

April 22, 2014
Charleston, S. C.

A meeting of County Council of Charleston County was held on the 22nd day of April, 2014, in the Beverly T. Craven Council Chambers, Second Floor of the Lonnie Hamilton, III Public Services Building, located at 4045 Bridge View Drive, Charleston, South Carolina.

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

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

Rev. Robert Reid gave the invocation. Assistant County Administrator for Community Services Christine DuRant led in the pledge to the flag.

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

Mr. Rawl moved approval of the minutes of March 20, March 25, and April 8, 2014, seconded by Mr. Sass, and carried.

The Chairman stated that the next agenda item was recognitions and resolutions.

**Recognitions
and
Resolutions**

Ms. Condon moved approval of recognitions and resolutions, seconded by Mr. Summey, and carried.

Mr. Pryor welcomed Dorchester County Council Chairman William R. Hearn, Jr. who was in the audience to make a presentation to Charleston County Council. Mr. Hearn stated that Dorchester County had recently adopted a resolution expressing its gratitude to Charleston County Government and other jurisdictions for assistance provided to Dorchester County in the aftermath of the ice storm that occurred on February 12, 2014. Mr. Hearn presented a framed copy of the resolution to County Administrator Kurt Taylor.

Dorchester County's resolution is as follows:

**STATE OF SOUTH CAROLINA
RESOLUTION NUMBER 14-03
COUNTY OF DORCHESTER**

A RESOLUTION OF THE DORCHESTER COUNTY COUNCIL EXPRESSING ITS GRATITUDE FOR THE MUTUAL AID ASSISTANCE PROVIDED BY THE CITY OF CHARLESTON, THE CITY OF NORTH CHARLESTON, THE COUNTY OF CHARLESTON, THE COUNTY OF GREENVILLE, AND THE TOWN OF MOUNT PLEASANT AFTER THE ICE STORM THAT OCCURRED ON FEBRUARY 12, 2014.

WHEREAS, Dorchester County was severely impacted by an ice storm that occurred on February 12, 2014; and

WHEREAS, the ice storm downed trees and power lines that left approximately eighty percent of the County's population without power during the storm and created dangerous road conditions across the County from North Charleston to I-95; and

WHEREAS, the amount of debris generated by the storm well exceeded the capacity of Dorchester County's personnel to clean up after the storm, and mutual aid was requested from other local governments to assist in removing debris from the storm; and

WHEREAS, the City of Charleston, the City of North Charleston, the County of Charleston, the County of Greenville, and the Town of Mount Pleasant responded to the request, providing personnel and equipment between February 17 and February 23 to assist in the removal of storm debris; and

WHEREAS, the assistance provided by those local governments was invaluable in beginning the process of recovery; and

WHEREAS, the Dorchester County Council wishes to express its sincere gratitude to those local governments for the assistance rendered.

NOW, THEREFORE, BE IT RESOLVED that Dorchester County Council expresses its sincere gratitude and appreciation to the City of Charleston, the City of North Charleston, the County of Charleston, the County of Greenville, and the Town of Mount Pleasant for the assistance provided in helping Dorchester County recover from the ice storm that occurred on February 12, 2014.

BE IT FURTHER RESOLVED that the Chairman of the Dorchester County Council shall provide a copy of this resolution to the Council of each local government as a token of the sincere gratitude for the assistance rendered during Dorchester County's time of need.

ADOPTED this 17th day of March, 2014.
DORCHESTER COUNTY COUNCIL

BY: _____
William R. Hearn, Jr., Chairman

ATTEST: _____
Sally K. Hebert, Clerk

A report was read from the Finance Committee under date of April 17, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Public Works Director James O'Neal regarding a resolution proclaiming Public Works Week in Charleston County. It was stated that National Public Works Week is a public education campaign by the American Public Works Association (APWA) begun in 1960 which calls attention to the importance of public works in community life. The week seeks to enhance the prestige of the often unsung heroes of our society – the professionals who serve the public good every day with quiet dedication. It was further shown that National

Public Works Week recognizes all those engaged in public works activities, including employees of the Public Works Department, as well as those in Facilities, Fleet Environmental Management, and others.

