

AGENDA FOR PUBLIC HEARINGS

Public Hearings to solicit public comment, written or oral, will be held on **Monday April 25, 2005**, immediately following the meeting of the Committee on Finance, the Committee on Public Works and Purchasing, and the Committee on Land Use at 6:00 p.m., or as soon thereafter as may be heard following other public hearings, in the **Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, S. C.**, regarding the following:

CALL TO ORDER

1. **Bill No. 05-06**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Lovell Development Company**, US Hwy. 52 and Cypress Gardens Road, Moncks Corner, **TMS #211-00-02-003** (20.35 acres), **from HI, Heavy Industrial District to GC, General Commercial District**. Council District No. 3.

PUBLIC DISCUSSION

2. **Bill No. 05-07**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Robert Wells McDougal, Jr.**, 324 Candy Lane, Summerville, **TMS #195-10-02-015** (.99 acres), **from R2RF, Rural Manufactured Residential Farm District to RNC, Rural Neighborhood Commercial District**. Council District No. 6.

PUBLIC DISCUSSION

3. **Bill No. 05-08**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Wade Ertzberger**, 116 Jean Lane, Moncks Corner, **TMS #196-02-00-003** (5.35 acres), **from R2, Manufactured Residential District to R3, Mobile Home Park District**. Council District No. 6.

PUBLIC DISCUSSION

4. **Bill No. 05-12**, an **ordinance** consenting to the transfer of that certain agreement for **Fee-in-Lieu** of tax payments between Berkeley County, South Carolina, and **American Commercial, Incorporated**, of an arrangement under Title 4, Chapter 12 of the Code of Laws of South Carolina 1976, as amended, (The "Title Act") to an arrangement under Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as amended, (The "Non-Title Act").

PUBLIC DISCUSSION

5. **Bill No. 05-13**, an **ordinance** amending Section ii of Ordinance No. 03-10-63, which granted a non-exclusive franchise renewal to **Berkeley Cable Television, Inc.**, to expand the franchise coverage area within the unincorporated area of Berkeley County.

PUBLIC DISCUSSION

6. **Bill No. 05-14**, an ordinance authorizing the conveyance of **seven acres**, more or less, owned by Berkeley County, located at 223 North Live Oak Drive in Moncks Corner, South Carolina, a portion of TMS #142-00-01-039.


PUBLIC DISCUSSION

7. **Bill No. 05-15**, an ordinance authorizing the conveyance of **one acre**, more or less, presently owned by Berkeley County, located near the corner of Highway 52 and Old Highway 52 in Moncks Corner, South Carolina, a portion of TMS #142-12-03-036.

PUBLIC DISCUSSION

ADJOURNMENT

April 20, 2005


Barbara B. Austin, CCC
Clerk of County Council

PUBLIC HEARINGS
April 25, 2005

PUBLIC HEARINGS were held on Monday **April 25, 2005**, at 6:21 p.m. in the Assembly Room, Berkeley County Office Building, 223 North Live Oak Drive, South Carolina, to solicit public comment, written or oral, on **Bills Numbered 05-06, 05-07 and 05-08** for zoning reclassifications; **05-12** for a Fee-in-Lieu Agreement; **05-13** for a Franchise Renewal; **05-14** and **05-15** for conveyance of land.

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

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

Chairman Rozier called the meeting to order and stated there were seven Public Hearings being held to solicit public comment, written or oral.

There were no written comments on any of the Bills for Public Hearing.

Bill No. 05-06, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Lovell Development Company**, US Hwy. 52 and Cypress Gardens Road, Moncks Corner, **TMS #211-00-02-003** (20.35 acres), **from HI, Heavy Industrial District to GC, General Commercial District**. Council District No. 3.

Chairman Rozier asked if there were any public comments. There being none, the Public Hearing was declared ended at 6:21 p.m.

Bill No. 05-07, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Robert Wells McDougal, Jr.**, 324 Candy Lane, Summerville, **TMS #195-10-02-015** (.99 acres), **from R2RF, Rural Manufactured Residential Farm District to RNC, Rural Neighborhood Commercial District**. Council District No. 6.

Chairman Rozier asked if there were any public comments. There being none, the Public Hearing was declared ended at 6:22 p.m.

Bill No. 05-08, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Wade Ertzberger**, 116 Jean

Lane, Moncks Corner, TMS #196-02-00-003 (5.35 acres), **from R2, Manufactured Residential District to R3, Mobile Home Park District.** Council District No. 6.

Chairman Rozier asked if there were any public comments. There being none, the Public Hearing was declared ended at 6:22 p.m.

Bill No. 05-12, an **ordinance** consenting to the transfer of that certain agreement for **Fee-in-Lieu** of tax payments between Berkeley County, South Carolina, and **American Commercial, Incorporated**, of an arrangement under Title 4, Chapter 12 of the Code of Laws of South Carolina 1976, as amended, (The "Title Act") to an arrangement under Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as amended, (The "Non-Title Act").

Chairman Rozier asked if there were any public comments. There being none, the Public Hearing was declared ended at 6:23 p.m.

Bill No. 05-13, an **ordinance** amending Section ii of Ordinance No. 03-10-63, which granted a non-exclusive franchise renewal to **Berkeley Cable Television, Inc.**, to expand the franchise coverage area within the unincorporated area of Berkeley County.

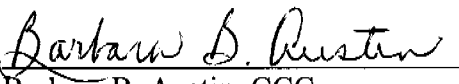
Chairman Rozier asked if there were any public comments. There being none, the Public Hearing was declared ended at 6:24 p.m.

