

December 16, 2010
Charleston, SC

A special meeting of County Council of Charleston County was held on the 16th day of December, 2010 immediately following the Finance Committee meeting in the Beverly T. Craven Council Chambers, Second Floor, Lonnie Hamilton, III Public Services Building, at 4045 Bridge View Drive, Charleston, South Carolina.

Present at the meeting were the following members of Council: Teddie E. Pryor, Sr., Chairman, who presided; Colleen Condon; Curtis B. Inabinett; Sr.; Joe McKeown; A. Victor Rawl; J. Elliott Summey; Paul R. Thurmond and Dickie Schweers. Council Member Henry E. Darby was still recovering from injuries received when he was struck by a car and suffered a concussion.

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

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.

An Ordinance amending the Charleston County Zoning and Land Development Regulations was given second reading by title only.

University
Boulevard
Overlay
District
Ordinance
3rd Reading

AN ORDINANCE

AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE NUMBER 1202, AS AMENDED CHAPTER 5 (OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS), ARTICLE 5.9 SECTION 5.9.14, UB-0, UNIVERSITY BOULEVARD OVERLAY DISTRICT.

WHEREAS, the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Section 6-29-310 et seq., of the South Carolina Code of Laws, 1976, as amended, authorizes the County of Charleston to enact or amend its zoning and land development regulations to guide development in accordance with existing and future needs and in order to protect, promote and improve the public health, safety, and general welfare; and

WHEREAS, the Charleston County Planning Commission has reviewed the proposed text amendments of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) in accordance with the procedures established in State law and the ZLDR, and has recommended that the Charleston County Council adopt the proposed amendments of the text of the ZLDR as set forth herein; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least 1 public hearing, and after close of the public hearing,

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County Council approves the proposed text amendments based on the Approval Criteria of Section 3.3.6 of Article 3.3 of the ZLDR; and

WHEREAS, the County Council has determined the proposed text amendments meet the following criteria:

- A. The proposed amendments correct an error or inconsistency or meet the challenge of a changing condition; and
- B. The proposed amendments are consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5; and
- C. The proposed amendments are to further the public welfare in any other regard specified by County Council.

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

SECTION I. FINDINGS INCORPORATED

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

SECTION II. AMENDMENTS OF THE TEXT OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE

The Charleston County Zoning and Land Development Regulations Ordinance is hereby amended to include the text amendments as attached hereto as Exhibit "A" and made part of this Ordinance by reference.

SECTION III. SEVERABILITY

If, for any reason, any part of this Ordinance is invalidated by a court of competent jurisdiction, the remaining portions of this Ordinance shall remain in full force and effect.

SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective immediately following third reading by the County Council.

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

- | | |
|---------------|----------|
| Ms. Condon | - aye |
| Mr. Darby | - absent |
| Mr. Inabinett | - aye |
| Mr. McKeown | - aye |

Mr. Rawl	- aye
Mr. Schweers	- aye
Mr. Summey	- aye
Mr. Thurmond	- aye
Mr. Pryor	- aye

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

Interwrap
Corp Financial
Incentives
Ordinance
3rd Reading

An Ordinance approving a Fee in Lieu of Taxes Agreement for Interwrap Corporation was given third reading by title only.

AN ORDINANCE

AUTHORIZING: (1) THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT BETWEEN CHARLESTON COUNTY, SOUTH CAROLINA (“CHARLESTON COUNTY”) AND INTERWRAP CORP. ACTING ON BEHALF OF ITSELF OR ANY AFFILIATE OR OTHER PROJECT SPONSOR (THE “COMPANY”), PURSUANT TO WHICH CHARLESTON COUNTY SHALL COVENANT TO ACCEPT CERTAIN NEGOTIATED FEES IN LIEU OF AD VALORUM TAXES WITH RESPECT TO THE EXPANSION AND ESTABLISHMENT OF CERTAIN DISTRIBUTION AND/OR MANUFACTURING FACILITIES IN ONE OR MORE LOCATIONS IN THE COUNTY (“THE PROJECT”) (2) THE BENEFITS OF A MULTI-COUNTY PARK TO BE MADE AVAILABLE TO COMPANY; AND (3) OTHER MATTERS RELATING THERETO.