Committee recommended that Council adopt a resolution proclaiming May 18-24, 2014, as Public Works Week in Charleston County.

The Deputy Clerk read the resolution into the record.

The resolution is as follows:



A RESOLUTION OF CHARLESTON COUNTY COUNCIL

WHEREAS, public works services provided in our community are an integral part of our citizens' everyday lives; **and**,

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as streets and highways, public buildings, and stormwater management; **and**,

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skill of public works officials; **and**,

WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform.

NOW, THEREFORE, BE IT RESOLVED, that **Charleston County Council**, does hereby proclaim the week of **May 18-24, 2014** as

NATIONAL PUBLIC WORKS WEEK

in Charleston County, and calls upon citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials makes every day to our health, safety, comfort, and quality of life.

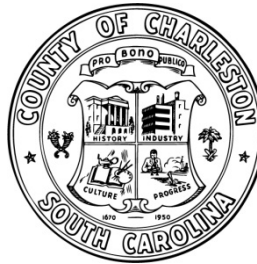
CHARLESTON COUNTY COUNCIL
Teddie E. Pryor, Sr., Chairman
April 22, 2014

A report was read from the Finance under date of April 17, 2014, that it considered the information furnished by County Administrator Kurt Taylor and the request received from the local chapter of the International Association for Administrative Professionals regarding Administrative Professionals Week. It was stated that the week of April 20-26, 2014, is recognized nationally as Administrative Professionals Week, and Wednesday, April 23, 2014, as Administrative Professionals Day, saluting the valuable contributions of administrative professionals in the workplace.

Committee recommended that Council adopt a resolution proclaiming April 20-26, 2014, Administrative Professionals Week and April 23, 2014, Administrative Professionals Day in Charleston County.

The Deputy Clerk read the resolution into the record.

The resolution is as follows:



A RESOLUTION OF CHARLESTON COUNTY COUNCIL

WHEREAS, Administrative professionals play an essential role in coordinating the office operations of businesses, government, educational institutions, and other organizations, and

WHEREAS, The work of administrative professionals today requires advanced knowledge and expertise in communications, computer software, office technology, project management, organization, customer service and other vital office management responsibilities, and

WHEREAS, Administrative Professionals Week is observed annually in workplaces around the world to recognize the important contributions of administrative support staff and is sponsored by the International Association of Administrative Professionals, and

WHEREAS, the theme of Administrative Professionals Week 2014 is focused on "Honoring the Office Professionals Who Make Offices Work," reflecting the integral and central role that office professional play in modern business.

NOW THEREFORE BE IT RESOLVED that **Charleston County Council** does hereby proclaim the week of **April 20-26, 2014**, as **Administrative Professionals Week**, and **Wednesday, April 23, 2014**, as **Administrative Professionals Day**, saluting the valuable contributions of administrative professionals in the workplace, and calls on all employers to support continued training and development for administrative staff,

recognizing that a well-trained workforce is essential for success in today's business world.

CHARLESTON COUNTY COUNCIL

Teddie E. Pryor, Sr. Chairman

April 22, 2014

An Ordinance amending the Charleston County Zoning and Land Development Regulations to allow microbreweries and brewbars was given third reading by title only.

AN ORDINANCE

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

Microbreweries
Brewbars
Ordinance 3rd
Reading

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 amendments of the text of various chapters 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 RECOMMENDS 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, 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 amendment corrects an error or inconsistency or meets the challenge of a changing condition; and
- B. The proposed amendment is consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5; and
- C. The proposed amendment is to further the public welfare in any other regard specified by County Council.

NOW, THEREFORE, be ordained it by the Charleston County Council of Charleston, 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.

ADOPTED and APPROVED in meeting duly assembled this 22nd day of April, 2014.

