

July 29, 2014
Charleston, SC

A meeting of County Council of Charleston County was held on the 29th day of July, 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; Anna Johnson; Joseph K. Qualey; A. Victor Rawl; Herbert R. Sass, III; Dickie Schweers and J. Elliott Summey. Council Member Henry E. Darby was out of town.

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

Rev. Robert Reid gave the invocation, and Dan Pennick, Director of Planning and Zoning 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 June 17, 2014, seconded by Mr. Sass, and carried.

**Recognitions
and
Resolutions**

The Chairman said that the next item on Council's Agenda was a Resolution honoring the Gullah/Geechee Nation Appreciation Week.

Ms. Condon moved approval of the Resolution, seconded by Ms. Johnson, and carried.

The Chairman asked the Deputy Clerk to read the resolution into the record, and requested Queen Quiet to come forward to accept the resolution.

The resolution is as follows:



A RESOLUTION OF CHARLESTON COUNTY COUNCIL

Proclaiming the Week of July 28 – August 3, 2014 as Gullah-Geechee Nation Appreciation Week

WHEREAS, Charleston County is one of the oldest counties in South Carolina, and in the 18th century, Charleston County and the South Carolina coast became the locale of some of the richest rice plantations in the South, which were linked to specific West African ethnic groups who became known as *Gullah-Geechee*; **and**,

WHEREAS, the Gullah-Geechee civilization, originated in West Africa, its people coming to the United States as slaves to work on rice plantations, specifically in the coastal regions, including South Carolina; and with their African fare, original language, and craftsmanship, the Gullah-Geechee people left their mark on southeastern South Carolina, **and**

WHEREAS, the Gullah-Geechee culture has had a powerful impact on the Low Country of South Carolina, including Charleston County, and these Gullah-Geechee influences have helped to define our southern lifestyle and culture; **and**,

WHEREAS, the preservation and celebration of the Gullah-Geechee culture has gained momentum due to the Gullah-Geechee Cultural Heritage Act, created by United States Representative James Clyburn, as well as the efforts of others such as Queen Quet, Chieftess of the Gullah-Geechee Nation, and Kwame Sha, co-founders of the International Gullah-Geechee Nation Celebration and the annual Gullah-Geechee Nation Music & Movement Festival; **and**,

WHEREAS, it is appropriate to recognize the importance of bringing awareness and appreciation for this rich culture and history in order to increase understanding of all the contributions the Gullah-Geechee have given to our area.

NOW THEREFORE BE IT RESOLVED that **CHARLESTON COUNTY COUNCIL** does hereby recognize the 2014 Gullah-Geechee Nation International Music & Movement Festival and proclaim the week of **July 28-August 3, 2014** as

GULLAH-GEECHEE NATION APPRECIATION WEEK

in Charleston County and encourages its citizens to participate in educational activities aimed at increasing both knowledge and appreciation of this rich culture.

CHARLESTON COUNTY COUNCIL

Teddie E. Pryor, Chairman
July 29, 2014

An ordinance to accept the transfer of authority to conduct municipal elections for the Town of Kiawah Island was given third reading by title only.

Ordinance
Kiawah
Island
Elections
Third
Reading

AN ORDINANCE
TO ACCEPT THE TRANSFER OF AUTHORITY TO THE BOARD OF
ELECTIONS AND VOTER REGISTRATION OF CHARLESTON COUNTY TO
CONDUCT MUNICIPAL ELECTIONS FOR THE TOWN OF KIAWAH ISLAND,
SOUTH CAROLINA.

WHEREAS, Section 5-15-145 of the Code of Laws of South Carolina, 1976, as amended, allows for the transfer of some or all authority to conduct municipal elections to a county election commission; and

WHEREAS, by adoption of Town of Kiawah Island, SC, Ordinance No. 2014-05, Adopted May 6, 2014 (attached hereto as Exhibit "A"), the Governing Body of the Town of Kiawah Island has determined it to be in the best interests of its citizens that authority attendant to the holding of municipal elections of the Town of Kiawah Island be transferred to the Board of Elections and Voter Registration of Charleston County; and

WHEREAS, the Board of Elections and Voter Registration of Charleston County has agreed to accept the specified authority to conduct the municipal elections in accordance with Title 7 of the Code of Laws of South Carolina, 1976, as amended, unless otherwise specified by Title 5 of the Code of Laws of South Carolina, 1976, as amended, and will certify the results of each election to the Town of Kiawah Island immediately following the certification of the votes cast in each election; and

WHEREAS, Charleston County Council desires to enact an ordinance approving the transfer of authority to the Board of Elections and Voter Registration of Charleston County to conduct elections for the Town of Kiawah Island as set forth hereafter.

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

Section 1. Findings Incorporated

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance. In accordance with the authority devolved by Section 5-15-145 of the Code of Laws of South Carolina, 1976, as amended and pursuant to the terms of Town of Kiawah Island, SC, Ordinance No. 2014-05, Adopted May 6, 2014, Charleston County Council hereby accepts the transfer to the Board of Elections and Voter Registration of Charleston County of the authority to conduct elections for the Town of Kiawah Island. The authority here transferred includes, but is not limited to, publishing proper notices of elections, insuring the provision of proper books for registration, preparing and distributing ballots and election materials, preparing and staffing the absentee ballot precinct, appointing and training poll managers, providing voting machines, supervising the operation of all polling places, to include enforcement authority to insure that proper procedures and laws are being followed, and certifying the results of the election.

All elections so conducted by the Board of Elections and Voter Registration of Charleston County shall be in accordance with Title 7 of the Code of Laws of South Carolina, 1976, as amended, unless otherwise specified by Title 5 of the Code of Laws of South Carolina, 1976, as amended.

Section 2. Reimbursement of Costs

The Town of Kiawah Island shall reimburse the Board of Elections and Voter Registration of Charleston County for all costs incurred in providing ballots, advertising elections, printing costs, poll managers' compensation and other related additional expenses incurred in, or arising from, its conduct of municipal elections in the Town of Kiawah Island. Poll managers will be paid at the standard rate set by the South Carolina State Election Commission for all other elections.

Section 3. Protest or Litigation

In the event a protest is filed or litigation is commenced in connection with the conduct of municipal elections, the same shall be heard by the Board of Elections and Voter Registration of Charleston County. The Town of Kiawah Island shall pay all fees, costs, and expenses incurred in such protest or litigation.

Section 4. Invoices

The Board of Elections and Voter Registration of Charleston County shall provide invoices and/or other documentation to the Town of Kiawah Island of all such costs and expenses incurred in the conduct of the Town of Kiawah Island's municipal elections, protests, certification of results, litigation or other costs which may be incurred, and not specifically mentioned in this Ordinance.

Section 5. Severability

If any one or more of the provisions or portions provided in this Ordinance or its application to any circumstance should be determined by a court of competent jurisdiction to be contrary to law, or invalid for any reason, then such provision or application of this Ordinance shall be deemed severable from the remaining provisions or applications provided in this Ordinance and the invalidity shall in no way affect the validity of the other provisions or applications of this Ordinance.

Section 6. Effective Date of this Ordinance

This Ordinance shall become effective immediately upon approval of County Council following third reading.

