAVED FOR A MORE COMPLETE DESCRIPTION.

TMS NO.: 393-00-00-066

TRACT 9

ALL THAT CERTAIN PIECE, PARCEL AND TRACT OF LAND, LYING AND BEING IN PALMETTO COMMERCE PARK, CITY OF NORTH CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA, KNOWN AS "TRACT 9", AS SHOWN AND DESIGNATED ON A PLAT ENTITLED "PLAT SHOWING THE ABANDONMENT OF THE PROPERTY LINES BETWEEN TMS NO. 393-00-00-010 (CONTAINING 318.756 ACRES), TMS NO. 393-00-00-005 (CONTAINING 281.725 ACRES), TMS NO. 393-00-00-006 (CONTAINING 197.824 ACRES), TMS NO. 393-00-00-033 (CONTAINING 22.100 ACRES) AND TO FORM A 820-405 TRACT INTO NEW TRACT 5 (CONTAINING 258.330 ACRES), TRACT 6 (CONTAINING 160.237 ACRES), TRACT 7 (CONTAINING 14.330 ACRES), TRACT 8 (CONTAINING 12.728 ACRES), TRACT 9 (CONTAINING 34.818 ACRES), TRACT 10 (CONTAINING 106.945 ACRES), TRACT 11 (CONTAINING 24.853 ACRES), AND TRACT 12 (CONTAINING 207.164 ACRES), PROPERTY OF SPRING GROVE ASSOCIATES LOCATED IN PALMETTO COMMERCE PARK, THE CITY OF NORTH CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA" BY HLA, INC., DATED NOVEMBER 2, 2005, AND RECORDED IN THE RMC OFFICE FOR CHARLESTON COUNTY ON DECEMBER 21, 2005, IN PLAT BOOK EJ, AT PAGE 434, REFERENCE TO WHICH IS CRAVED FOR A MORE COMPLETE DESCRIPTION.

TOGETHER WITH A PERPETUAL, NON-EXCLUSIVE ACCESS, INGRESS AND EGRESS EASEMENT AS SET FORTH IN PARAGRAPH 2. ACCESS ROAD EASEMENT OF THAT CERTAIN ACCESS AND DRAINAGE EASEMENT AGREEMENT BY AND BETWEEN GWINNETT INDUSTRIES, INC., AND STONE MOUNTAIN INDUSTRIAL PARK, INC., DATED JUNE 19, 2009, AND RECORDED JULY 1, 2009, IN BOOK 0065, PAGE 367 IN THE RMC OFFICE FOR CHARLESTON COUNTY, AS AMENDED BY FIRST AMENDMENT TO ACCESS AND DRAINAGE AGREEMENT BY AND BETWEEN GWINNETT INDUSTRIES, INC., AND STONE MOUNTAIN INDUSTRIAL PARK, INC., DATED AS OF JULY 30, 2010, AND RECORDED AUGUST 2, 2010, IN BOOK 0136, PAGE 244 IN THE RMC OFFICE FOR CHARLESTON COUNTY AND IN BOOK 7605, PAGE 198 IN THE OFFICE OF THE REGISTER OF DEEDS FOR DORCHESTER COUNTY.