CHARLESTON COUNTY COUNCIL
Teddie E. Pryor, Sr., Chairman
Charleston County Council

ATTEST:

Beverly T. Craven
Clerk to Charleston County Council

First Reading: March 25, 2014
Second Reading: April 8, 2014
Third Reading: April 22, 2014

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

The vote being nine (9) ayes, the Chairman declared the Ordinance to have received third reading approval.

An Ordinance amending the Charleston County Zoning and Land Development Regulations to allow LED Signs was given third reading approval.

**AN ORDINANCE
AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT
REGULATIONS ORDINANCE, NUMBER 1202, AS AMENDED: CHAPTER 9,
DEVELOPMENT STANDARDS, AND CHAPTER 12, DEFINITIONS.**

ZLDR
Amendments
/LED Signs
Ordinance
3rd Reading

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 amendments of the text of various chapters 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 RECOMMENDS 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, 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 amendment corrects an error or inconsistency or meets the challenge of a changing condition; and
- B. The proposed amendment is consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5; and
- C. The proposed amendment is to further the public welfare in any other regard specified by County Council.

NOW, THEREFORE, be ordained it by the Charleston County Council of Charleston, 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.

ADOPTED and APPROVED in meeting duly assembled this 22nd day of April, 2014.

CHARLESTON COUNTY COUNCIL

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

ATTEST:

Beverly T. Craven, Clerk
Charleston County Council

First Reading: March 25, 2014
Second Reading: April 8, 2014
Third Reading: April 22, 2014

EXHIBIT "A"

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

I. Light Emitting Diode (LED) Message Board Signs

An LED Message Board may be permitted as part of a free standing sign provided that documentation has been submitted demonstrating that it complies with all applicable sections of this ordinance and the following standards:

The sign is within the Urban/Suburban Area of the County, as defined by the Urban Growth Boundary (UGB), and is located on a parcel that:

- a. Is zoned Community Commercial (CC) or Industrial (I) and is adjacent to (shares side property boundaries) one or more parcels in the Community Commercial (CC) or Industrial (I) Zoning District; or
- b. Contains a legally established Civic/Institutional Use as its principal use, provided that if the parcel shares one or more side property boundaries with parcels that are

zoned Single-Family Residential (R-4) or Special Management 3 (S-3) or that contain single family detached residential uses, the proposed LED sign shall comply with the Special Exception procedures contained in this Ordinance and all other requirements of this Ordinance.

1. The sign is not located within any of the Overlay or Special Purpose Districts as described in Chapter Five of this Ordinance.
2. The sign is monument style, maximum ten (10) feet in height and the electronic message board constitutes no more than twenty-five percent (25%) of the overall allowable sign area as defined by Table 9.11.2.
3. The electronic message board will exhibit low intensity lighting and low intensity, night dimming red or amber text (no graphics) on a black background associated only with the business of the subject parcel and the text will not scroll, fade, or move except on and off.
4. The copy will not change at intervals less than eight (8) seconds on LED signs that front on roads with a speed limit of forty-five (45) mph or greater and fifteen (15) seconds on roads with a speed limit less than forty-five (45) mph. On corner or double frontage lots, the required time interval will be based upon the speed limit of the road which the parcel is addressed.

Add the following definitions to Chapter 12:

Civic/Institutional Use: A nonprofit or quasi-public use, such as a religious institution, library, public or private school, hospital, government-owned or government operated facility.

Low Intensity Lighting: Required lighting associated with LED electronic message boards. LED lighting shall automatically provide day and night dimming to reduce the illumination intensity of the sign from one hour after sunset to one hour prior to sunrise and provide adjustments in the light levels to a maximum of 0.3 foot candles over ambient light levels as measured head on (at a ninety (90) degree angle) 150 feet away from the sign.

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

Ms. Condon
Mr. Darby

- aye
- aye

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

The vote being nine (9) ayes, the Chairman declared the Ordinance to have received third reading approval.

The Chairman stated that the next item on the agenda was second reading for an ordinance to amend the Folly Road Overlay District.