ADOPTED and APPROVED in meeting duly assembled this 29th day of July, 2014.

Teddie E. Pryor, Sr.
Chairman of Charleston County Council

ATTEST:

Beverly T. Craven
Clerk to Charleston County Council

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

Ms. Condon	- aye
Mr. Darby	- absent
Ms. Johnson	- aye
Mr. Qualey	- aye
Mr. Rawl	- aye
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.

**Charleston County
Zoning and Land
Development
Ordinance
2nd Reading**

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

AN ORDINANCE

AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE NUMBER 1202, AS AMENDED, CHAPTER 6, USE REGULATIONS, CHAPTER 9, DEVELOPMENT STANDARDS, AND CHAPTER 12, DEFINITIONS,

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

The Chairman called for a roll call vote on second reading. The roll was called and votes recorded as follows:

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

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

**Rezoning
Property at
1860 Belgrade
Avenue 2nd
Reading**

An ordinance amending the zoning of the property located at 1860 Belgrade Avenue was given second reading by title only.

AN ORDINANCE

REZONING THE REAL PROPERTY LOCATED AT 1860 BELGRADE AVENUE, PARCEL IDENTIFICATION NUMBER 351-14-00-040 FROM THE 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.

The Chairman called for a roll call vote on second reading. The roll was called and votes recorded as follows:

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

Mr. Pryor - aye

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

An ordinance amending the Gift Plantation Planned Development was given second reading by title only

AN ORDINANCE
AMENDING THE GIFT PLANTATION PLANNED DEVELOPMENT (PD-78)

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

The Chairman called for a roll call vote on second reading. The roll was called and votes recorded as follows:

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

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

An ordinance rezoning the property located at 9 Lemoyne Lane was given second reading by title only.

Rezoning
Property at 9
Lemoyne
Lane 2nd
Reading

AN ORDINANCE
REZONING THE REAL PROPERTY LOCATED AT 9 LEMOYNE LANE FROM SINGLE FAMILY RESIDENTIAL 4 (R-4) ZONING DISTRICT TO PLANNED DEVELOPMENT ZONING DISTRICT (PD 150 CASSIQUE CLUBHOUSE VILLAGE).

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

The Chairman called for a roll call vote on second reading. The roll was called and votes recorded as follows:

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

Mr. Summey - aye
 Mr. Pryor - aye

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

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

Consent
 Agenda
 A-10 yard
 dump truck
 B-Yaschik
 Foundation
 C-Royal
 Palms
 Drainage
 D-Porter-Gaud
 JEDA Bonds
 E-Harborview
 Road Project
 F-CTC
 Resurfacing
 Projects

Ms. Condon moved approval of the Consent Agenda, and all Committee recommendations included in agenda items 9 through 18. This motion was seconded by Mr. Rawl; and carried. Mr. Qualey voted nay on item 16.

Council agenda items 9 through 18 are as follows:

Agenda Item 9A

A report was read from the Finance Committee under date of July 24, 2014, that it considered the information furnished County Administrator Kurt Taylor and Contracts and Procurement Director Barrett J. Tolbert regarding bids received for the purchase of one (1) new 10-yard dump truck to be utilized by the Public Works' Field Operations Division. It was stated that the 10-yard dump truck will be used in the performance of the Public Works' Field Operations Division's day-to-day operations by the Construction Services Crew. It was shown that this is one of the County's main haulers of debris from construction sites, rock-to-construction road projects, and aggregate from the pit to construction sites, and maintenance facilities. It was further shown that this truck, with the salt and sand spreader, is used to spread salt and sand in winter storm operations, and is crucial to the County's ability to haul debris after a natural disaster.

Sealed bids were received in accordance with the terms and conditions of the solicitation. The bid tabulation is as follows:

Bidder	Make/Model Delivery Time	Price (includes tax and options)
*Carolina International Trucks North Charleston, SC Principal: Dick Ryan	2015 International 7400 SBA 6x4 (Alternate #2) Delivery: 110 Days	\$110,019.75
*Carolina International Trucks North Charleston, SC Principal: Dick Ryan	2015 International 7500 SBA 6x4 (Alternate #1) Delivery: 110 Days	\$114,002.12
**Triple T Freightliner Summerville, SC Principal: Timothy Matt	2015 Freightliner M2112 Delivery: 180 Days	\$117,103.00
*Carolina International Trucks North Charleston, SC Principal: Dick Ryan	2015 International 7600 SBA 6x4 Delivery: 110 Days	\$123,177.80
Hughes Motors Incorporated North Charleston, SC Principal: David Bunch/Dexter Bunch	2015 Mack GU433 Delivery: 120-150 Days	\$126,800.00

*Carolina International Trucks did not meet specifications on the specified compressors.

**Triple T Freightliner did not meet specifications on the specified hydraulic system.

Committee recommended that Council authorize award of bid for the purchase of one (1) 10-yard dump truck to the lowest responsive and responsible bidder, Hughes Motors, Incorporated, in the amount of \$126,800.00, with the understanding that this truck will be utilized by the Public Works Department throughout the County and funds are available in the Fleet Operations Department budget.

Agenda Item 9B

A report was read from the Finance Committee under date of July 24, 2014 that it considered the information furnished by Kurt Taylor, County Administrator and Dr. Chanda Brown, Director of the Charleston Center, regarding a Charleston Center grant award from the Henry and Sylvia Yaschik Foundation in the amount of \$10,000 to be used in The Charleston Center Advisory Board's community giving campaign.. It was stated that the Charleston Center is requesting permission to accept the grant award through the Charleston Development Corporation (CDC) for the following purposes: recreation items, furniture items, educational materials, indigent care items and assistance, infant care items, client care and therapeutic décor.

Committee recommended that Council approve Charleston Center's request to accept a grant award in the amount of \$10,000 from the Charleston Development Corporation (CDC) through a grant from the Henry and Sylvia Yaschik Foundation to be used for recreation items, furniture items, educational materials, indigent care items and assistance, infant care items, client care and therapeutic décor, with the understanding that once the grant is accepted, the grant management and reporting responsibilities becomes the responsibility of the Charleston Center, and that the grant period is July 2014 to December 2015.

Agenda Item 9C

A report was read from the Finance Committee under date of July 24, 2014 that it considered the information furnished by Kurt Taylor, County Administrator and Dan Pennick, Director of Zoning and Planning regarding the Royal Palms Drainage Easements. It was stated that the Developer of the Royal Palms subdivision, located at the end of Dingle Road (TMS# 578-00-00-596) in the unincorporated portion of Mount Pleasant, is requesting to abandon the existing 20 foot wide public drainage easement on this property (which is half of an existing 40 foot wide publicly dedicated drainage easement) and in its place provide a new 20 foot wide public drainage easement through this development. It was shown that the Developer has converted this existing open ditch drainage way to a piped drainage way in order to request a reduction of the width of the existing easement. The work in the drainage easement was inspected by the Public Works Department and complies with the County's Road Code and Storm Water requirements. Also, the improvements in the drainage easement will be under warranty deed, provided by the developer, for all defects and failures for a period of two years.