WHEREAS, Charleston County, South Carolina (the “County”), acting by and through its County Council (the “Council”), is authorized and empowered, under and pursuant to the provisions of the Code of Laws of South Carolina 1976, as amended through the date hereof (the “Code”), particularly Title 12, Chapter 44 thereof (the “Negotiated FILOT Act”) and Title 4, Chapter 1 of the Code (the “Multi-County Park Act”) and, together with the Negotiated FILOT Act, the “Act”), and by Article VIII, Section 13 of the South Carolina Constitution: (i) to enter into agreements with certain investors to construct, operate, maintain, and improve certain projects through which the economic development of the State of South Carolina (the “State”) will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate and remain in the State and thus utilize and employ the manpower, agricultural products, and natural resources of the State; (ii) to covenant with such investors to accept certain fee in lieu of *ad valorem* tax (“FILOT”) payments with respect to a project; and (iii) to create, in conjunction with one or more other counties, a multi-county industrial or business park in order to afford certain enhanced income tax credits to such investors; and

WHEREAS, Interwrap Corp., a corporation organized and existing under the laws of the State of Oregon, acting for itself or an affiliate or other project sponsor, (the “Company”) proposes to expand and establish certain facilities primarily for the distribution and/or manufacturing of coated woven polyolefin products at one or more

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locations in the City of North Charleston, South Carolina, in the County (the "Project"); and

WHEREAS, the Company anticipates that, should its plans proceed as expected, it will invest, or cause to be invested, at least \$10,500,000 at the Project and will create, or cause to be created, at least 60 new jobs within the County, all by the end of the Compliance Period (defined below).

WHEREAS, the County has determined that the Project will subserve the purposes of the Act and has made certain findings pertaining thereto in accordance with the Act; and

WHEREAS, in accordance with such findings and determinations and in order to induce the Company to locate the Project in the County, the County adopted a Resolution on November 18, 2010 (the "Inducement Resolution"), pursuant to which the County and the Company entered into an Inducement and Millage Rate Agreement ("Inducement Agreement"); and

WHEREAS, the County and the Company have agreed to the specific terms and conditions of such arrangements as set forth in a Fee in Lieu of Tax and Incentive Agreement between the County and the Company (the "Incentive Agreement") the form of which is presented to this meeting, which Incentive Agreement is to be as of dated **[December]** 1, 2010 or such other date as the parties may agree; and

WHEREAS, it appears that the Incentive Agreement now before this meeting is in appropriate form and is an appropriate instrument to be executed and delivered by the County for the purposes intended;

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

Section 1. As contemplated by Section 12-44-40(I) of the Code, the findings and determinations set forth in the Inducement Resolution are hereby ratified and confirmed and the terms and conditions of the Inducement Agreement are hereby ratified and approved except as otherwise specifically modified by this Ordinance and the Incentive Agreement. In the event of any disparity or ambiguity, the terms of this Ordinance and the Incentive Agreement shall control. Additionally, the County makes the following findings and determinations:

(a) The Project will constitute a "project" within the meaning of the Negotiated FILOT Act.

(b) The Project, and the County's actions herein, will subserve the purposes of the Negotiated FILOT Act.

(c) The Project is anticipated to benefit the general public welfare of the State and the County by providing services, employment, recreation, or other public benefits not otherwise adequately provided locally.

(d) The Project gives rise to no pecuniary liability of the County or incorporated municipality or a charge against its general credit or taxing power.

(e) The purposes to be accomplished by the Project are proper governmental and public purposes.

(f) The benefits of the Project are greater than the costs.

(g) The Project will have a substantial public benefit.