Prior to second reading of the ordinance, Ms. Johnson moved to amend the ordinance as follows:

1. Revise the applicable Overlay Zoning District maps and language to indicate that the unincorporated parcels in the Neighborhood Preservation Area are zoned Neighborhood Commercial and all uses as allowed in the Neighborhood Commercial Zoning District are allowed on these properties, with the exception of the uses prohibited in the Overlay Zoning District. The Neighborhood Preservation Area shall also include the properties with frontage along Old Folly Road.
2. Revise the applicable Overlay Zoning District language to indicate that hotel/motel uses with a maximum limit of 10 guest rooms are permitted on unincorporated properties in the Neighborhood Preservation Area.
3. Revise the language in Section 5.6.5, Coordination with Adjacent Jurisdictions, to delete the language regarding letters of coordination and clarify that letters of notification to adjacent jurisdictions will be required as part of all land development applications to ensure each jurisdiction is aware of proposed development.
4. Add language to Section 5.6.6, Development Standards and Requirements (All Areas), to address amplified music and noise by: (1) requiring compliance with the Charleston County Livability Ordinance; (2) prohibiting trash pickup and merchandise pickup and delivery to businesses in this area between 11 PM and 7 AM; and (3) requiring that all outdoor uses that provide live or amplified music comply with the Special Exception procedures of the ZLDR.

Ms. Johnson's motion to amend was seconded by Mr. Pryor for discussion purposes.

Mr. Darby stated that he would hesitantly vote along with the residents, but believed they were opening up a box without knowing all of the ramifications.

Mr. Summey, Mr. Sass, and Mr. Schweers commented that they did not agree with the ten guest room hotel/motel uses in the Neighborhood Preservation.

Mr. Rawl asked if the amendments are consistent with other jurisdictions and if it was necessary to include references to the Livability Ordinance since the Livability Ordinance was already in place.

Mr. Pennick stated that the Town of James Island and City of Folly Beach had adopted versions of the overlay district which did not include these amendments and that the language regarding the Livability Ordinance was also included in the St. Andrews Area Overlay District recently approved by Council.

Mr. Qualey asked if item 4 in Ms. Johnson's amendment would take away the ability of staff to issue a permit.

Mr. Pennick stated that staff would be able to approve some permits, but permits for outdoor amplified sound would require a special exception from the Board of Zoning Appeals.

Mr. Qualey then stated that when he was a member of the Town of James Island Town Council, the town was created to preserve neighborhoods, stop the encroachment of development which resulted after the City of Charleston annexed portions of the island so he would be voting against this amendment because it went against his beliefs about development on James Island.

Mr. Sass said he was concerned that property owners had not considered that if the property becomes vacant, a resident moves away or the home is destroyed for whatever reason, the taxes would increase.

Mr. Schweers stated that he could not support the amendments because it would lack consistency with the overlay district as adopted by other jurisdictions.

Ms. Johnson thanked the other Council Members for their concerns about the well-being of residents on Folly Road. She stated that she had brought these amendments forward at the request of the residents of the area who have expressed the desire to be able to have their property zoned Neighborhood Commercial. She also stated that she was requesting the ability to include the low-impact hotel/motel uses at the request of residents because there is no hotel or motel on James Island.

Ms. Condon thanked Ms. Johnson for her work on this issue and stated that she now had a better understanding of why the amendments may be needed, but wanted to have some more time to consider the amendments.

Mr. Summey requested that the ordinance be given second reading without the amendments, and suggested that a public hearing be held in the area before third reading.

Chairman Pryor withdrew his second of the motion to amend and stated that a public hearing would be scheduled on Tuesday, May 13, 2014, at 6:30 PM in the area. The Chairman suggested the Sons of Elijah Lodge on Folly Road and requested that staff notify Council Members and residents of the affected area when the meeting was scheduled.

The ordinance was given second reading by title only.