Committee recommended that Council authorize abandonment and relocation of the publicly dedicated drainage easement through the Royal Palm subdivision (TMS# 578-00-00-596).

Agenda Item 9D

A report was read from the Finance Committee under date of July 24, 2014 that it considered the information furnished by Kurt Taylor, County Administrator and Sam Howell, Esquire, representing Porter Gaud School, regarding the issuance of JEDA Bonds. It was stated that the bonds will be payable by JEDA solely and exclusively out of payments to be made by the school, and that the bonds will not constitute an obligation or indebtedness to Charleston County.

Committee recommended that Council approve a Resolution in support of the requested Economic Development Bonds for Porter Gaud School.

The Resolution is as follows:

RESOLUTION

IN SUPPORT OF THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY OF ITS ECONOMIC DEVELOPMENT REVENUE BONDS, (PORTER-GAUD SCHOOL PROJECT), PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$52,000,000.

WHEREAS, the South Carolina Jobs-Economic Development Authority (the "Authority") is authorised and empowered under and pursuant to the provisions of Title 41, Chapter 43 of the Code of Laws of South Carolina 1976, as amended (the "Act"), to utilize any of its program funds to establish loan programs for the purpose of reducing the cost of capital to business enterprises which meet the eligibility requirements of Section 41-43-150 of the Act and for other purposes described in Section 41-43-160 of the Act and thus provide maximum opportunities for the creation and retention of jobs and improvement of the standard of living of the citizens of the State of South Carolina; and

WHEREAS, the Authority is further authorised by Section 41-43-110 of the Act to issue revenue bonds payable by the Authority solely from a revenue-producing source or project and secured by a pledge of said revenues in order to provide funds for any purpose authorised by the Act; and

WHEREAS, the Authority is further authorised by the Act to refund any such bonds that are outstanding by the issuance of its refunding bonds in an amount as the Authority considers necessary but not to exceed an amount sufficient to refund the principal of the bonds to be refunded, together with unpaid interest thereon and any premiums, expenses, and commissions necessary to be paid; and

WHEREAS, the Authority and The Porter Academy d/b/a Porter-Gaud School (the "Borrower"), entered into an Inducement Agreement (the "Inducement Agreement") pursuant to which and in order to implement the public purposes enumerated in the Act, the Authority proposes, subject to such approval of the State Budget and Control Board of South Carolina and the County Council of Charleston County as may be required by law, to issue not exceeding \$52,000,000 aggregate principal amount of its Economic Development Revenue Bonds (Porter-Gaud School Project) (the "Bonds") pursuant to Section 41-43-110 of the Act and to loan the proceeds thereof to the Borrower (1) in

order to finance or refinance a portion of the costs of acquiring real property and constructing, furnishing, and equipping of a new upper school and fine arts center (collectively, the "Project") on the Borrower's primary and secondary school campus located in Charleston County, South Carolina, and known as Porter-Gaud School, and (2) the refunding of the Authority's outstanding Economic Development Revenue Bonds, Series 2010 (the "Prior Bonds"); and

WHEREAS, the Borrower is projecting that the assistance of the Authority by the issuance of the Bonds and loaning the proceeds thereof to the Borrower will result in the creation or maintenance of employment by maintaining 250 existing jobs and creating employment for 5 new employees within 24 months of completion of the Project, and the Project will stimulate the economy of Charleston County and surrounding areas by increased payrolls, by improving the quality of education available in the community, and other public benefits incident to such business; and

WHEREAS, the County Council of Charleston County and the Authority jointly held a public hearing on July 29, 2014, duly noticed by publication in a newspaper having general circulation in Charleston County, not less than 15 days prior to the date hereof, at which all interested persons have been given a reasonable opportunity to express their views;

NOW, THEREFORE, BE IT RESOLVED by the County Council of Charleston County, South Carolina, as follows:

SECTION 1. It is hereby found, determined, and declared that the Project is anticipated to benefit the general public welfare of Charleston County by providing services, employment, or other public benefits not otherwise provided locally.

SECTION 2. The County Council of Charleston County support the Authority in its determination to issue the Bonds the proceeds of which will be used to defray a portion of the costs of the Project and to refund the Series 2010 Bonds.

SECTION 3. All resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and this resolution shall take effect and be in full force and effect from and after its adoption.

Teddie E. Pryor, Chairman
CHARLESTON COUNTY COUNCIL

Agenda Item 9E

A report was read from the Finance Committee under date of July 24, 2014 that it considered the information furnished by Kurt Taylor, County Administrator and Barrett J. Tolbert, Director of Procurement, regarding The Harbor View Road Improvements Project on James Island, South Carolina. It was stated that the project will provide a center two-way left-turn lane between North Shore Drive and Affirmation Boulevard, traffic signals at Fort Sumter Drive and Mikell Drive, a roundabout at the intersection with Fort Johnson Road, add right turn lanes at major intersections, and add pedestrian and bicycle facilities for the length of the project. It was shown that the purpose of the project is to improve traffic flow and safety on Harbor View Road and to provide adequate bicycle and pedestrian facilities. It was further stated that the project also includes In-Contract potable water and sanitary sewer utility relocates along Harbor View Road from North Shore Drive to Fort Johnson Road for Charleston Water Systems and James

Island Public Service District and to include the site improvements for pump-station 34 for James Island Public Service District. Bids were received in accordance with the terms and conditions of Invitation for Bid No. 4863-14C. The South Carolina Department of Transportation determined the DBE goal for this project shall be 18%.

Bidder	Bid Price	DBE Percentage
Banks Construction Company 4902 Banco Road North Charleston, SC 29418	\$15,803,302.54	18.44%
Gulf Stream Construction Company, Inc. 3820 Faber Place Drive, Suite 200 North Charleston, SC 29405	\$18,882,756.65	18.34%

It was pointed out that an Inter-Governmental Agreement (IGA) between South Carolina Department of Transportation and Charleston County has been executed and will be effective pending South Carolina Department of Transportation's construction award concurrence. The IGA states that South Carolina Department of Transportation will reimburse Charleston County up to \$10,000,000.00 using Charleston Area Transportation Study (CHATS) Guideshares, and the City of Charleston Commissioners of Public Works (CPW) has requested the County to include In-Contract the relocation of water and sanitary sewer lines, asking that the work be included as a separate bid item and agreeing to reimburse the County for the total cost of the bid item. The unit bid for this item is \$2,146,703.84 and Charleston Water System will reimburse the County for this work.

In addition, the James Island Public Service District (JIPSD) has requested the County to include In-Contract the relocation of water and sanitary sewer lines, asking that the work be included as a separate bid item and agreeing to reimburse the County for the total cost of the bid item. The unit bid for this item is \$901,858.27 and JIPSD will reimburse the County for this work.

The JIPSD has requested the County to include In-Contract the site improvements for pump-station 34 on Harbor View Road at Mikell Drive asking that the work be included as a separate bid item, and agreeing to reimburse the County for the total cost of the bid item. The unit bid for this item is \$27,540.14 and JIPSD will reimburse the County for this work.