Bill No. 05-14, an ordinance authorizing the **conveyance of seven acres**, more or less, owned by Berkeley County, located at 223 North Live Oak Drive in Moncks Corner, South Carolina, a portion of TMS #142-00-01-039.

Chairman Rozier asked if there were any public comments. There being none, the Public Hearing was declared ended at 6:25 p.m.

Bill No. 05-15, an **ordinance** authorizing the **conveyance of one acre**, more or less, presently owned by Berkeley County, located near the corner of Highway 52 and Old Highway 52 in Moncks Corner, South Carolina, a portion of TMS #142-12-03-036.

Chairman Rozier asked if there were any public comments. There being none, the Public Hearing was declared ended at 6:26 p.m.


Barbara B. Austin, CCC
Clerk of County Council

May 23, 2005
Date Approved

NELSON, MULLINS, RILEY & SCARBOROUGH

151 MEETING ST Ste # 600

Charleston SC 29401

Attn: Maureen Williams

Number of Copies: 1

AFFIDAVIT OF PUBLICATION

The Post and Courier

State of South Carolina

County of Charleston

Personally appeared before me the undersigned advertising Clerk of the above indicated newspaper published in the City of Charleston, County and State aforesaid, who, being duly sworn, says that the advertisement of

(Copy attached)

appeared in the issues of said newspaper on the following day(s):

04/04/2005

at a cost of \$ 92.10

Account# R0360130

Order# C220TRSE

P.O. Number: ordinance

Subscribed and sworn to before

me this 6th day

of APR 9

A.D. 2005

Advertising Clerk

PUBLIC NOTICE

Notice is hereby given by Berkeley County, South Carolina (the "County"), that a public hearing will be held relating to an Ordinance consenting to the transfer of that certain agreement for Fee-In-Lieu of tax payments between Berkeley County and American Commercial, Incorporated, (the "Company") concerning certain industrial facilities (the "Project") which Project includes real property interests and personal property interests therein, of an arrangement under Title 4, Chapter 12 of the Code of Laws of South Carolina 1976, as amended (the "Title Act") to an arrangement under Title 12, Chapter 24 of the Code of Laws of South Carolina 1976, as amended (the "Non-Title Act"). The Project is located at 1980 Clements Ferry Road, Wando, S.C. 29492-7723. As required by the Non-Title Act, the Project will not impose any pecuniary liability upon the County or constitute a charge upon the County's general credit or taxing power.

The hearing will be held on Monday April 25, 2005, immediately following the meeting of the Committee on Finance, at 6:00 p.m., or as soon thereafter as may be heard following other public hearings, in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, S.C.

BERKELEY COUNTY,
SOUTH CAROLINA

By: Barbara B. Austin,
Clerk to County Council

Notary Public, SC
My Commission expires

10/10/13

AFFIDAVIT
OF
PUBLICATION

The Post and Courier

State of South Carolina

County of Charleston

Personally appeared before me
the undersigned advertising Clerk of the
above indicated newspaper published
in the City of Charleston, County and
State aforesaid, who, being duly sworn,
says that the advertisement of

(copy attached)

appeared in the issues of said newspaper

on the following day(s):

April 7, 2005

Subscribed and sworn to
before me this 8th day

of April

A.D. 20 05

Heika Eddings
(Advertising clerk)

Sherry Duhon
NOTARY PUBLIC, SC
My Commission expires October 10, 2013

NOTICE OF PUBLIC HEARINGS

BERKELEY COUNTY COUNCIL will hold **Public Hearings** on **Monday April 25, 2005**, at **6:00 P. M.**, immediately following the meeting of the Committee on Finance or as soon thereafter as may be heard following other public hearings, in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, S. C., to receive public comment, written or oral, regarding:

1. Bill No. 05-06, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Lovell Development Company**, US Hwy. 52 and Cypress Gardens Road, Moncks Corner, TMS #211-00-02-003 (20.35 acres), from **HI, Heavy Industrial District** to **GC, General Commercial District**. Council District No. 3.

2. Bill No. 05-07, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Robert Wells McDougal, Jr.**, 324 Candy Lane, Summerville, TMS #195-10-02-015 (.99 acres), from **R2RF, Rural Manufactured Residential Farm District** to **RNC, Rural Neighborhood Commercial District**. Council District No. 6.

3. Bill No. 05-08, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Wade Ertzberger**, 116 Jean Lane, Moncks Corner, TMS #196-02-00-003 (5.35 acres), from **R2, Manufactured Residential District** to **R3, Mobile Home Park District**. Council District No. 6.

4. Bill No. 05-12, an ordinance consenting to the transfer of that certain agreement for **Fee-in-Lieu** of tax payments between Berkeley County, South Carolina, and **American Commercial, Incorporated**, of an arrangement under Title 4, Chapter 12 of the Code of Laws of South Carolina 1976, as amended, (The "Title Act") to an arrangement under Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as amended, (The "Non-Title Act").

5. Bill No. 05-13, an ordinance amending Section ii of Ordinance No. 03-10-63, which granted a non-exclusive franchise renewal to **Berkeley Cable Television, Inc.**, to expand the franchise coverage area within the unincorporated area of Berkeley County.

6. Bill No. 05-14, an ordinance authorizing the conveyance of seven acres, more or less, owned by Berkeley County, located at 223 North Live Oak Drive in Moncks Corner, South Carolina, a portion of TMS #142-00-01-039.

7. Bill No. 05-15, an ordinance authorizing the conveyance of one acre, more or less, presently owned by Berkeley County, located near the corner of Highway 52 and Old Highway 52 in Moncks Corner, South Carolina, a portion of TMS #142-12-03-036.

March 31, 2005

Barbara B. Austin, CCC
Clerk of County Council