Section 2. The County hereby agrees, subject to the investment and other requirements set forth herein, in the Incentive Agreement, and in the Negotiated FILOT Act, to enter into the Incentive Agreement with the Company, whereby the Company will agree to pay a Negotiated FILOT (as defined herein) with respect to the Project in accordance with the terms of such Incentive Agreement. The Incentive Agreement will provide, *inter alia*, the following:

(a) The Company must invest, or cause to be invested, at least \$5,000,000 in the Project (the "Minimum Contractual Investment Requirement"), during the period commencing with the date of the Company's initial expenditure with respect to the Project, and ending on the fifth anniversary of the end of the property tax year in which the Company places in service the initial Negotiated FILOT Property (as defined in the Incentive Agreement) comprising the Project (the "Compliance Period"). The Company may, prior to the end of the Compliance Period, apply to the County for up to a five-year extension of the period for completion of the Project beyond the Compliance Period (or any longer extension that may hereafter be permitted by the Negotiated FILOT Act) up to the tenth anniversary (or such later anniversary, if further extended) of the end of the property tax year in which the Company places in service the initial Negotiated FILOT Property (as defined in the Incentive Agreement) comprising the Project as permitted by the Negotiated FILOT Act (the "Investment Period"), and the County may approve of such extension, in its sole discretion; provided, however, that there shall be no extension beyond the Compliance Period for meeting the minimum investment required by Section 12-44-30(14) of the Negotiated FILOT Act (\$2,500,000 or \$1,000,000 if eligible for such reduced investment threshold in connection with the Brownfields Voluntary Cleanup Program). The Company shall pay a fee in lieu of *ad valorem* taxes calculated as provided in **Section 2(b)** (the "Negotiated FILOT") for all Negotiated FILOT Property placed in service as part of the Project during the Compliance Period, or if extended as set forth above in this **Section 2(a)**, the Investment Period. The annual Negotiated FILOT payments shall commence with respect to the property tax year in which the first Economic Development Property comprising a part of the Project is placed in service and shall continue for a total of 20 years for each such annual increment of investment during the Compliance Period, or if extended as set forth above in this **Section 2(a)**, the Investment Period.

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(b) The Negotiated FILOT shall be determined using: (1) an assessment ratio of 6.0%, (2) the lowest millage rate allowed by the Negotiated FILOT Act which millage rate shall be [273.8] mills, which millage rate will be fixed for the term of the Agreement as set forth in the Negotiated FILOT Act; and (3) the fair market value of the Project, determined in accordance with the Act.

Section 3. The County will insure that the Project will be included, if not already included, and will remain, within the boundaries of a multi-county industrial or business park pursuant to the provisions of the Multi-County Park Act on terms which provide, for all jobs created by the Company in the County during the Compliance Period, or if extended as set forth in **Section 2(a)** hereof, during the Investment Period, any additional jobs tax credits afforded by the laws of the State for projects located in multi-county industrial or business parks.

Section 4. The form, provisions, terms, and conditions of the Incentive Agreement presented to this meeting and filed with the Clerk to Council be and they are hereby approved, and all of the provisions, terms, and conditions thereof are hereby incorporated herein by reference as if the Incentive Agreement were set out in this Ordinance in its entirety. The Incentive Agreement is to be in substantially the form now before this meeting and hereby approved, or with such changes therein as shall not materially adversely affect the rights of the County thereunder and as shall be approved by the officials of the County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of the Incentive Agreement now before this meeting.

Section 5. The form, terms and provisions of the Inducement Agreement heretofore entered into by the County and the Company are hereby ratified and approved to the extent allowed by law, and all of the terms, provisions and conditions thereof are hereby incorporated herein by reference as if the Inducement Agreement were set out in this Ordinance in its entirety, except to the extent modified by this Ordinance or the Incentive Agreement. In the event of any disparity or ambiguity, the terms of this Ordinance and the Incentive Agreement shall control.