The In-Contract work must be approved by CPW and JIPSD prior to executing this portion of the contract. The bid price for the In-Contract work exceeded the cost estimate provided by CPW and JIPSD and per the Memorandum of Understanding with both CPW and JIPSD they have the opportunity to concur with the increased cost. If they do not agree with the increased cost, this portion will be deleted from the contract and CPW and JIPSD will be expected to perform all work necessary to relocate its facilities utilizing its own forces or that of a contractor in a timely manner so as to not affect the progress of the Project.

Committee recommended that Council authorize award of bid and the acceptance of funds.

- Authorize award of a contract for the Harbor View Road Improvements Project (TST) subject to approval by South Carolina Department of Transportation and Federal Highway Administration.
- Authorize award of bid for the Harbor View Road Improvements Project (TST) to Banks Construction Company, the lowest responsive and responsible bidder, in the amount of \$15,803,302.54.
- Authorize acceptance of reimbursement from South Carolina Department of Transportation up to \$10,000,000.00 using CHATS Guideshares as per the executed IGA.
- Authorize acceptance of reimbursement from Commissioners of Public Works for the In-Contract work subject to CPW concurrence.
- Authorize acceptance of reimbursement from James Island Public Service District for the In-Contract work subject to JIPSD concurrence.
- Authorize remaining balance of funding to be provided by Transportation Sales Tax bond proceeds.

Agenda item 9E

A report was read from the Finance Committee under date of July 24, 2014 that it considered the information furnished by Kurt Taylor, County Administrator and Barrett J. Tolbert, Director of Procurement, regarding the CTC 2014 Resurfacing Projects. It was stated that this work shall include traffic control, milling, surface preparation, asphalt resurfacing, striping, and associated appurtenances of various local and South Carolina Department of Transportation (SCDOT) paved roadways within the boundaries of Charleston County. The approximate total project length is 15.4 miles.

Bids were received in accordance with the terms and conditions of Invitation for Bid No. 4881-15C. State "C" Fund regulations do not allow Small Business Enterprise (SBE) or local preference goals.

Bidder	Bid Price	DBE Percentage
Banks Construction Company North Charleston, South Carolina Principal: Ronald S. Banks, Jr.	\$3,154,320.48	10.13%
Sanders Brothers Construction Company, Inc. North Charleston, South Carolina Principal: Chris M. Davis	\$3,304,612.32	10%

Committee recommended that Council, as agent for the Charleston County Transportation Committee (CTC), authorize award of a contract for the CTC 2014 Resurfacing Project to Banks Construction Company, the lowest responsive and responsible bidder, satisfying all

specifications, in the amount \$3,154,320.48, with the understanding that funding is available through the State "C" Fund for road improvements.

**TorqTex Design
and
Manufacturing
Resolution and
Ordinance 1st
Reading**

Agenda item 10A and B

A report was read from the Finance Committee under date of July 24, 2014 that it considered the information furnished by Kurt Taylor, County Administrator and Steve Dykes, Director of Economic Development, regarding a possible company expansion. It was stated that Torq Tek currently employs 150 persons at its North Charleston facility located at Leeds Park, where for many years it has manufactured timing gears for the Class 8 truck engines (utilized by Navistar, Caterpillar, Freightliner, Daimler, and others). It was further stated that building on their previous business, the company has now moved into an exciting new market which includes timing gear production for the motorcycle market (Harley Davidson and BMW in particular). It was shown that working closely with company executives, a financial incentives package was developed which helped make the business case to move forward with the expansion at their current facility during 2014, and as part of the expansion, the company will spend \$12 million to enlarge their productive capacity to accommodate the additional product line, while hiring another 50 persons over the next five years. It was further shown that this new hiring will result in an added \$2.35 million in annual payroll, and due to the expansion, an additional \$1 million in public revenues will be created over the next twenty (20) years for the taxing entities, with approximately \$163,000 in projected collections coming due to Charleston County. It was also stated that the incentives offered by the Economic Development Director include fee-in-lieu-of-taxes (FILOT), with terms including a 6% assessment ratio and the millage rate being 'fixed' at 274.3 over the next twenty (20) years. A Special Source Revenue Credit (SSRC) was also offered to help facilitate this expansion, defraying some of the associated expenses. The SSRC will not exceed \$100,000 (9% of 20-year revenues), and is subject to hiring claw backs which would diminish the rebate amount or even eliminate the incentive if new job creation falls short of company forecasts. It was further stated that the property was previously placed in the Charleston-Colleton Multi-County Industrial Park (MCIP), which will enable the company to benefit from an increased level of state job tax credits.

Committee recommended that Council approve a resolution and an ordinance authorizing the execution and delivery of a fee-in-lieu-of-taxes (FILOT) for TorqTek Design & Manufacturing, LLC to facilitate the company's \$12 million expansion and the creation of 50 new jobs. FILOT terms will include: 6% assessment ratio; and millage rate fixed at 274.3 over the twenty (20) year term. A Special Source Revenue Credit (SSRC) equal to 9% of projected 20-year revenues (not to exceed \$100,000) will be made available to the company, subject to hiring claw backs.

The Resolution is as follows:

A RESOLUTION SETTING FORTH THE COMMITMENT OF CHARLESTON COUNTY, SOUTH CAROLINA FOR TORQTEK DESIGN AND MANUFACTURING, LLC, WHEREBY, UNDER CERTAIN CONDITIONS, CHARLESTON COUNTY WILL ENTER INTO A FEE AGREEMENT WITH RESPECT TO CERTAIN PROPERTY AND COVENANT IN SUCH FEE AGREEMENT TO ACCEPT CERTAIN FEES IN LIEU OF AD VALOREM TAXES WITH RESPECT TO SUCH PROPERTY; AND OTHER MATTERS RELATED THERETO.

WHEREAS, Charleston County, South Carolina (the "County"), acting by and through its County Council (the "County Council"), is authorized and empowered under and pursuant to the provisions of the Code of Laws of South Carolina 1976, as amended (the "Code"), and particularly Title 12, Chapter 44 of the Code (the "FILOT Act"), to enter into an inducement agreement which sets forth the commitment of the County to enter into a fee agreement to provide for payment of fees in lieu of taxes ("FILOT Payments") for a project qualifying as "economic development property" under the FILOT Act; 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, all of which will constitute a "project" within the meaning of the FILOT Act (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 expand, upgrade, and equip the Project (the "Incentives"), and is desirous of having the Incentives set forth herein for the purposes of establishing the framework for a working relationship between the County and the Company and for forming the basis for the negotiation and documentation of each of the specific Incentives into separate and definitive legally binding agreements; and

WHEREAS, the Incentives provided to the Project would be subject to review by the County and possible adjustments or clawbacks in the event that the capital investment or job creation is less than the expected \$12,000,000 million in capital investment or if new job creation lags below the projected 50 new jobs, which benefits were the basis for this understanding; and

WHEREAS, the Company understands that to approve and implement any of the Incentives, the County will have to comply with all constitutional and statutory requirements, and those requirements may, depending upon the specific proposal

involved, include the need to make certain findings with respect to the Project as required by law, all of which will be evidenced in the definitive documents;

WHEREAS, it is in the public interest, for the public benefit, and in furtherance of the public purposes of the FILOT Act that the County Council provide a preliminary commitment for qualifying the Project under the FILOT Act as economic development property, to enter into a "fee agreement" (as defined in the FILOT Act), and to provide special source revenue or infrastructure credits pursuant to Section 4-1-175 of the Code with respect thereto subject to the conditions described herein;

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

Section 1. Preliminary Evaluation of the Project. County Council has 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;
- (c) the anticipated costs and benefits to the County.