**AN ORDINANCE
AN ORDINANCE AMENDING THE CHARLESTON COUNTY ZONING AND LAND
DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS AMENDED:
CHAPTER 5, OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS.**

The roll was called and votes recorded as follows:

Ms. Condon	- aye
Mr. Darby	- aye
Ms. Johnson	- abstain
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) abstention, the Chairman declared the Ordinance to have received second reading.

The Chairman stated that the next item on the agenda was Housing Needs Assessment, and that at the County Council meeting of March 25, 2014, County Council referred the Housing Needs Assessment back to the Planning Commission for additional discussion. At the Planning Commission meeting of April 14, 2014, Charleston County Planning Commission voted unanimously to adopt a resolution recommending that County Council support the Berkeley-Charleston-Dorchester Housing Needs Assessment to ensure the regional housing market meets the needs of existing and future residents of all ages and incomes.

Ms. Condon moved to approve the Housing Needs Assessment. The motion was seconded by Mr. Rawl.

Mr. Darby stated that he still had some questions regarding the Housing Needs Assessment and thought that there were still some flaws in the document which was presented to Council.

Mr. Pennick stated that the resolution recognizes that there may be flaws in the document, but this assessment is a good starting point.

The Chairman called for a vote on the motion to approve. The motion was defeated with Council Members Darby, Qualey, Sass, Schweers, and Chairman Pryor voting against the motion.

Mr. Darby stated that he did not want to defeat the Housing Needs Assessment altogether, but needed additional time to have his questions answered.

Having voted on the prevailing side of the motion regarding the Housing Needs Assessment, Chairman Pryor moved to defer further consideration of the Housing Needs Assessment until Mr. Darby's questions were answered. Mr. Sass seconded the Chairman's motion, and carried.

A report was read from the Planning/Public Works Committee under date of April 17, 2014, that it considered the information furnished by Kurt Taylor, County Administrator and Dan Pennick, Director of the Planning Department, regarding Zoning Case ZREZ-2-14-17885 / 3331 Plow Ground Rd, Johns Island. It was stated that this request was to change from the Agricultural Residential (AGR) district to the Agricultural Preservation (AG-8) District so that it can be combined with adjacent parcels which are currently zoned AG-8.

Committee recommended that Council approve and give first reading to an ordinance rezoning the real property located at 3331 Plowground Road, Parcel Identification Number 316-00-00-005 from the Agricultural/Residential (AGR) zoning district to the Agricultural Preservation (AG-8) zoning district.

Ms. Condon moved approval of the requested zoning change, seconded by Mr. Sass and carried.

The Ordinance was given first reading by title only.

AN ORDINANCE

REZONING THE REAL PROPERTY LOCATED AT 3331 PLOWGROUND ROAD, PAARCEL IDENTIFICATION NUMER 316-00-005 FROM THE AGRICULTURAL RESIDENTIAL (AGR) ZONING DISTRICT TO THE AGRICULTURAL PRESERVATIION (AG-8) ZONING DISTRICT.

THE ORDINANCE IN ITS ENTIRETY WILL APPEAR IN THE MINUTES OF CHARLESTON COUNTY COUNCIL AT THE TIME OF THIRD READING.

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

Ms. Condon moved approval of items A thru D, seconded by Ms. Johnson and carried.

The Consent agenda is as follows:

A report was read from the Finance Committee under date of April 17, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Charleston County Coroner Rae Wooten regarding the Coroner's Office request to apply for the FY 2014 SC Department of Public Safety, Office of Highway Safety and Justice Programs, Paul Coverdell Forensic Science Improvement Grant. The Coroner's Office is requesting \$27,000.00 from the SC Department of Public Safety to fund a one-year, part-time, Cremation Authorization/Records Management Assistant and associated supplies which will be needed for this position.

The Charleston County Coroner's Office is mandated by the South Carolina Code of Laws to issue a Cremation Permit to a requesting funeral home prior to an individual being cremated. These permits must be issued timely and can require hours of investigative work. The Charleston County Coroner's Office has seen a drastic increase in the number of cremation authorization requests in the past two years.