Section 6. The Chairman of the Council is hereby authorized, empowered, and directed to execute the Incentive Agreement in the name and on behalf of the County; the Clerk to Council is hereby authorized and directed to attest the same; and the Chairman of the Council is further authorized, empowered, and directed to deliver the Incentive Agreement to the Company. The Chairman of the Council, and the Clerk to Council, for and on behalf of the County, is hereby each authorized, empowered, and directed to do any and all things necessary or proper to effect the performance of all obligations of the County under and pursuant to the Incentive Agreement, and to carry out the transactions contemplated thereby and by this Ordinance.

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

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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.

Enacted and approved this 16th day of December, 2010.

CHARLESTON COUNTY, SOUTH CAROLINA

By: Teddie E. Pryor, Chairman
Charleston County Council

Attest:

Beverly T. Craven, Clerk
Charleston County Council

First Reading: November 23, 2010
Second Reading: December 7, 2010
Public Hearing: December 7, 2010
Third Reading: December 16, 2010

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

Ms. Condon	- aye
Mr. Darby	- absent
Mr. Inabinett	- aye
Mr. McKeown	- aye
Mr. Rawl	- aye
Mr. Schweers	- aye
Mr. Summey	- aye
Mr. Thurmond	- aye
Mr. Pryor	- aye

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

**Multi-County
Industrial Park
Ordinance
Boeing
Amendments
3rd Reading**

An Ordinance adding real and business property owned by the Boeing Company was given third reading by title only.

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 Boeing Company ("Boeing") has requested Charleston County Council to include certain parcels in the Park by adding to the Park (i) the parcels owned by the Charleston County Aviation Authority ("CCAA") and leased to Boeing and (ii) the parcel owned by Boeing, all as described on **Exhibit A** attached hereto; and

WHEREAS, the Counties desire to amend the Agreement to include parcels (i) owned by the CCAA and leased to Boeing and (ii) the parcel owned by Boeing;
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

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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 upon adoption of this Ordinance by the County, after third and final reading and public hearing. The City of North Charleston and Colleton County Council have been requested to give their respective approvals to the amendment by resolution.

SECTION 4. 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, SOUTH CAROLINA

Teddie E. Pryor, Chairman
Charleston County Council

ATTEST:

Beverly T. Craven, Clerk
Charleston County Council

First Reading: November 23, 2010
Public Hearing: December 7, 2010
Second Reading: December 7, 2010
Third Reading: December 16, 2010

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).

<u>Parcels to be Added</u>	<u>Legal Description</u>	<u>Initial Tax Year</u>
Owned by the Charleston County Aviation Authority and leased to The Boeing Company	Parcels described as "Main Site Lease Area," "Existing Boeing Lease Area-Taxiway	2011

Extension,” “New Lease Area No. 1,” “New Lease Area No. 2,” “New Lease Area No. 3,” “Lease Expansion,” “Proposed 35’ Right-of-Entry Boundary and Easement,” “Proposed Right-of-Entry Boundary Utility Easement,” “Future Lease Area,” and “Proposed 21 acre site”, as more particularly described in **Schedule 1** attached hereto (located in City of North Charleston)

2011

Owned by The Boeing Company

Parcels described as “Tract 9” and “Access Road”, as more particularly described in **Schedule 1** attached hereto (located in City of North Charleston)

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

- Ms. Condon - aye
- Mr. Darby - absent
- Mr. Inabinett - aye
- Mr. McKeown - aye
- Mr. Rawl - aye
- Mr. Schweers - aye
- Mr. Summey - aye
- Mr. Thurmond - aye
- Mr. Pryor - aye

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

An Ordinance adding real and business property owned by Interwrap and Odfjell was given third reading by title only.

Multi-County Industrial Park Interwrap & Odfjell Amendments Ordinance 3rd Reading

AN ORDINANCE

TO FURTHER AMEND THE AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK, BY AND BETWEEN CHRLESTON 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 fulfill commitments made to companies which are considering expansion or location decisions;

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.

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SECTION 3. This amendment to the Agreement shall become effective on the date of upon adoption of this Ordinance by the County, after third and final reading and public hearing. The City of North Charleston and Colleton County Council have been requested to give their respective approvals to the amendment by resolution.