Section 2. Findings by County Council. Based upon their investigation of the Project and information provided by the Company, including the criteria described in Section 1 above, and based upon the advice and assistance of the South Carolina Department of Revenue and the Board of Economic Advisors, 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 will be approximately \$12,000,000, all to be invested within the "investment period" (as defined in the FILOT Act); and the Company will employ approximately 50 full-time employees at the Project, all in addition to maintaining the Company's 138 employees at the Company's existing facilities in Charleston County;
- (d) the Project will be located entirely within Charleston County and is located in a multi-county industrial park created pursuant to Code Section §4-1-170;
- (e) the Project is anticipated to benefit the general welfare of Charleston County by providing services, employment, or other public benefits not otherwise adequately provided locally;

- (f) the Project gives rise to neither a pecuniary liability of the County nor a charge against its 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;
- (i) the benefits of the Project to the public are greater than the cost to the public; and
- (j) this Inducement Resolution is an action reflecting or identifying the Project for purposes of Section 12-44-40(D) of the FILOT Act.

Section 3. Fee-in-Lieu of Taxes Arrangements. If the Project is located in Charleston County, upon request by the Company, the County hereby agrees to enter into a fee agreement with respect to the Project under the FILOT Act (the "FILOT Agreement") as to the real and personal property constituting the Project. The FILOT Agreement will provide for FILOT Payments to be made as follows:

(a) the FILOT Payments shall be calculated on the basis of an assessment ratio of six percent (6%);

(b) the fair market value of the property shall be as calculated in the FILOT Act including providing that the fair market value of real property portions of the Project established for the first year of the FILOT arrangement shall remain the fair market value for the entire term of the FILOT Agreement;

(c) the FILOT Payments on each part shall be payable in 20 annual installments on the due date which would otherwise be applicable for *ad valorem* property taxes for each part of the Project, with the first installment for each part of the Project being due on the date when, but for the FILOT Agreement, property taxes would have been paid with respect to such part of the Project;

(d) the FILOT Payments on each part shall be calculated on the basis of the millage rate which shall be fixed for the full term of the FILOT Agreement and shall be the lower of the cumulative property tax millage rate levied on behalf of all taxing entities within which the Project is to be located on either (1) the June 30 preceding the year in which the FILOT Agreement is executed, or (2) the June 30 of the year in which the FILOT Agreement is executed; and

(e) the FILOT arrangement shall be available for 20 years for each part of the Project up to a maximum of 25 years for the FILOT arrangement should the Project be completed and put into service in more than one (1) year. At the conclusion of the twenty-year period after each part of the Project is placed in service, FILOT Payments shall be due to the County on such part of the Project equal to the property taxes that would be due on such part if it were taxable as provided in the FILOT Act.

Section 4. Fee Agreement. The provisions, terms, and conditions of the FILOT Agreement between the County and the Company with respect to the Project shall be prescribed by subsequent ordinance of the County Council. The FILOT Agreement will provide for a fee-in-lieu of taxes arrangement as set forth in this Inducement Resolution. All commitments of the County hereunder are subject to the condition that the County and the Company do agree on acceptable terms and conditions of all documents, including the FILOT Agreement, the execution and delivery of which are contemplated by the provisions hereof.

Section 5. Multi-County Park.

(a) By separate ordinance of the County Council, the County has previously designated the Project Site as a multi-county park pursuant to Article VIII, Section 13 of the Constitution of South Carolina and Sections 4-1-170, 4-1-172 and 4-1-175 of the Code (the "Multi-County Park"), and will maintain such designation for a term of at least three years to fund the special source revenue credits described below, which term shall commence no later than the beginning of the first property tax year in which the Project is placed in service.

(b) The County will provide for three years that the annual allocation of the fee-in-lieu of ad valorem taxes revenue generated by the Project within the boundaries of the Multi-County Park (the "MCP FILOT") will be distributed as follows:

- (i) To the County, for providing the SSRCs (as defined in Section 6 hereof), an amount equal to the annual SSRC provided in Section 6 of this Resolution 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 6. Special Source Revenue Credits.

(a) After the identification of qualifying infrastructure and additional qualifying property (the "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 improvement or special source revenue incentive (the "Special Source Revenue Incentive") under Section 4-1-175 of the Code (the "MCIP Provision") in the form of special source revenue credits ("SSRCs"). The Company, shall be entitled to claim SSRCs against each of the annual MCP FILOT payments made with respect to the Project for the first three (3) years in an amount equal to no less than 36% of each such annual MCP FILOT payment; provided, however, that such SSRCs shall not, in the aggregate, exceed \$100,000 total.

(b) The documents providing for the Special Source Revenue Incentive shall include customary terms providing: (i) that the Company will pay the County's reasonable administrative expenses associated with the approval and implementation of the Special Source Revenue Incentive; and (ii) that the Company will indemnify and hold the County harmless for claims, losses and damages with respect to the Project.

Section 7. Continued Evaluation of Project.

The undertakings of the County hereunder are contingent upon the County Council continuing to evaluate the Project as beneficial to the public interest after considering all additional circumstances of which the County Council may hereafter become aware and upon the Company providing the County with such further evidence as may be satisfactory to the County as to compliance with all applicable statutes and regulations. The Incentives provided to the Company would be subject to review by the County and possible adjustment or clawbacks in the event that the capital investment or job creation is less than the pledged \$12,000,000 in capital investment or if new job creation lags below the projected 50 new jobs, which benefits were the basis for this understanding.

Section 8. Company May Proceed Without Incentives.

The County understands that the Company may choose not to proceed with the Project as herein provided, in which event this Inducement Resolution shall become void upon written notice by the Company to the County as to such choice.

Section 9. No Liability of County.

All commitments of the County under this Inducement Resolution are subject to all of the provisions of the FILOT Act and the condition that nothing contained in this Inducement Resolution or the FILOT Agreement shall constitute nor give rise to a pecuniary liability of the County or a charge against its general credit or taxing power. Accordingly, the Company will hold the County harmless from all pecuniary liability and reimburse it for all legal expenses which it might reasonably incur in implementation of the terms and provisions of this Inducement Resolution. Subject to the provisions of Section 7 hereof, the County agrees to provide the incentives set forth in this Inducement Resolution as long as the Company agrees to the payment of all costs and expenses, including legal fees, incurred by the County due to the grant of the incentives set forth herein for the Project.

Section 10. Repeal of Conflicting Resolutions; Effective Date.

All resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed. This resolution shall take effect and be in full force upon its adoption by the County Council.

Adopted this 29th day of July, 2014.

CHARLESTON COUNTY, SOUTH CAROLINA
Teddie E. Pryor, Chairman, County Council of
Charleston County, South Carolina

ATTEST:

Beverly T. Craven
Clerk of County Council
Charleston County, South Carolina

The Chairman called for first reading of the proposed Ordinance.