TMS NO.: 393-00-00-068

TRACT 10

ALL THAT CERTAIN PIECE, PARCEL AND TRACT OF LAND, LYING AND BEING IN PALMETTO COMMERCE PARK, CITY OF NORTH CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA, KNOWN AS "TRACT 10", AS SHOWN AND DESIGNATED ON A PLAT ENTITLED "PLAT SHOWING THE ABANDONMENT OF THE PROPERTY LINES BETWEEN TMS NO. 393-00-00-010 (CONTAINING 318.756 ACRES), TMS NO. 393-00-00-005 (CONTAINING 281.725 ACRES), TMS NO. 393-00-00-006 (CONTAINING 197.824 ACRES), TMS NO. 393-00-00-033 (CONTAINING 22.100 ACRES) AND TO FORM A 820-405 TRACT INTO NEW TRACT 5 (CONTAINING 258.330 ACRES), TRACT 6 (CONTAINING 160.237 ACRES), TRACT 7 (CONTAINING 14.330 ACRES), TRACT 8 (CONTAINING 12.728 ACRES), TRACT 9 (CONTAINING 34.818 ACRES), TRACT 10 (CONTAINING 106.945 ACRES), TRACT 11 (CONTAINING 24.853 ACRES), AND TRACT 12 (CONTAINING 207.164 ACRES), PROPERTY OF SPRING GROVE ASSOCIATES LOCATED IN PALMETTO COMMERCE PARK, THE CITY OF NORTH CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA" BY HLA, INC., DATED NOVEMBER 2, 2005, AND RECORDED IN THE RMC OFFICE FOR CHARLESTON COUNTY ON DECEMBER 21, 2005, IN PLAT BOOK EJ, AT PAGE 434, REFERENCE TO WHICH IS CRAVED FOR A MORE COMPLETE DESCRIPTION.

ALSO, ALL THAT CERTAIN PIECE, PARCEL AND TRACT OF LAND, LYING AND BEING IN PALMETTO COMMERCE PARK, CITY OF NORTH CHARLESTON AND DORCHESTER COUNTIES, SOUTH CAROLINA, KNOWN AS "TRACT 10", AS SHOWN AND DESIGNATED ON A PLAT ENTITLED "PLAT SHOWING THE LOCATION OF THE CHARLESTON/DORCHESTER LINE ACROSS TRACTS 5, 10, 11 & 12 PREPARED FOR SPRING GROVE ASSOCIATES, WEBER USA CORPORATION, AND STONE MOUNTAIN INDUSTRIAL PARK INC. LOCATED IN THE CITY OF NORTH CHARLESTON, CHARLESTON & DORCHESTER COUNTIES, SOUTH CAROLINA" DATED JUNE 16, 2006, AND RECORDED IN PLAT BOOK L, PAGE 21 THE OFFICE OF THE REGISTER OF DEEDS FOR DORCHESTER COUNTY.

TMS NO.: 393-00-00-069 (CHARLESTON COUNTY) AND  
163-00-00-020-000C (DORCHESTER COUNTY)

OFFICE LEASES:

1. 3820 FABER PLACE DRIVE, SUITE 100, NORTH CHARLESTON, SOUTH CAROLINA 29406, AS SET FORTH IN THAT CERTAIN LEASE AGREEMENT BY AND BETWEEN 3820 FABER PLACE, LLC, A SOUTH CAROLINA LIMITED LIABILITY COMPANY, AND THE BOEING COMPANY, A DELAWARE CORPORATION, DATED JANUARY 6, 2014, AS MAY BE AMENDED FROM TIME TO TIME.
2. 3860 FABER PLACE DRIVE, SUITES 100 AND 500, NORTH CHARLESTON, SOUTH CAROLINA 29406, AS SET FORTH IN THAT CERTAIN LEASE AGREEMENT BY AND BETWEEN 3860 FABER PLACE, LLC, A SOUTH CAROLINA LIMITED

LIABILITY COMPANY, AND THE BOEING COMPANY, A DELAWARE CORPORATION, DATED JANUARY 6, 2014, AS MAY BE AMENDED FROM TIME TO TIME.

3. 3875 FABER PLACE DRIVE, SUITES 100 AND 200, NORTH CHARLESTON, SOUTH CAROLINA 29406, AS SET FORTH IN THAT CERTAIN OFFICE LEASE AGREEMENT BY AND BETWEEN 3875/3955 FABER PLACE, LLC, AND THE BOEING COMPANY, A DELAWARE CORPORATION, DATED DECEMBER 20, 2012, AS MAY BE AMENDED FROM TIME TO TIME.

