

Charleston, S. C.
August 27, 2013

A regular meeting of County Council of Charleston County was held on the 27th day of August, 2013, 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 B. Johnson; Joseph K. Qualey; A. Victor Rawl; Herbert R. Sass, III; and J. Elliott Summey. Council Member Dickie Schweers was out of town on family business.

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

Rev. Robert Reid gave the invocation and Special Assistant to County Council Marie Schultz led in the pledge to the flag.

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

Mr. Summey moved approval of the minutes of July 16, 2013, seconded by Mr. Sass, and carried.

An Ordinance regarding a fee agreement between Charleston County and Weber Automotive Corporation was given third reading by title only.

**Weber
Automotive**
Financial
Incentives

Ordinance
3rd reading

AN ORDINANCE AUTHORIZING, PURSUANT TO CHAPTER 44 OF TITLE 12, SOUTH CAROLINA CODE OF LAWS, 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BY AND BETWEEN CHARLESTON COUNTY, SOUTH CAROLINA AND WEBER AUTOMOTIVE CORPORATION, PROVIDING FOR SPECIAL SOURCE REVENUE OR INFRASTRUCTURE IMPROVEMENT CREDITS; PROVIDING FOR THE ALLOCATION OF FEES-IN-LIEU OF TAXES UNDER THE AGREEMENT FOR DEVELOPMENT FOR JOINT COUNTY INDUSTRIAL PARK BETWEEN CHARLESTON COUNTY AND COLLETON COUNTY; AND MATTERS RELATING THERETO.

WHEREAS, Charleston County (the "County") desires to enter into a Fee Agreement with Weber Automotive Corporation, a Delaware corporation (referred to herein together as the "Company"), which shall provide for payments of fees-in-lieu of taxes for a project qualifying under the Fee provisions of Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as amended (the "Act");

WHEREAS, the County and the Company desire to enter into a Fee Agreement, as defined in the Act, concerning the Company's investment in Charleston County for an automotive manufacturing facility (which properties constitute a project

under the Act and are referred to hereinafter as the "Project"). The Project is expected to provide significant economic benefits to the County and surrounding areas with its approximately \$56 million capital investment and the creation of approximately 98 jobs with anticipated annual payroll of approximately \$3,000,000.00. In order to induce the Company to locate the Project in the County, the County hereby agrees to charge a fee-in-lieu of taxes with respect to the Project and otherwise make available to the Company the benefits intended by the Act;

WHEREAS, Charleston County Council (the "County Council") has caused to be prepared and presented to this meeting the form of the Fee Agreement by and between the County and the Company, which the County proposes to execute and deliver; and

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

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

Section 1. Pursuant to the Act, and particularly Section 12-44-40(H) and (I) thereof, and based on information supplied to the County by the Company, the County Council has made and hereby makes the following findings:

(a) The Project constitutes a "project" as said term is referred to and defined in Section 12-44-30 of the Act;

(b) It is anticipated that the Project will benefit the general public welfare of the County by providing services, employment and other public benefits not otherwise adequately provided locally;

(c) The purposes to be accomplished by the Project are proper governmental and public purposes;

(d) The benefits of the Project to the public are greater than the costs to the public;

(e) Neither the Project nor any documents or agreements entered into by the County in connection therewith will give rise to any pecuniary liability of the County or incorporated municipality or to any charge against their general credit or taxing power; and

(f) Having evaluated the purposes to be accomplished by the Project as proper governmental and public purposes, the anticipated dollar amount and nature of the investment to be made, and the anticipated costs and benefits to the County, the County has determined that the Project, based on factual representations to the County by the Company, will be properly classified as economic development property.

Section 2. In order to promote industry, develop trade and utilize the workers, agricultural products and natural resources of the State, the form, terms and provisions of the Fee

Agreement which is before this meeting and filed with the County Administrator is hereby approved and all of the terms, provisions and conditions thereof are incorporated herein by reference as if the Fee Agreement was set out in this Ordinance in its entirety. In sum, the Fee Agreement establishes a 6% assessment ratio for real and personal property for a term of 30 years, locks in the applicable mileage rate for the 30 year term, and also provides for a 58% Special Source Revenue Credit on real and personal property for years one through five of the 30 year term (such Special Source Revenue Credits not to exceed \$1,600,000.00). The Chair of the County Council is hereby authorized, empowered and directed to execute, acknowledge and deliver the Fee Agreement to the Company. The Fee Agreement is to be in substantially the form now before this meeting and hereby approved, or with such changes therein as shall not be materially adverse to the County or the Company and as shall be approved by the officials of the County executing the same, upon advice of counsel, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of Fee Agreement now before this meeting.