AN ORDINANCE

AUTHORISING 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; 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 MULTI-COUNTY INDUSTRIAL/BUSINESS PARK; AND OTHER MATTERS RELATING THERETO.

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

Agenda Item 11

**Multi-County
Industrial
Park
Amendments
Ordinance 1st
Reading**

A report was read from the Finance Committee meeting of July 24, 2014 that it considered the information furnished by Kurt Taylor, County Administrator and Steve Dykes, Director of Economic Development, regarding Charleston County's use of an economic development tool known as "multi-county industrial park" (MCIP) designation to leverage relocations and since 1995 or expansions of over 50 companies have invested in excess of \$3 Billion in Charleston County, while creating over 11,000 jobs within its borders. The MCIP agreement with "partner" Colleton County has been amended fifteen times since 1995, with the most recent amendment occurring in 2013.

The amendment being proposed is designed to accomplish several things:

- It readjusts the list of legal descriptions and properties owned by The Boeing Company to reflect the addition of property as they expand their footprint for Final Assembly near the Charleston International Airport and for the 737 Propulsion and Research Technology divisions at their 'North Campus' in Palmetto Commerce Park in Ladson.
- It adds the property owned by Lineage Logistics (formerly Millard Refrigeration), which announced its cold-storage facility in Palmetto Commerce Park in 2012.
- The amendment goes on to do 'house-keeping' to correct several previously-included parcels which now bear a new PID# identification number.

It was shown that the 'second modification to agreement for joint industrial park' portion of the amendment redefines the administrative process for removal of a property. Unlike the previous requirement (from the 2006 amendment) that County Council take steps to retain sun-setting properties after 15 years, the proposed procedure requires properties

to remain in the MCIP unless County Council acts to remove them. This procedural change is necessary to safeguard pledged revenues associated with the SSRB enacted in 2013 to fund major transportation improvement projects in the Airport area. These revenues associated with the SSRB will be critically important over a period of at least fifteen years, and the amendment will address the current procedural inadequacy.

Committee recommended that Council approve and give first reading to an ordinance amending Ordinance #972, adopted on September 19, 1995 (as previously amended) to add new properties as reflected in the ordinance and to revise some property identification numbers currently included in the Charleston-Colleton Multi-County Industrial Park (MCIP). Approve the Second Modification to Agreement for Development of Joint Industrial Park, adjusting administrative procedures to allow for properties to remain in the MCIP unless removed by County Council.

The Chairman called for first reading of the proposed Ordinance.

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 PROPERTIES IN CHARLESTON COUNTY AS PART OF THE JOINT COUNTY INDUSTRIAL PARK.

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

Item 12

Lowcountry
Local First

A report was read from the Finance Committee under date of July 24, 2014, that it considered the information furnished by Kurt Taylor, County Administrator and Steve Dykes, Charleston County Economic Development Director, regarding the County's Economic Development strategy focuses on the recruitment and expansion of industrial prospects which create significant numbers of jobs, in line with the state's recruitment goals and the available financial incentives. It was stated that recently Lowcountry Local First® approached staff with a request to partially fund a new endeavor of theirs referred to as "coworking space" which is a form of an entrepreneurial business incubator which can help new businesses to launch and become more successful. The City of Charleston has contributed \$20,000 towards the project, which is located on Meeting Street Road near the City/County line. The Administrator and Economic Development Director have analyzed the proposal and considered it in light of the County's efforts, and believe it would be reasonable to fund a one-time \$20,000 appropriation from Council's Contingency Account. After one year, it would be our intention to review the activities and successes of the incubator and report back to council for further consideration.

Committee recommended that Council approve a one-time appropriation of \$20,000 to the Lowcountry Local First Coworking Space Initiative from Council's Contingency Account.

Item 13

**FY 2015 Local
Accommodations
Tax Funding**

A report was read from the Finance Committee meeting of July 24, 2014, that it considered the information furnished by Kurt Taylor, County Administrator and Mack Gile, Budget Director regarding Accommodation Allocations for Budget Year 2015, and the recommendations made by the Convention and Visitors Bureau, with the assistance of the College of Charleston.

Committee recommended that Council approve the recommendations made by the Convention and Visitors Bureau to allocate \$300,000 of accommodations appropriations. Funds are available in the Local Accommodations Tax Fund.

Item 14

**FY 2015 Urban
Entitlement
Funds**

A report was read from the Finance Committee under date of July 24, 2014, that it considered the information furnished by Kurt Taylor, County Administrator and Christine DuRant, Deputy County Administrator for Community Development, regarding the Community Development Advisory Board recommended funding. It was stated that Charleston County Council created and authorized the Community Development Advisory Board (CDAB) to make recommendations to Council on the expenditure of funds received by Charleston County Government from the U.S. Department of Housing and Urban Development (HUD). This funding is received on behalf of Charleston County, City of North Charleston and nine other participating jurisdictions. The Community Development Advisory Board is comprised of members representing each Participating Jurisdiction as well as seats appointed by Charleston County Council. This structure is established by Participating Jurisdiction partnerships and Certification of Cooperative Agreements signed by the Chief Elected Officials of the Towns of Awendaw, Hollywood, Lincolville, McClellanville, Meggett, Mount Pleasant, Ravenel, Sullivan's Island, and the City of Isle of Palms. It was shown that the purpose of the Board is to review all incoming requests for HUD funding and make recommendations to County Council on the award of contracts following the Request for Application process. The Community Development staff provides the Board with guidance on HUD's regulations regarding allowable activities, citizen participation, and prepares a scoring assessment of all applications organized by project priority. These project-related priorities were determined through an extensive public process which is mandated by HUD and is the essence of the County's 2011-2016 Consolidated Plan. The table below summarizes the recommended investment of the County's portion of HUD funding for Fiscal Year (FY) 2015 by priority area.

PRIORITY RANKING	RECOMMENDATION	FUNDING
Infrastructure (4 projects)	\$467,983	CDBG
Housing Rehabilitation (4 projects)	\$264,800	CDBG & HOME
Affordable Housing (1 project)	\$36,275	HOME
Public Services (1 project)	\$32,955	CDBG
Homeless-Related Services (2 projects)	\$122,220	HESG

The total fund amount will be allocated between the County of Charleston and the City of North Charleston based on a previously established Local Elected Officials (LEO) Agreement that specifies the funding distribution. It is estimated that the County will receive \$1,678,188. Through the County's new management arrangement with the City,

\$625,488 of North Charleston's allocation will be managed and administered by Charleston County Government in order to reduce duplication of efforts for both parties. The City of North Charleston will directly receive and manage \$600,000 to be used for municipal-projects such as sidewalks and demolition. The final, actual allocation to the City of North Charleston, as determined by HUD, will be the guidelines for the agreement and subsequent transfer of funds.