**Paul Coverdell
Forensic Science
Grant/Coroner**

**Request to
Approve**

The Cremation Authorization/Records Management Assistant will work part-time and will be responsible for handling all aspects of the cremation authorization process to include; receiving cremation requests from funeral homes; entering the required information into our case management system; ensuring all required information has been received and is organized per our policy; submitting the required paperwork to the on-call Deputy Coroner for final approval; requesting medical records and information from medical personnel as each case indicates; submitting the required permit and associated documentation back to the funeral home; assist with the billing associated with the cremation permits; file case work and permits within our records management/storage area. During down time this individual will assist with filing and reorganizing our records management area to ensure proper filing of case files to ensure timely location of cases.

No match is associated with this request. There is one grant funded PTE associated with this request. The grant period is October 1, 2014 through September 30, 2015.

Committee recommended that Council approve the Coroner's Office request to apply for and accept, if awarded, a SC Department of Public Safety, Office of Highway Safety and Justice Programs, Paul Coverdell Forensic Science Improvement Grant in the amount of \$27,000.00, with the understanding that no match is associated with this one year grant funded PTE position, and that the County is under no obligation to support the costs associated with the PTE position at the end of the grant period, which runs from October 1, 2014 through September 30, 2015.

**Paul Coverdell
Forensic
Science
Grant/Sheriff**

**Request to
Apply**

A report was read from the Finance Committee under date of April 17, 2014, that it considered the information furnished by County Administrator Kurt Taylor and Charleston County Sheriff Al Cannon regarding a request to apply for and accept, if awarded, funding from the National Institute of Justice Grant to reduce backlog in the analysis of forensic science evidence. It was stated that the purpose of these funds is to improve the timeliness of forensic science services within the Sheriff's Office. The funds will cover one piece of forensic equipment to extract, decode, and analyze evidence from mobile devices and for the reimbursement of 350 overtime hours.

The grant period will run from October 1, 2014 until September 30, 2015. There are no FTE's requested in this grant and no match is required.

Committee recommended Council allow the Sheriff's Office to apply and accept, if awarded, funding from the FY '14 Paul Coverdell Forensic Science Improvement Grant Program in the amount of \$31,144, with the understanding that funds will help reduce backlog in the analysis of forensic science evidence with the understanding that the grant period will run from October 1, 2014 until September 30, 2015 and there are no FTE's requested in this grant and no match is required.

A report was read from the Finance Committee under date of April 17, 2014, that considered the information furnished by County Administrator Kurt Taylor and Environmental Management Director Art Braswell regarding a request for Council's approval to submit the following annual Solid Waste Reduction and Recycling, Waste Oil and Waste Tire Grant applications to SC Department of Health and Environmental Control.

Solid Waste Reduction and Recycling Grant

The Solid Waste Reduction and Recycling Grant request totals \$10,000. This grant provides local governments and regions in the efforts to achieve the State's RECOMMENDS municipal solid waste (MS) recycling goal of 40 percent, and achieve the RECOMMENDS MS disposal goal of 3.25 lbs. or less per person per day.

Grant funds sought will assist with cost associated with the collection and recycling of household electronic scrap.

Waste Oil Grant

The Waste Oil Grant application request totals \$30,517. This grant provides funding to establish, expand or continue operation of used motor oil collection programs for do-it-yourself oil changers. This is to include programs related to the collection of used motor oil, oil filters, oil bottles and oil gas mixtures. The Departments application includes a request of \$2,000 for anticipated contractor collection costs.

Funds also support professional development for attendance to waste reduction/recycling seminars or conferences related to used oil recycling. This grant also allows funding for public information/education projects based on population. The remaining \$28,517 requested will fund allowable public education, professional development, and supplies and equipment expenses for program staff.

Waste Tire Grant

The Waste Tire Grant application request totals \$14,225. This grant provides funds for the removal of waste tires for processing and or /recycling, public education that promotes the recycling of waste tires, professional development related to waste tire recycling and other direct costs. Grant funds will be used to offset the difference between actual tire disposal expenses and anticipated revenue received from Tire Taxes (State Shared) and Landfill tipping fees. The projected FY 2015 difference between anticipated expenses and anticipated revenue is \$10,475. The remaining \$3,750 of the request will fund allowable public education and professional development expenses for program staff.