Section 3. (a) By separate ordinance (the "MCIP Ordinance") of the County Council, the County, and with the consent of Colleton County and the City of North Charleston, has previously designated the site of the Project as a multi-county business park pursuant to the terms of the Agreement for Establishment of Multi-County Business/Industrial Park (the "MCIP Agreement"). In the FILOT Agreement, the County will agree to maintain such designation for a term of at least 30 years.

(b) Pursuant to the terms of Section 4-1-170 of the Code of Laws of South Carolina 1976, as amended, and the MCIP Agreement, the County hereby provides that for 30 years, commencing with the first tax year in which the fee-in-lieu of *ad valorem* tax revenue is generated by the Project and payable to the County in accordance with the terms of the MCIP Agreement, revenues with respect to the Project under the MCIP Agreement will be distributed as follows:

- (1) After deducting amounts due to the partner county under the MCIP Agreement, to the County and the County Economic Development Fund an amount equal to the total SSRC's (as applicable and as described in greater detail in Section 2 hereof) to be provided in such year pursuant to Section 2 hereof; and
- (2) After making the allocations under paragraph (1) of this Section, to be distributed to the taxing districts in accordance with ordinance of County Council.

Section 4. The Chair of County Council and the County Administrator, for and on behalf of the County, are hereby each authorized and directed to do any and all things necessary to effect the execution and delivery of the Fee Agreement and the performance of all obligations of the County under and pursuant to the Fee Agreement.

Section 5. The consummation of all transactions contemplated by the Fee Agreement is hereby approved.

Section 6. This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina.

Section 7. The provisions of this Ordinance are hereby declared to be separable and if any section, phrase or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder.

Section 8. All orders, resolutions, ordinances and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

DONE, RATIFIED AND ADOPTED this 27th day of August, 2013.

CHARLESTON COUNTY, SOUTH CAROLINA

Chairman Teddie E. Pryor, Sr.
Charleston County Council

ATTEST:

Beverly Craven, Clerk
Charleston County Council

First Reading: June 5, 2012
Second Reading: July 16, 2013
Third Reading: August 27, 2013
Public Hearing: August 27, 2013

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

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

The vote being seven (7) ayes; one (1) abstention and one (1) absent, the Chairman declared the ordinance to have received third reading approval.

Council Member Summey furnished the Clerk with a written statement that he was employed by the Weber Corporation and therefore had a conflict of interest on this issue.

A report was read from the Administration Policy/Rules Committee under date of August 22, 2013 that it considered the information furnished by Committee Chairman A. V. Rawl. It was stated that in accordance with rule 12.1 of the Rules of Council regarding rule changes, at the Administration Policy/Rules Committee of July 11, 2013, Committee Chairman Rawl provided written notice of a proposed amendment to the Rules of Council for discussion. The proposed amendment was discussed at the July 11, 2013,

Rules of
Council
Amendment

committee meeting and a vote was taken on this amendment at the Administration Policy/Rules Committee meeting of August 22, 2013.

The proposed new rule is as follows:

11.2 Council, with advice from the County Attorney, shall select bond counsel every 2 years after following the County's Request for Proposals procurement process.

Committee recommended that Council adopt the following proposed new rule:

Council Member Rawl moved approval of Committee recommendation, seconded by Mr. Summey, and carried.

The new rule reads as follows:

11.2 Council, with advice from the County Attorney, shall select bond counsel every 2 years after following the County's Request for Proposals procurement process.

Construction
Board of
Adjustment
and Appeals

A report was read from the Administration Policy/Rules Committee under date of August 22, 2013, that it considered the information furnished by Deputy Clerk Kristen Salisbury regarding appointments to the Construction Board of Adjustment and Appeals. It was stated that an application for re-appointment for the mechanical or plumbing contractor seat was received from John Michel.

It was stated that the Construction Board of Assessment and Appeals is charged with determining grounds for revocation and re-issuance of general contracting licenses, hearing charges and making decisions on those charges, determining probationary offenses, and reviewing responsibilities of Code updates. It was further stated that the eleven member board shall be composed of two architects, two civil engineers, one structural engineer, general contractor, one mechanical or plumbing contractor, one electrical contractor, one residential homebuilder, one mechanical engineer, and one resident state fire marshal. Terms are for four years.

Committee recommended that Council reappoint John Michel to the Construction Board of Adjustment and Appeals.

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

Greenbelt
Bank Board

A report was read from the Administration Policy/Rules Committee under date of August 22, 2013, that it considered the information furnished by Deputy Clerk Kristen Salisbury regarding appointments to the Greenbelt Bank Board. It was stated that an application for appointment for the board member of a charitable corporation or trust authorized to do business in this State that is actively engaged in the acquisition of interests in land from voluntary sellers for the purposes of natural resource or land conservation in the County seat was received from Ellen Unger, a member of the Edisto Island Open Land Trust board.