SECTION 4. 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, SOUTH CAROLINA

Teddie E. Pryor, Chairman,
Charleston County Council

ATTEST:

Beverly T. Craven, Clerk
Charleston County Council

First Reading: November 23, 2010
Public Hearing: December 7, 2010
Second Reading: December 7, 2010
Third Reading: December 16, 2010

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).

<u>Parcels to be Added</u>	<u>Legal Description</u>	<u>Initial Tax Year</u>
Interwrap Corp.	Parcel 1, Parcel 2, and Tract A, as more particularly described in Schedule 1 attached hereto (located in City of North Charleston)	2011
Odfjell Holdings (US) Inc. or an affiliate	Parcel No. I and Parcel No. II, as more particularly described in Schedule 1 attached hereto (located in City of North Charleston)	2011

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

Ms. Condon	- aye
Mr. Darby	- absent
Mr. Inabinett	- aye
Mr. McKeown	- absent
Mr. Rawl	- aye
Mr. Schweers	- aye
Mr. Summey	- aye
Mr. Thurmond	- aye
Mr. Pryor	- aye

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

A report was read from the Planning/Public Works Committee, under date of December 16, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Dan Pennick, Director of Zoning and Planning, regarding a requested change in Case # ZREZ-9-10-8314. It was stated that this property is located in Mount Pleasant, and the Town of Mount Pleasant recommends commercial uses for this property and has no objections to the zoning request.

**ZREZ-9-10-8314, 2552
Highway 17N
A) Request to Approve
B) Ordinance
1st Reading**

Committee recommended that Council approve the re-zoning request.

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

An Ordinance rezoning the real property located at 2922 Highway 17 North was given first reading by title only.

AN ORDINANCE

REZONING THE REAL PROPERTY LOCATED AT 2922 HIGHWAY 17 NORTH, PARCEL IDENTIFICATION NUMBER 580-00-00-009 FROM A SINGLE FAMILY RESIDENTIAL 4 (R-4) DISTRICT TO THE COMMUNITY COMMERCIAL (CC) DISTRICT.

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

**Public Works
Services/Town
Of James Island
Request to
Approve**

A report was read from the Planning/Public Works Committee, under date of December 16, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Jim Neal, Director of Public Works, regarding the request of the Town of James Island for assistance regarding improvements to Ben Road and Honey Hill Road. It was stated that the Town was asking that this be considered a

Special Request as provided for in the Charleston County Services to Municipalities Policy, even though it was not requested during the normal budget cycle.

Committee recommended that Council approve the requested services to be provided to the Town of James Island for engineering assistance in planning for improvements for two Town of James Island roads, with the understanding that this preparation.

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

Mr. Thurmond abstained and furnished the Clerk with a Statement of Conflict of Interest citing a possible business conflict.

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

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

The Consent agenda is as follows:

Consent Agenda
A) Help America
Vote Act
B) Code
Enforcement
Officers
C) US 17, SC 61
Wesley Drive
Intersection
Improvements

A report was read from the Finance Committee under date of December 16, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Marilyn Bowers of the Board of Elections & Voters Registration regarding a federal funding grant from the South Carolina Election Commission in the amount of \$49,111.90. It was stated that these funds allowed the Board of Elections and Voter Registration to purchase 46 Ballotcall Election Alert System with ring bell for curbside assistance and 110 double-sided, stand-up (approximately 4 feet) "Vote Here" signs.

Committee recommended that Council approve the acceptance of \$49,111.90 of Help America Vote Act grant funds from U. S. Election Assistance Commission through the South Carolina Election Commission, with the understanding that there is no match associated with the grant.

A report was read from the Finance Committee under date of December 16, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Bernard E. Ferrara, Deputy County Attorney, regarding the appointments of Code Enforcement Officers for Charleston County for 2011. It was stated that in 1994 Charleston County adopted an Ordinance authorizing the issuance of a uniform Ordinance summons, which is used to enforce any County Ordinance, and the commission are on an annual basis, and subject to renewal or rescission every year.