4. 4340 CORPORATE ROAD, NORTH CHARLESTON, SOUTH CAROLINA 29405, INCLUDING ONSITE AND OFF-SITE PARKING, AS SET FORTH IN THAT CERTAIN LEASE AGREEMENT BY AND BETWEEN BRIDGEVIEW PROPERTIES, LLC, A SOUTH CAROLINA LIMITED LIABILITY COMPANY, AND THE BOEING COMPANY, A DELAWARE CORPORATION, DATED JANUARY 10, 2014, AS MAY BE AMENDED FROM TIME TO TIME.

5. 4249-N CROSSPOINT DRIVE, LADSON, SOUTH CAROLINA 29456, AS SET FORTH IN THAT CERTAIN LEASE AGREEMENT BY AND BETWEEN JAMESTOWN-CK CROSSPOINT I, L.P., A DELAWARE LIMITED PARTNERSHIP, AND THE BOEING COMPANY, A DELAWARE CORPORATION, DATED FEBRUARY 21, 2014, AS MAY BE AMENDED FROM TIME TO TIME.

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

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

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

**Amendments to  
Personnel  
Policies and  
Procedures**

**Request to  
Approve**

A report was read from the Finance Committee meeting of September 4, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Human Resources Director Fagan Stackhouse regarding the need to amend some sections of the Personnel Policies and Procedures in order to implement the CAPES recommendations which were approved by County Council at its meeting of July 29, 2014. It was stated that County Council approved the implementation of the structural compensation study recommended by the CAPES Committee in collaboration with Evergreen Solutions and that in order to effectively implement the changes needed for

the October 3, 2014 implementation, Charleston County Policies and Procedures related to compensation will need to be revised.

Committee recommended that Council approve revisions to all the policies under Section 5.00 Compensation of the Personnel Policies and Procedures Manual necessary to implement the CAPES Committee recommended structural compensation study.

A lengthy discussion regarding the pros and cons concerning the CAPES Committee's recommendations to changes proposed revisions of the policies under Section 5.00 of the Personnel Policies Manual followed.

Mr. Darby stated he doesn't feel good talking about money in light of recent events and had hoped this discussion might wait on Mr. Rawl's return, but stated that there is already a superb evaluation system in place whereby county employees are treated fairly across the board. He stated that switching to merit pay is a change just for the sake of change and he believes merit pay should not be used in the public sector. He also stated that he was unsure how we could afford to introduce this new pay structure when the County has been unable to afford COLAs in the recent past.

Mr. Summey asked about information regarding the market study which Council requested at the Finance Committee meeting of September 4. Mr. Taylor stated that the request was that staff price a market study for all the county employees and the quote received from Evergreen Solutions, LLC, the consultant assisting with the compensation plan, was \$100,000 to benchmark 400 jobs and that he believed it to be reasonable and affordable.

Mr. Summey stated that staff and the CAPES Committee had done a good job putting this information together and that he would like to see the work completed with a market study.

Mr. Schweers moved approval of committee recommendation, with the addition that staff move forward with a market study. This motion was seconded by Mr. Sass.

Mr. Schweers stated that the plan is not strictly Pay for Performance, but is a hybrid that has a little of everything. He stated that the program would be limited by the budget and does not tie Council's hands or force any increases. He stated he believes the City of North Charleston adopted strategy similar merit pay program a number of years back and doesn't think it had been a bad thing for the City of North Charleston and that he believes it's a great move forward.

Mr. Darby stated that it is still his belief that merit pay does not work in a public enterprise.

Ms. Condon stated that she supports the proposal that the CAPES committee and appreciates all the hard work done by the committee members, Mr. Stackhouse and his department. She stated that in order to make sure this is a system that will work well,



fairness will have to be built into the system and that Mr. Stackhouse's job as Human Resources Director is to make sure the rating system is fair and appropriate

Ms. Johnson stated that she served on this committee and while she supported the merit raise, she agrees with Mr. Darby to some extent. She stated that she is comfortable moving forward because everyone gets a little increase as long as they are meeting expectations and the percentage increases if someone is going above and beyond.