It was further stated that the Charleston County Greenbelt Bank Board is a 9 member board and all appointed board members must have a demonstrated background,

experience, and interest in the conservation of natural or historical resources. Terms of board members are for four years and/or until their successors are appointed and qualify.

Committee recommended that Council appoint Ellen Unger to the Greenbelt Bank Board for a term to expire in October 2014.

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

Charleston
Center
Advisory
Board

A report was read from the Administration Policy/Rules Committee under date of August 22, 2013, that it considered the information furnished by Deputy Clerk Kristen Salisbury regarding appointments to the Charleston Center Advisory Board. It was stated that an application for appointment was received from Wendy Dorchester.

It was stated that the nine Members of the Charleston Center Advisory Board serve in an advisory capacity only. At least two members shall be representatives of the community of recovering persons and at least two members shall be representatives from the treatment community with a medicine, psychology, social work or addictions counseling background and Members' terms are for three years. The Board meets on the second Monday of each month at 5:30 p.m.

Committee recommended that Council appoint Wendy Dorchester to the Charleston Center Advisory Board for a term to expire in November 2016.

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

Housing and
Redevelopment
Authority

A report was read from the Administration Policy/Rules Committee under date of August 22, 2013, that it considered the information furnished by Deputy Clerk Kristen Salisbury regarding appointments to the Housing and Redevelopment Authority. It was stated that applications for re-appointment were received from Laura Morris and Tim Rogers. It was stated that the Charleston County Housing Authority and Redevelopment Authority is a public housing agency, receiving Federal Funds, charged with providing the County with adequate and safe low income housing and making same available to qualified persons and families at rentals they can afford. The Authority is composed of seven members, two of whom must be receiving assistance. Terms are for five year terms.

Committee recommended that Council reappoint Laura Morris and Tim Rogers to the Charleston County Housing and Redevelopment Authority for terms to expire in July 2018.

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

Accommodation
Tax Advisory
Committee

A report was read from the Administration Policy/Rules Committee under date of August 22, 2013, that it considered the information furnished by Deputy Clerk Kristen Salisbury regarding appointments to the Accommodations Tax Advisory Committee. It was stated that an application for appointment was received from Rev. Charles Ellis Jenkins. Following this appointment, there will be 4 vacancies on the Accommodations Tax Advisory Committee.

The role of the Accommodations Tax Advisory Committee is to advise County Council on the expenditure of monies received by County Government from the accommodations tax. The Committee is composed of seven members who must be residents of unincorporated Charleston County, four or more of whom must own, or derive income from hospitality industry businesses in the unincorporated portion of the county. Members are appointed by County Council for three year terms.

Committee recommends that Council appoint Rev. Charles Ellis Jenkins to the Accommodations Tax Advisory Committee for a term to expire December 31, 2015.

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

Forestry Board

The five members of the Charleston County Forestry Board shall assist in the general conduct of the forestry program in the County. The Board shall review, revise, and adopt the annual forest fire protection plan. Members of the Board shall reside in Charleston County. Appointments are made by the State Forester upon recommendation of County Council. Terms are for five years.

Committee recommended that Council recommend that the State Forester appoint Jack Kornahrens to the Charleston County Forestry Board for a term to expire in June 2018.

Mr. Summey moved approval of Committee Recommendation, seconded by Mr. Rawl, and carried.

BCD Council of Governments

A report was read from the Administration Policy/Rules Committee under date of August 22, 2013, that it considered the information furnished by Deputy Clerk Kristen Salisbury regarding appointments to the Berkeley-Charleston-Dorchester Council of Governments. It was stated that applications for re-appointment were received from Rev. Robert Reid and Guy Taylor. An application for appointment was received from David Haselden. Following these appointments there will remain one vacancy for a person of minority race on the BCD-COG Board.

The Berkeley-Charleston-Dorchester Council of Governments is one of ten Councils of Governments created to serve the municipalities and counties of this state. The Council of Governments provides a forum through which locally elected officials and their representatives may meet to discuss and resolve issues of mutual concern. County Council has four appointments to the Berkeley-Charleston-Dorchester Council of Governments. The terms of membership of appointed representatives shall be two (2) years. Two of Council's appointees must be minorities. The Berkeley-Charleston-Dorchester Council of Governments meets at least four (4) times per year.

Committee recommended that Council:

1. Reappoint Rev. Robert Reid and Guy Taylor to the Berkeley-Charleston-Dorchester Council of Governments for terms to expire in January 2015.
2. Appoint David Haselden to the Berkeley-Charleston-Dorchester Council of Governments to replace Linda Smoak for a term to expire in January 2015.