Committee recommended that Council approve the Commission of the following County employees as Code enforcement Officers with all commission being effective beginning January 1, 2011 through December 31, 2011.

Pamela S. Hope	Assessor
Christina White	Assessor
Brian S. Barraclough	Building Services
William R. Bullock	Building Services
James R. Houser	Building Services
Calvin T. Phillips	Building Services
Cecil A. Rhudy	Building Services
Carl H. Simmons	Building Services
Karl A. Wichmann	Building Services
Sally Brooks	Planning
Joel Evans	Planning
Dan Pennick	Planning
Andrea Pietras	Planning
John Waring	Planning
Brandon White	Planning
Russell Bennett	Public Works-Storm Water
Luca Constible	Public Works
Neil Desai	Public Works-Storm Water
Charles Jarman	Public Works-Storm Water
James Neal	Public Works
Doug Pelcher	Public Works
George Boniface	Revenue Collections
Hillary Bowers	Revenue Collections
Dionne Brown	Revenue Collections
Jim Bunn	Revenue Collections
Joe Coates	Revenue Collections
Byron Foster	Revenue Collections
Lourenza Green	Revenue Collections
Jon Guerry	Revenue Collections
Ron Hall	Revenue Collections
Anthony Hazelton	Revenue Collections
Megan Hume	Revenue Collections
Jim Lane	Revenue Collections
Elbert Matthews	Revenue Collections
Britt Miller	Revenue Collections
Tom Tamblyn	Revenue Collections
Edrian Trakas	Revenue Collections
Douglas Wurster	Revenue Collections
Colin Wieringa	Revenue Collections

Charles "Tim" Fetner Planning/Environmental Management

A report was read from the Finance Committee under date of December 16, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Barrett J. Tolbert, Director of Procurement regarding bids received on Monday December 13, 2010 for the US 17/SC 61 Wesley Drive Intersection. It was stated that this project includes approximately 3500 linear feet of roadway, sidewalk, crosswalk, and drainage improvements on US 17(Savannah Highway), Highway SC61 (St. Andrews Boulevard) SC RTE 171/700 (Wesley Drive, Folly Road, and Folly Boulevard), and these improvements involve traffic control, asphalt surfacing, sub-grade preparation, earthwork, storm drainage improvements, pavement marking, roadway signing and sidewalk.

Committee recommended that Council authorize award of contract for US 17/SC 61/Wesley Drive to Sanders Brothers Construction Company, Inc., the lowest responsive and responsible bidder, satisfying all specifications in the amount of \$1,154,855.86, with funding to come through the Transportation Sales tax bonded project.

**St. Pauls Fire
District Bonds
A) Request to
Approve
B) Ordinance
1st Reading**

A report was read from the Finance Committee under date of December 16, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and the Resolution and Petition of St. Paul's Fire District Commission to the Governing Body of Charleston County, for a public hearing pursuant to article 5, chapter 11, title 6, Code of Laws of South Carolina, 1976, as amended.

Committee recommended that Council:

1. Approve a Resolution calling for a Public Hearing to be held upon the question of the issuance of not exceeding \$325,000 of General Obligation Bonds of the St. Paul's Fire District.
2. Approve and give first reading to an Ordinance Finding that the St. Paul's Fire District, South Carolina may issue not exceeding \$325,000 General Obligation Bonds and to provide for the publication of Notice of the said Findings and Authorization.

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

An Ordinance regarding the issuance of St. Paul's Fire District Bonds was given first reading by title only.

AN ORDINANCE

FINDING THAT THE ST. PAUL'S FIRE DISTRICT, SOUTH CAROLINA MAY ISSUE NOT EXCEEDING \$325,000 GENERAL OBLIGATION BONDS AND TO PROVIDE FOR THE PUBLICATION OF NOTICE OF THE SAID FINDING, AND AUTHORIZATION.