Committee recommended that Council

- Allocate to the City of North Charleston FY2015 Community Development Block Grant program (CDBG) funding and HOME Investment Partnership Program (HOME) funding according to the Agreement between the City of North Charleston and the County of Charleston. The final funding allocation will be determined by HUD.
- **CDBG Funding:** Direct staff in the Community Development Department to administer \$978,830 in FY2015 with the understanding that no more than \$101,426 may be awarded for public service activities per HUD regulations.
- **HOME Funding:** Direct staff in the Community Development Department to administer \$564,658 in FY 2015 funds plus a carryover of \$43,429 in HOME Investment Partnership Program funding.
- **HESG Funding:** Direct staff in the Community Development Department to administer \$134,700 in FY2015 Emergency Solutions Grant funds with the understanding that \$12,480 will be set-aside to provide management, training, and oversight of the Homeless Management Information System (HMIS) in addition to a capacity building project for potential future applicants.
- Authorize the use of all recaptured CDBG funds for the County's Well and Septic Upgrade/Connection program.
- Complete the public process by reviewing and, if approved, authorizing the FY2015 Annual Action Plan as recommended by the Community Development Advisory Board.

Item 15A

Appointments
A) Community Development
B) St. Andrews Parks and Playground
C) St. Paul's Fire District
Hollywood
St. Paul's Fire District Edisto
D) St. Paul's Fire District - Meggett
Library Board
Park/Recreation Commission
Board of Assessment
Appeal

A report was read from the Finance Committee meeting of July 24, 2014 that it considered the information furnished by Kristen L. Salisbury, Deputy Clerk to Council, regarding one appointment to the Community Development Advisory Board. It was stated that an announcement of vacancy for the Community Development Advisory Board was previously made.

An application for reappointment was received from Christopher Inglese.

The Community Development Advisory Committee provides policy guidance for and exercises oversight with respect to activities and services provided under the Housing and Community Development Act of 1974. The Committee makes recommendations to County Council on matters affecting the Consolidated Plan and other related matters as the common interest of the participating governments may dictate. The Committee

consists of representatives from 9 (nine) local governments and 4 (four) non-government partners. The non-government partners must be one representative from each the financial, legal, and construction fields as well as one community-based representative. Terms of the Community Development Advisory Committee are two years.

Committee recommended that Council appoint Christopher Inglese to the Community Development Advisory Board for a term to expire in April 2016.

Item 15B

A report was read from the Finance Committee meeting of July 24, 2014 that it considered the information furnished by Kristen L. Salisbury, Deputy Clerk to Council, regarding one appointment to the St. Andrews Parks and Playground Commission. It was stated that an announcement of vacancy for the St. Andrews Parks and Playground Commission was previously made.

An application for reappointment was received from Wendell David Glover.

The St. Andrews Parks and Playground Commission is a Public Service District formed by the state legislature and is composed of five volunteer citizens that live within the Public Service District. The Commission is appointed by the Governor, upon recommendation of Charleston County Council for a term of three years. The duties of the Commission include preparing an annual budget to be approved by Charleston County Council and making and maintaining policy for the Agency. The staff of St. Andrews Parks and Playground report to the Executive Director who in turn reports directly to the Commission.

Committee recommended that Council advocate to the Governor the reappointment of Wendell David Glover to the St. Andrews Parks and Playground Commission .for a term to expire in July, 2017

Item 15C

A report was read from the Finance Committee under date of July 24, 2014 that it considered the information furnished by Kristen L. Salisbury, Deputy Clerk to Council, regarding one appointment to the St. Paul's Fire District Commission-Hollywood Seat. It was stated that an announcement of vacancy for the St. Paul's Fire District Commission-Hollywood Seat was previously made.

An application for reappointment was received from Clifford J. Murray.

The St. Paul's Fire District Commission Board consists of seven members, appointed by the Governor upon recommendation by Charleston County Council, responsible for the oversight of all administrative and operational aspects of the St. Paul's Fire Protection special purpose district. The board has the authority to purchase, establish, enlarge, maintain, conduct, and operate the special purpose district as deemed necessary. The board meets to review operational, financial, and administrative activity reports. The board meets on the first Thursday of each month at 6:00 pm with special meetings called as necessary.

Committee recommended that Council recommend to the Governor the reappointment of Clifford J. Murray to the St. Paul's Fire District Commission, Hollywood Seat, for a term to expire in June, 2018,

Item 15D

A report was read from the Finance Committee under date of July 24, 2014 that it considered the information furnished by Kristen L. Salisbury, Deputy Clerk to Council, regarding one appointment to the St. Paul's Fire District Commission-Edisto Island Seat. It was stated that an announcement of vacancy for the St. Paul's Fire District Commission-Edisto Island Seat was previously made.

An application for reappointment was received from Bertha North-Lee

Committee recommended the reappointment of Ms. North-Lee

Item 15E

The St. Paul's Fire District Commission Board consists of seven members, appointed by the Governor upon recommendation by Charleston County Council, responsible for the oversight of all administrative and operational aspects of the St. Paul's Fire Protection special purpose district. The board has the authority to purchase, establish, enlarge, maintain, conduct, and operate the special purpose district as deemed necessary. The board meets to review operational, financial, and administrative activity reports. The board meets on the first Thursday of each month at 6:00 pm with special meetings called as necessary.

Committee recommended that Council recommend to the Governor the reappointment of Bertha North-Lee to the St. Paul's Fire District Commission – Edisto Island Seat.

A report was read from the Finance Committee under date of July 24, 2014 that it considered the information furnished by Kristen L. Salisbury, Deputy Clerk to Council, regarding one appointment to the St. Paul's Fire District Commission-Meggett Seat. It was stated that an announcement of vacancy for the St. Paul's Fire District Commission-Meggett Seat was previously made.

An application for reappointment was received from James Hamilton. An additional application for appointment was received from Lawrence Gerth and the Town of Meggett submitted a letter endorsing the appointment of Mr. Gerth.

The St. Paul's Fire District Commission Board consists of seven members, appointed by the Governor upon recommendation by Charleston County Council, responsible for the oversight of all administrative and operational aspects of the St. Paul's Fire Protection special purpose district. The board has the authority to purchase, establish, enlarge, maintain, conduct, and operate the special purpose district as deemed necessary. The board meets to review operational, financial, and administrative activity reports. The board meets on the first Thursday of each month at 6:00 pm with special meetings called as necessary.

Committee recommended that Council recommend to the Governor the appointment of Lawrence Gerth to the St. Paul's Fire District Commission – Meggett Seat.

Item 15F

A report was read from the Finance Committee meeting of July 24, 2014 that it considered the information furnished by Kristen L. Salisbury, Deputy Clerk to Council, regarding appointments to the Library Board of Trustees. It was stated that an announcement of vacancies for the Library Board of Trustees was previously made.

Applications for appointment were received from Amy Brunson and Brian Norris. The Library Board has reviewed both applications and they found both candidates to be excellent.

The Library Board of Trustees is an 11 member Board that is charged by State Statute to control and manage the County Public Library System. Members are appointed by County Council for terms of four years. Members shall be appointed from all geographical areas of the County. Library Board meetings are held on the fourth Tuesday of each month at 5:15 p.m.

Committee recommended that Council:

1. Appoint Amy Brunson to the Library Board of Trustees for a term ending in December 2016
2. Appoint Brian Norris to the Library Board of Trustees for a term ending in December, 2017,

Item 15G

A report was read from the Finance Committee meeting of July 24, 2014 that it considered the information furnished by Kristen L. Salisbury, Deputy Clerk to Council, regarding appointments to the Park and Recreation Commission. It was stated that an announcement of vacancies for the Park and Recreation Commission was previously made.