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

A report was read from the Administration Policy/Rules Committee under date of August 22, 2013, that it considered the information furnished by Deputy Clerk Kristen Salisbury regarding appointments to the Charleston County Park and Recreation Commission. It was stated that applications for reappointment were received from Benjy Cooke, Mattese Lecque, Ravi Sanyal, and Andy Thomas. Additional applications for appointment were received from Christopher Anderson, Teddy Manos, Richard Molten, Kyle Taylor, Matthew Yelverton, and Leah Whatley. It was stated that Mr. Yelverton previously served on the PRC from 2008-2011. Council also considered the attendance records for the applicants seeking reappointment and of Mr. Yelverton during his previous service.

The Charleston County Park and Recreation Commission is a seven member Board. The Commission is a policy making board and has specific areas of responsibility outlined in legislation. The Staff administers the policies of the Commission under the direction of the Executive Director. The mission of the Commission is to improve the quality of life in Charleston County by offering a diverse system of park facilities, programs and services without duplicating services provided by other agencies. The Commission generally schedules three Committee meetings and one Commission meeting each month. Special and additional meetings are held as needed. The Commission is appointed by the Governor, on the recommendation of County Council for two (2) year terms.

Committee recommended that Council consider appointment of four of the Administrative Policy Rules Committee's recommended six applicants to the Park and Recreation Commission for terms to expire in June 2015:

Park and
Recreation
Commission

- vote deferred

Benjy Cooke
Mattese Lecque
Ravi Sanyal
Andy Thomas
Teddy Manos
Matthew Yelverton

The Chairman stated that he was removing this item at this time at the request of Mr. Schweers who was out of town taking his daughter to College, and that he was advising the Clerk to put this item on Council's September 10, 2013 County Council agenda.

Mr. Pryor added that in addition to Mr. Schweers' absence, Council needed to hear from County Attorney Dawson regarding Council possibly increasing the PRC appointments from 7 to 9 giving each Council Member a chance to recommend an appointee to the PRC Board.

Council Member Darby asked why Council was considering expanding the board

Mr. Pryor said that because the PRC makes decisions that affect the entire County it would be beneficial to have representation from each district in a very similar way as the Planning Commission and the Board of Zoning Appeals.

Mr. Sass asked when this is presented would Council as a whole have a chance to discuss this.

The Chairman stated that the issue would come before the Administration Policy/Rules Committee.

To clarify some Council Member questions concerning the Jeff Gladwell seat on the Park and Recreation Commission, the Chairman said that it was his understanding that Mr. Gladwell was sworn in as a member of the St. Andrews PSD, attended a few meetings and then sent a letter of resignation to Governor Haley to which she has not responded. The Chairman stated that County Attorney Dawson advised that when Mr. Gladwell was sworn in as a St. Andrews PSD Commissioner, he immediately relinquished his office as a member of the Park and Recreation Commission. The Chairman asked the County Attorney to contact the PRC's Executive Director Tom O'Rourke to inform him that Mr. Gladwell would no longer be eligible to serve on the PRC and that Council would recommend that the Governor appoint a replacement at its next meeting.

Tri-County Link
Board of
Directors

A report was read from the Administration Policy/Rules Committee under date of August 22, 2013, that it considered the information furnished by Deputy Clerk Kristen Salisbury regarding appointments to the Tri-County Link Board of Directors. It was stated that applications for re-appointment were received from Rev. Robert Reid and Gilbert Smith. An application for appointment was received from Curtis Inabinett, Jr. Attendance records for Rev. Reid and Mr. Smith were also considered.

The Berkeley-Charleston-Dorchester Rural Transportation Management Association/Tri-County Link Board of Directors plans, develops, and implements a coordinated public and human service transportation service in the rural and under-served areas of Berkeley, Charleston, and Dorchester Counties. The terms of membership of appointed representatives shall be three (3) years.

Committee recommended that Council:

Reappoint Rev. Robert Reid to the Tri-County Link Board of Directors for a term to expire in June 2016.

Appoint Curtis Inabinett, Jr. to the Tri-County Link Board of Directors for a term to expire in June 2016.

Mr. Rawl moved approve of Committee recommendation, seconded by Mr. Summey, and carried.

Board of
Assessment
Appeals

A report was read from the Administration Policy/Rules Committee under date of August 22, 2013, that it considered the information furnished by Deputy Clerk Kristen Salisbury regarding appointments to the Board of Assessment. It was stated that applications for re-appointment were received from Joe Good and Chaun Pflug. Applications for appointment were received from Frank Broccolo, Summer Eudy, John Edward Robinson, and Chip Shealy. Attendance records for Joe Good and Chaun Pflug were also considered.