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

Rules of Council Amendment Request to Approve

A report was read from the Finance Committee under date of December 16, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Kristen L. Salisbury, Deputy Clerk to Council, regarding the need to amend section 1.4 of the Rules of Council to read as follows:

Regular meetings of Council are routinely held twice a month on Tuesdays in the months of January, February, March, April, May, June, September, October, November and December. During the months of July and August, only one monthly Council meeting is held. Special meeting may be called by the Chairman of Council or a majority of the Members of Council, provided that 24 hours notice has been given to the public, unless the meeting is deemed an emergency meeting, as provided for in State law.

Committee recommended that Council amend the Rules of Council to reflect the following:

Regular meetings of Council are routinely held twice a month on Tuesdays in the months of January, February, March, April, May, June, September, October, November and December. During the months of July and August, only one monthly Council meeting is held. Special meeting may be called by the Chairman of Council or a majority of the Members of Council, provided that 24 hours notice has been given to the public, unless the meeting is deemed an emergency meeting, as provided for in State law.

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

**Greenbelt Projects
A) PRC Regional Parkland Funding/Rifle Range Road Request to Approve**

A report was read from the Finance Committee under date of December 16, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Cathy Ruff, Director of Greenbelt Projects, as well as the correspondence from Lisa Steed King, Chair of the Charleston County Park & Recreation Commission (CCPRC), regarding the CCPRC and the Town of Mount Pleasant's request for County Council approval for the allocation of Regional Parkland Greenbelt funding towards an important parkland acquisition. It was shown that the CCPRC and the Town of Mount Pleasant have agreed to jointly purchase 245.61 acres of land on Rifle Range Road for \$20,000,000, with each entity being responsible for \$10,000,000. It was further shown that the CCPRC would spend the balance in its Regional Greenbelt funds of \$8,625,000 towards its \$10,000,000 and the Town of Mount Pleasant would be using its Urban Greenbelt funds of \$4,657,161 towards its \$10,000,000.

B) Rural Greenbelt Project Greenbelt Bank Recommendation

Committee recommended that Council approve the joint purchase of the 245.61 acres Rifle Range Property for the sum of \$20,000,000 by the Charleston County

Park and Recreation Commission and the Town of Mount Pleasant with the CCPRC using the \$8,625,000 funds remaining in its Greenbelt allocation towards its \$10,000,000, and the Town of Mount Pleasant using the balance of its \$4,657,161 Urban Greenbelt funds towards its \$10,000,000, with the understanding that these amount do not include administrative costs associated with purchases.

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

Mr. Thurmond abstained and furnished the Clerk with a Conflict of Interest Statement citing a possible business conflict.

A report was read from the Finance Committee under date of December 16, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Cathy Ruff, Director of Greenbelt Projects, regarding recommendations of the Greenbelt Bank Board. It was stated that the Greenbelt Bank Board was recommending that Council approve the Town of Meggett's request for approval of Project Walnut Hill, which would add 156.7 acres of public parkland in the West County area, and recommending disapproval for Projects Heritage Farms and Encampment Reserve

Committee recommended that Council:

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

Applicant	Project	Acres	Funding
Town of Meggett	Walnut Hill	156.7	\$2,659,000

2. Authorize the County Administrator to require the execution and delivery of proper agreements and instruments of implement the conditions of the grant funds, and to effectuate the goals of the Greenbelt Program Ordinances and policies.
3. Approve the use of \$2,659,000 to be funded from a combination of 2007 General Obligation Bonds, Greenbelt Operating Contingency and/or future Greenbelt Bond issues.

4. Disapprove the following rural greenbelt project:

Applicant	Project	Acres	Funding
Town of Ravenel	Encampment Reserve	313.42	\$1,462,500

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

The Chairman announced that the last item completed County Council Agenda for December 16, 2010 and he wished everyone a Holy and Happy Holiday Season.

Mutual good wishes were expressed by Council Members and the meeting was declared to be adjourned.

Beverly T. Craven
Clerk of Council