An application for reappointment was received from Lisa King. Additional applications for appointment were received from Collin Bruner, David Anthony Gibson, and Ryan Johnson. Attendance records for the current PRC members were considered.

It was shown that the Charleston County Park and Recreation Commission is a seven member Board and the Commission is a policy making board that 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 recommend to the Governor the reappointment of Lisa King for a term ending in June 2016 and the appointment of Collin Bruner for a term ending in June 2016 to the Park and Recreation Commission.

Item 15H

A report was read from the Finance Committee under date of July 24, 2014 that That it considered the information furnished by Kristen L. Salisbury, Deputy Clerk to Council, regarding appointments to the Board of Assessment Appeals. It was stated that an announcement of vacancies for the Board of Assessment Appeals was previously made.

Applications for reappointment were received from Lydia Brooks and Trey Lucy. Additional applications for appointment were received from William Henry Kleindienst, Lisa Richart, and Adam Whitfield. Staff with the Assessor's Office reports that both incumbents are regularly seated on appeals panels and are willing to serve when called upon.

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 appoint Lydia Brooks, Trey Lucy, William Henry Kleindienst and Lisa Richart for terms expiring in June, 2018 to the Board of Assessment Appeals.

Item 16

A report was read from the Finance Committee under date of July 24, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Human Resources Director, Fagan Stackhouse, regarding County Council's directive of June 10, 2010, in which County Council directed a committee be formed to include representation from County Council, Elected Officials, the County Administrator and/or designees to review job classifications and evaluation methods, pay structure, and performance standards. The Committee for Auditing Performance and Evaluation Standards (CAPES) had four goals:

1. Create a revised classification system
2. Revise our pay structure
3. Revise the longevity program and establish merit pay
4. Revise and align policies and procedures

CAPES selected a human resources and compensation consultant, Evergreen Solutions, Inc. ("Evergreen"), to assess current job duties and responsibilities, conduct a comprehensive analysis of the County's pay structure and overall system, and provide the Committee with results and recommendations for consideration.

1. Revised Classification System

- 16 Core Classification
 - Examples: Specialists, Technicians, Analysts, Professionals, Supervisors, Sergeants, Managers, and Elected and Appointed Officials
- Two pay plans: General and Public Safety
 - Public Safety covers law enforcement, firefighters, and emergency medical personnel

2. Revise Our Pay Structure

CAPES
IMPLEMENTA
-TION

- New pay grades and ranges for each plan
 - Pay grades allow future earning potential for employees
 - Blends steps and open ranges for each pay grade.
3. *Revise the Longevity program and establish a Merit program*
- Longevity program
 - Continued, with some modifications, to recognize productive years of service
 - Increase of 3% for years 1, 3, 5, 6, and 10, and every 5 years thereafter
 - “Grandfather” provision: 1 remaining cycle using existing longevity structure
 - New Merit program
 - Recognize meritorious performance and contributions
 - Eligibility begins in the seventh year of service to the County
 - Potential for Merit increases ranging from 1 to 2 percent, dependent upon available funding
 - Cost-of-Living Adjustment (COLA)
 - Largely replaced with new Merit program
 - Potential for future COLAs dependent upon affordability
4. *Revise and Align Policies and Procedures*
- Proposed revisions to be provided to Council on August 21
 - Requires Council approval

Elected Officials Pay Alignment

Efforts have been made to align Elected Officials’ pay relative to state statutes, historical pay practices, and equity. A thorough review has been conducted and some equity adjustments are proposed to address historical and current pay issues. See attachment.

Additionally, elected official filing fee guidelines have been written to make our filing fee procedures consistent for candidates. The guidelines used are derived from, and have been reviewed by, the South Carolina Election Commission. This will minimize misinterpretation of the filing fee procedures.

County Council Compensation

With Evergreen’s assistance, a market review/comparison of County Council pay has been performed. It has been many years since such a comparison has been conducted. Seven counties in South Carolina and North Carolina—all similar to Charleston County in size and/or other characteristics—were surveyed.

The results indicate that adjustments to Council’s pay should be considered. Our pay philosophy states, in part, that our pay target should be the average of the market. If the philosophy is to be adhered to, adjustments should be made consistent with market results.

Committee recommended that Council:

1. Recommend approval of the revised classification and pay system and implementation of the new classification and pay plan effective October 3, 2014.
2. Recommend implementation of the performance merit program, effective July 1, 2015, with a goal of funding no more than 2 percent of payroll for eligible employees.

Mr. Qualey voted nay.

Committee further recommended that Council take no action at this time on ***Elected Officials Pay Alignment*** and **County Council Compensation** and bring it back to the Finance Committee meeting of August 21, 2014

Mr. Qualey voted nay

Item 17

**APPROVAL OF
MUTUAL AID
AGREEMENTS**

A report was read from the Finance Committee Meeting of July 24, 2014 that Council considered the information furnished by County Attorney Joseph Dawson in Executive Session, regarding the Mutual Aid Agreements the Charleston County Sheriff' has with various entities.

Committee recommended that Council authorize staff to review the Mutual Aid Agreements that the Sheriff currently has in place and bring them to Council for ratification and approval.

Item 18

**Coca-cola
Recycle &
Win
program**

A report was read from the Finance Committee Agenda under date of July 24, 2014 that it considered the information furnished by County Administrator Kurt Taylor, Environmental Management Director Art Braswell, and County Council Chairman Teddie Pryor regarding a recycling rewards program being offered to Charleston County by Coca Cola. It was stated that the Coca-Cola Recycle & Win program has a proven record of success in other locations in the Southeast including Charlotte, NC; Raleigh, NC; Charleston, WV; and Nashville, TN. It was shown that as in the previous programs, Coca-Cola will mail out a brochure containing a "Give It Back" sticker to all single family households within the designated area of the included city. The communication will request that residents place a sticker on their recycling bin to be eligible to participate in the program and citizens opt in by applying the sticker on their bins. The sticker will give permission for the Recycle Patrol to inspect the contents for proper recycling execution. The Recycle & Win Recycle Patrol will travel throughout the area in a promotionally wrapped Toyota Prius. On the appropriate recycling days, the patrol will search out stickered bins and check bins for proper recycling. If the inspected bin has the correct recyclables in it, the citizen can win a \$50 gift card from Harris Teeter.

It was further shown that the Recycle Patrol will be executed by County employees in the promotionally wrapped Toyota Prius (leased at no cost to the County). A prize notification will be sent to the citizen's home and once qualified

the winner will receive their \$50 Prize. All winners will be fulfilled by Coca-Cola and prizes will be distributed by mail only to proven recyclers.

Committee recommended that Council approve Charleston County's participation in the Coca-Cola Recycle & Win Program.

The Chairman said that item concluded the agenda items and asked if any Members of Council wished to address Council.

There was no affirmative response.

The Administrator, Kurt Taylor, thanked Council for their approval of the CAPES study for County Employees

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

Beverly T. Craven
Clerk of Council.