The Board of Assessment Appeals hears appeals from the Assessor's valuation of property values. Hearings are workload driven and are usually held on Wednesday afternoons. The Board's fifteen members shall be appointed by County Council to four year terms.

Committee recommended that Council:

1. Reappoint Chaun Pflug and Joe Good to the Board of Assessment Appeals for terms to expire in June 2017.
2. Appoint John Edward Robinson to the Board of Assessment Appeals for a term to expire in June 2016.

Mr. Sass nominated Chip Shealy for appointment.

The Chairman requested Council Members to vote for three of the four persons nominated.

The roll was called and votes recorded as follows:

Condon	Pflug, Shealy, Robinson
Darby	Pflug, Shealy, Robinson
Johnson	Robinson, Good, Pflug
Qualey	Good, Robinson, Shealy
Rawl	Pflug, Good, Robinson
Sass	Good, Robinson, Shealy
Schweers	Absent
Summey	Good, Robinson, Shealy
Pryor	Pflug, Good, Robinson

The Chairman announced that Mr. Pflug had received 5 votes, Mr. Shealy had received 5 votes, Mr. Robinson 8 votes, and Mr. Good 6 votes. He stated that Mr. Robinson and Mr. Good were appointed to two of the Board of Assessment Appeals seats and requested Council to vote for the third seat by a show of the hands for either Mr. Pflug or Mr. Shealy. The vote was four in favor of Mr. Plug and four in favor of Mr. Shealy. The Chairman announced that because the vote ended in a tie, another vote for the remaining seat on the Board of Assessment Appeals would be taken at the next Council meeting.

St. Andrews
Park &
Playground

A report was read from the Administration Policy/Rules Committee under date of August 22, 2013, that it considered the information furnished by Deputy Clerk Kristen Salisbury regarding appointments to the St. Andrews Park and Playground Commission. It was stated that an application for re-appointment was received from John Johnston. An application for appointment was received from Amanda Helton. Mr. Johnston has attended 29 of the 31 commission meetings held during his most recent term on the St. Andrews Parks & Playground Commission. It was stated that the St. Andrews Parks and Playground Commission is a Public Service District formed by the state legislature

Overlay
Districts

A report was read from the Planning/Public Works Committee under date of August 22, 2013, that it considered the request of Council Member Condon that Council direct staff to develop a Highway 61 Overlay District. County Administrator Kurt Taylor and Zoning

and Planning Director Dan Pennick furnished information indicating that staff had also been preparing draft overlay districts for several other locations including Folly Road, Sam Rittenberg Boulevard, Savannah Highway, and Highway 171.

Committee recommended that Council direct staff to prepare Overlay Districts for Highway 61, Folly Road, Sam Rittenberg Boulevard, Savannah Highway, and Highway 171 to go through the Planning Commission and public hearing process before being presented to a future Planning/Public Works Committee.

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

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

Mr. Rawl moved approval of the Consent Agenda, Mr. Summey seconded items A, B, C, E and F, and the motion carried;

Mr. Pryor seconded Mr. Rawl's motion for approval of Item D, and the motion carried.

Mr. Summey abstained from voting on item 18D stating that he was an employee of Weber Corporation and furnished the Clerk with a written conflict of interest statement for the record.

The Consent Agenda is as follows:

Item A

A report was read from the Finance Committee meeting of August 22 that it considered the information furnished by County Administrator Kurt Taylor and Contracts and Procurement Director Barrett Tolbert, regarding an administrative agreement between the County and the Charleston County Transportation Committee (CTC), staff solicited bids for the Botany Bay Road Improvements (CTC). It was shown that the Botany Bay Road Improvement Project is located in Charleston County and intersects with SC-174, and that the project consists of paving approximately nine hundred (900) feet of the existing dirt road from SC174 to the Allen AME Church, with the understanding that the work shall include base course, paving, improvements to the shoulder slopes, erosion and sedimentation control, and traffic control during construction. It was stated that bids were received in accordance with the terms and conditions of IFB No. 4773-13C. State "C" Fund regulations do not allow SBE or local preference goals.

Botany Bay
Road
Improvements

Bidder	Bid Price	DBE Percentage
Truluck Construction Company Charleston, South Carolina Principal: Charles Truluck	\$116,335.70	17.62%
Allston Farrell Construction Mount Pleasant, South Carolina Principal: Matthew R. Farrell	\$134,877.20	12.23%

IPW Construction Group, LLC North Charleston, South Carolina Principal: Cyrus D. Sinor	\$147,972.69	57.53%
--	--------------	--------

Committee recommended that Council, as agent for the Charleston County Transportation Committee (CTC), authorize award of a contract for the Botany Bay Road Improvements (CTC) to Truluck Construction Company, the lowest responsive and responsible bidder, satisfying all specifications, in the amount \$116,335.70 with the understanding that funding is available through the State "C" Fund for road improvements.