Mr. Schweers stated that Council would have to have confidence in the County's supervisors to supervise and to fairly evaluate their employees. If they don't show they can properly evaluate, they won't be supervisors any more. He stated that he has confidence that they can do this. This is part of being a supervisor.

Mr. Darby asked what safeguards were in place against subjectivity. Mr. Stackhouse stated that all evaluation systems have subjectivity built into them. The challenge has been to make it as objective as it can be and that staff will have to work hard, not only through training but extreme dedication and close observance when supervisors tend to not be as objective as they should be. Mr. Stackhouse assured Council that is something staff will work hard on.

Mr. Summey stated that every supervisor has a supervisor, and that supervisor has a supervisor and that somewhere along the line there has to be a fair individual amongst those people. He mentioned that there is a grievance process and if someone is treated unfairly, they can appeal their appraisal as far up the chain as the Administrator. Mr. Summey stated his unwavering support for Mr. Taylor's dedication to County employees.

Mr. Darby stated that he was also concerned that the merit pay plan would decrease employee morale.

Ms. Johnson asked Mr. Stackhouse if there was a place on the employee evaluations for the employee to make comments. Mr. Stackhouse stated there was and stated that employees are encouraged to respond to their annual appraisals.

The Chairman called for a roll call vote on the motion, which was that Council:

1. approve the proposed revisions to some of the policies and procedures under Section 5.00 Compensation of the Personnel Policies and Procedures Manual necessary to implement the CAPES Committee recommended structural compensation study.
2. authorize staff to engage the human resources and compensation consultant Evergreen Solutions, LLC to benchmark county jobs for the purpose of a market study at the quoted price of \$100,000.

The roll was called and votes recorded as follows:

Ms. Condon	- aye
Mr. Darby	- nay

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

The vote being seven (7) ayes, one (1) nay, and one (1) absent, the Chairman declared the motion to have passed.

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

**Council  
Member  
Comments**

Mr. Qualey offered condolences to the families of Deputy Sheriff Joe Matuskovic and Larry Britton.

Mr. Summey stated that he was proud of Charleston County employees from the Administrator on down in their response to the incident of September 8. He stated that he called Consolidated Dispatch during the incident to get an update on the situation and the Administrator answered the phone and stated that he had reported to Consolidated Dispatch during the incident because he knew Dispatch was overwhelmed and no job was too small or too big. Mr. Summey also stated that there were EMS personnel trying to save lives under fire during the incident. He said that he will not forget the love he had seen between the agencies and the community.

Mr. Sass stated that his prayers are with families, children and co-workers of Deputy Matuskovic and Mr. Britton. He stated that the County has wonderful employees and first responders and also offered a special thanks to the first responders from other jurisdictions who responded to the incident.

Mr. Schweers stated that you can't appreciate first responders enough.

Ms. Johnson thanked everyone for giving respect to the fallen officer and employee. She also expressed her concern about ensuring that women are equally paid for their work.

Mr. Darby stated that life is so transitory and that the September 8 incident should remind us to mind we treat one another. We are family and we need to treat each other accordingly. We need to treat each other in a way that we aren't going to see each other tomorrow. He stated that his prayers are with the families and the children

Ms. Condon offered thanks to all the agencies who responded to the incident at Ashley Gardens. She stated that she was appreciative of the leadership and wisdom of Assistant Sheriff Mitch Lucas in response to this incident.

Mr. Taylor said that he appreciated all the kind words about the response and agreed with all that had been said. He stated that when the events started unfolding, staff swung into action and this incident gave us all an opportunity to shine and staff did shine from

the beginning of the incident until that very moment. He said that he was grateful for the opportunity to serve and that he couldn't be more proud of the terrific efforts of County staff.

Mr. Pryor offered his thoughts and prayers to the families and encouraged them to feel free to call the County Administrator or staff if there was anything the County could do to lessen their burden. He also thanked Mr. Taylor and staff for the fine job they do every day, but especially in response to this tragedy.

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

Beverly T. Craven  
Clerk of Council