Item B

A report was read that it considered the information furnished by County Administrator Kurt Taylor and Contracts and Procurement Director Barrett Tolbert regarding a Transportation Sales Tax (TST) funded project for a sidewalk project at Stiles Point Elementary located on James Island, South Carolina. It was stated that this project involves installing a five foot (5') concrete sidewalk, approximately 2,398 in linear feet; and associated drainage improvements along Godber Street from Mikell Drive to Stiles Drive and along Stiles Drive from Godber Street to Harbor View Road. Bids were received in accordance with the terms and conditions of Invitation for Bid No. 4770-14C. The mandatory Small Business Enterprise utilization for this solicitation is 12.2% and the DBE goal is 20%.

Stiles Point
Sidewalk
Project

Bidder	Bid Price	SBE %	DBE %
Celek & Celek Construction, Inc. Charleston, South Carolina Principal: Brian Celek	\$279,932.00	100%	2.86%
Allston Farrell Construction Mount Pleasant, South Carolina Principal: Matthew Farrell	\$289,691.30	100%	20.58%
Sandhill A.L.S. Construction, Inc. Hardeeville, South Carolina Principal: Larry B. Scott	\$308,881.50	100%	100%
First Construction Management, LLC Hanahan, South Carolina Principal: Roger Holcombe	\$329,005.80	100%	24.92%
Wade-Lott, Inc. 289 E Cox Ferry Road Conway, South Carolina Principal: Brent Weaver	\$367,478.50	21.3%	21.35%
IPW Construction Group, LLC North Charleston, South Carolina Principal: Cyrus D. Sinor	\$471,940.37	91%	94.20%

Committee recommended that Council authorize award of bid for the Stiles Point Elementary School Sidewalk – Transportation Sales Tax to Celek & Celek Construction, Inc., the lowest responsive and responsible bidder, in the amount of \$279,932.00, with the understanding that funds are available in the roads portion of the Transportation Sales Tax.

Item C

Eaton Corp.
Set-Aside
Grant

A report was read from the August 22, 2013 meeting of the Finance Committee that it considered the information furnished by County Administrator Kurt Taylor and Economic Development Director Steve Dykes regarding a set-aside grant awarded to Eaton Corporation by the SC Coordinating Council for Economic Development. It was stated that the company proposes to hire 22 additional persons (raising its total employment to 177) and add another \$1.085 million to its annual payroll. It was stated that as part of the recruitment package, the State of South Carolina committed to provide a \$150,000 Set-Aside grant to help offset site development expenses associated with the expansion, and on June 6, 2013, the S.C. Coordinating Council for Economic Development (SCCED) awarded this grant to Charleston County. It was further stated that this grant, designed to be passed thru to Eaton Corporation, LLC, will be administered by the Economic Development Department on a reimbursement basis.

Committee recommended that Council accept the \$150,000 Set-Aside grant from the S.C. Coordinating Council for Economic Development for use by Eaton Corporation, LLC in support of their \$22 million expansion of their North Charleston, S.C. facility and that this project is anticipated to create 22 new jobs and add \$1.085 million in annual payroll, and to generate \$1.5 million in additional public revenues during the next twenty years. It was shown that Grant funds will be made available to the company by the Economic Development Department on a reimbursable basis in accordance with state grant guidelines.

ITEM D

Weber
Corporation
Set-Aside
Grant

A report was read from the Finance Committee under date of August 22, 2013, that it considered the information furnished by County Administrator Kurt Taylor and Economic Development Director Steve Dykes regarding a set aside grant awarded to Weber Automotive by the SC Coordinating Council for Economic Development. It was stated that the company proposes to hire 98 persons, with a projected annual payroll of \$3 million annually. Over thirty years, annual property tax revenues to the various taxing entities should approximate \$8.3 million, with approximately \$1.4 million of that figure coming due to Charleston County. It was stated that as part of the recruitment package, the State of South Carolina committed to provide a \$200,000 Set-Aside grant to help offset road infrastructure, water and sewer expansion associated with the project and on June 14, 2012, the S.C. Coordinating Council for Economic Development (SCCED) awarded this grant to Charleston County. This grant, designed to be passed thru to Weber Automotive Corporation, will be administered by the Economic Development Department on a reimbursement basis.

Committee recommended that Council accept the \$200,000 Set-Aside grant from the S.C. Coordinating Council for Economic Development for use by Weber Automotive Corporation, in support of the establishment of their new \$56 million in North Charleston, S.C. facility. This project is anticipated to create 98 new jobs and add \$3 million in annual payroll, and to generate \$8.3 million in additional public revenues during the next thirty years. . It was shown that Grant funds will be made available to the company by the Economic Development Department on a reimbursable basis in accordance with state grant guidelines.

COUNCIL MEMBER SUMMEY ABSTAINED FROM VOTING ON ITEM D.

ITEM E

5 Ambulances

A report was read from the Finance Committee under date of August 22, 2013 that it considered the information furnished by County Administrator Kurt Taylor and Contracts and Procurement Director Barrett Tolbert regarding the need to purchase five ambulances. It was shown that in June 2012 Charleston County entered into a contract with Taylor Made Ambulance to purchase six (6) Ambulances. It was stated that the County desires to purchase five more ambulances and that Taylor Made Ambulance is willing to sell the vehicles with the options selected at the same cost of the ambulances purchased in 2012. It was further stated that purchasing these vehicles from Taylor Made Ambulance will continue to add standardization for purchasing parts when repairs are required, provide training standardization on operating the same vehicle, and the purchase will continue to further upgrade the Emergency Medical Services fleet of vehicles. It was further stated that the cost breakdown for the Ambulances is as follows:

Ambulance Vehicle Total:	\$740,735.00
Option B, Extended Cab Total:	11,000.00
Option F, Travel per Person Total:	5,750.00
Vehicle Tax Total:	1,500.00
Overall Total Cost:	\$758,985.00

Committee Recommended that Council authorize a non-competitive procurement and award a contract to purchase five (5) additional ambulances from Taylor Made Ambulance in the amount of \$758,985.00 with the understanding that funds are available in the Emergency Medical Services budget.

Item F

Prosecutor by
Karpel Case
Management
System -
Solicitor

A report was read from the Finance Committee under date of August 22, 2013 that it considered the information furnished by County Administrator Kurt Taylor and Contracts and Procurement Director Barrett Tolbert regarding the need to purchase a case management system for the Solicitor's Office. It was stated that during the past year, four South Carolina solicitors jointly conducted independent research of current case management systems for implementation in their offices. It was shown that they looked through several case management systems to analyze the strengths and weaknesses of each system to make a decision on what system would be the most beneficial and the opinion of the group was that Prosecutor by Karpel had the most unique, necessary and desired features they were looking for when it comes to a case management system. It was further shown that Prosecutor by Karpel will also allow the Solicitor's Office to have future capability of data and document sharing with law enforcement, Grand Jury, Clerks of Court, and defense attorneys. It was further stated that pricing is based on a group rate for the four Solicitors. The cost for the 9th Circuit Solicitor's Office will be approximately \$375,000 which includes software and training for its users.

Committee recommended that Council authorize a non-competitive procurement and allow staff to negotiate a contract to purchase Prosecutor by Karpel case management system for the 9th Circuit Solicitor from Karpel Solutions, for an amount not to exceed \$375,000, with the understanding that funding is available in the Capital Projects Fund.

A report was read from the Finance Committee under date of August 22, 2013 that it considered the information furnished by the Magistrate Oversight Committee regarding its meeting on July 24, 2013 held to discuss a salary increase request for recently appointed Magistrate Ellen Steinberg submitted by Senator Paul Thurmond. It was stated that effective June 30, 2013 Magistrate Bonnie Koontz retired as the West Ashley Magistrate and Ellen Steinberg was appointed by the Governor as her replacement. It was shown that in accordance with State Statute §22-8-40, newly appointed magistrates are to receive compensation on a graduated pay scale over a four year period of time; however, a request was made to increase her salary to the full amount based on her years of legal experience as an attorney. It was shown that at this meeting the Magistrates Oversight Committee met to consider this request, and was made aware that Judge Richard Lingenfelter, who was a practicing attorney, was not afforded the same opportunity for a pay increase when he was appointed on May 30, 2012. The Committee voted to approve the additional pay for Judge Steinberg and Judge Lingenfelter. The Committee also approved a policy to address future appointments of attorneys to a magistrates' position. The new policy reads as follows:

An attorney appointed to a Magistrate's position will be given one year of credit on the magistrate pay scale for every two years of practicing law experience in South Carolina.

Committee recommended that Council:

1. Approve a policy stating that an attorney appointed to a magistrate's position will be given one year of credit on the magistrate pay scale for every two years of practicing law experience in South Carolina.
2. Based on the above policy, approve a salary increase of \$17,472.00 for Judge Ellen Steinberg and a salary increase of \$10,483.20 for Judge Richard Lingenfelter.

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

A report was read from the Finance Committee under date of August 22, 2013 that it considered the information furnished by County Administrator Kurt Taylor and Assistant Administrator for Public Works and Transportation Development Jim Armstrong, regarding design, permitting, and right of way acquisition of the West Ashley Circle, a transportation sales tax funded project, which is nearing completion. It was stated that the scope of the project is to construct the remaining three quarters of the West Ashley Circle, a 2,000 foot diameter ring road which encircles the intersection of Glenn McConnell Parkway and Bees Ferry Road. It was stated to Council that the intent has been to construct the West Ashley Circle along with the Bees Ferry Widening Project, and the West Ashley Circle project has been designed to ensure that the traffic signal equipment, signal timing and integration, drainage design, and intersection tie-in points are seamlessly coordinated with the Bees Ferry Road project. Staff believes that it is of paramount importance that the intended coordination of the two projects' designs is realized during construction, and to ensure that this coordination occurs as the designers intended, staff recommends that Council approve the use of a non-competitive procurement to award construction of the West Ashley Circle to the contractor, Banks Construction Company, which is presently constructing Bees Ferry Road. The reasons

for this recommendation to use non-competitive procurement include, but are not limited to:

1. The Bees Ferry Road construction contractor is familiar with the West Ashley Circle site by virtue of working on the Bees Ferry Road project.
2. The Bees Ferry Road construction contractor has equipment needed to perform the work already in the vicinity of the West Ashley Circle project.
3. Had the West Ashley Circle been designed and permitted at the time Bees Ferry Road was advertised for construction, the two projects would have been combined under one contract procurement.
4. Integration of traffic signal equipment and coordination of the signal timings along Bees Ferry Road and its intersections with the West Ashley Circle is of critical importance to the function of the signal system.
5. Coordination of traffic control and construction staging between the two projects is needed to minimize delays to the traveling public.

It was further stated that the non-competitive procurement method is permissible under Section 2-187 of the Charleston County Procurement Ordinance. Non-competitive procurement of the West Ashley Circle is contingent upon the receipt of all project permits, acquisition of rights of way, and completion of the project design in time to coordinate construction with the ongoing Bees Ferry Road project.

Committee recommended that Council approve a non-competitive procurement for the West Ashley Circle project for the reasons outlined above, award the contract to Banks Construction Company, and authorize staff to negotiate the contract and the Chairman to execute the contract.

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

Material
Recovery
Facility Site

A report was read from the Finance Committee that it considered the information furnished by County Administrator Kurt Taylor, County Attorney Joe Dawson, Environmental Management Director Art Braswell, and Environmental Management consultant Mitch Kessler in Executive Session regarding possible sites to construct a new Material Recovery Facility.

Committee recommended that Council:

1. Enter into contract negotiations to purchase land to build a Material Recovery Facility at "Site 1".
2. If, after a period of 90 days, negotiations for the purchase of "Site 1" cannot be completed or it is determined that construction of a Material Recovery Facility cannot be completed for any reason at "Site 1," staff is authorized to enter into contract negotiations to purchase land to build a Material Recovery Facility at "Site 2".

Each Member of Council made comments on the pros and cons concerning the location of the Material Recovery Facility under discussion.

Mr. Rawl stated that in lieu of the Committee recommendation he moved approval of construction of the Materials Recovery Facility at site 2, seconded by Mr. Summey.

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

Condon	Nay
Darby	Aye
Johnson	Aye
Qualey	Nay
Rawl	Aye
Sass	Nay
Schweers	Absent
Summey	Aye
Pryor	Aye

The vote being five (5) ayes, three (3) nays and one (1) absent, the Chairman declared the motion to have carried.

The Chairman asked if any Member of Council wished to address the Body.

Council Member Rawl thanked staff for the hard work they do on projects that are successful as well as projects that are not. He also recognized Charleston City Council Members Dean Riegel and Bill Moody who were in attendance at the meeting.

Council Member Sass offered condolences to Chairman Pryor and his family on the loss of the Chairman's father.

Council Member Darby thanked Council Member Johnson for her work as Chairwoman of the Recycling and Solid Waste Committee.

Council Member Condon thanked the public for sharing their input with Council.

County Administrator Kurt Taylor thanked Council for the opportunity to serve stating that he considers it a privilege to serve the public. He also thanked Deputy Administrator for General Services Walt Smalls for representing the County at a banquet in Chicago where Charleston County Public Works, Transportation Development, and Facilities Management departments received accreditation from the American Public Works Association. Mr. Taylor also recognized Public Works Director Jim Neal and Engineering Superintendent Frank Pandullo. Mr. Pandullo was appointed to the board of the SC Chapter of the American Public Works Association and Mr. Neal was elected Chairman of that board.

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

Beverly T. Craven
Clerk of Council

Council
Comments