Committee recommended that Council approve the Environmental Management Department's request to apply for and accept, if awarded, the FY 2015 SCDHEC applications for Used Oil and Waste Tire grants in the amount of \$54,742, with the understanding that no FTEs or matching funds are required and that the grant period is July 1, 2014 through June 30, 2015.

A report was read from the Finance Committee under date of April 17, 2014, that it considered the information provided by County Administrator Kurt Taylor and Budget Director Mack Gile regarding an allocation received from the SC Department of Commerce for areas in the state which may be affected by military base closings. It was stated that the South Carolina Department of Commerce authorized a \$160,000 allocation to be shared equally among four areas in South Carolina that could be affected by the closure of military bases. These funds are to be managed by the South Carolina Military Base Task Force and distributed to the four military regions (Beaufort, Charleston, Columbia and Sumter) to assist local efforts to effectively protect the military installations located in South Carolina. On March 13, 2014, Charleston County received the \$40,000 designated for our area. The Charleston Metro Chamber of Commerce is

leading the preservation efforts in Charleston County and will provide the \$40,000 match for the grant.

Committee recommended that Council

1. Accept \$40,000 from the South Carolina Department of Commerce for local military base preservation efforts that is to be spent by December 31, 2014.
2. Approve \$40,000 appropriation to the Charleston Metro Chamber of Commerce for local military base preservation efforts that is to be spent by December 31, 2014, and with the understanding that the Charleston Metro Chamber of Commerce will provide the \$40,000 match for the grant.

A report was read from the Finance Committee under date of April 17, 2014 that it considered the information furnished by County Administrator Kurt Taylor and Transportation Development Director Steve Thigpen regarding the Maybank Highway Improvement Project. It was stated that, as directed by County Council in September 2009, Transportation Development staff re-initiated environmental analyses (EA) and documentation for improvements to Maybank Highway on Johns Island. The intent of the Maybank Highway Improvements Project is to improve traffic flow and safety on Maybank Highway and to provide adequate bicycle and pedestrian accommodations from its intersection with Main Road/Bohicket Road (S-20) to the Paul J. Gelegotis Bridge over the Stono River.

The Maybank Highway Project is listed on South Carolina Department of Transportation (SCDOT) State Transportation Improvement Program (STIP) and would be funded through the Charleston County half-cent sales tax and a Charleston Area Transportation Study (CHATS) federal guideshare.

Through the preliminary design and environmental review process; the Federal Highway Administration (FHWA) and the SCDOT have raised concerns regarding the project that must be addressed in order to maintain eligibility for federal funds and receive permitting approval. In letters, FHWA and SCDOT have indicated that the proposed design for Maybank Highway must comply with applicable design criteria for roads of its classification and function as a minor arterial. Further, they have stated that when compared to the impacts associated with a widening concept, the construction of two new location-parallel routes through environmentally sensitive areas will be difficult to permit as the least damaging practicable alternative.

To address these concerns staff held a stakeholder meeting on March 27, 2014. The meeting resulted in a consensus that the design standards required by FHWA and SCDOT for Maybank Highway are not in harmony with the community, the 2007 Johns Island Community Plan prepared by the City of Charleston, and the Urban Land Institute (ULI) Technical Assistance Panel (TAP) Recommendations as adopted by Charleston County. Further, the stakeholder meeting brought to light the number of obstacles of compliance with applicable federal laws and regulations, including Section 4(f) of the 1966 Department of Transportation Act (23 CFR part 774).

To eliminate improbable and arduous permitting, it is recommended that scope of the Maybank Highway Improvements project be revised to include improvements to Maybank Highway from the Paul J. Gelegotis Bridge over the Stono River to River Road. These improvements would include the construction of two new location-parallel routes

(northern and southern pitchfork roads) as proposed in the completed right-of-way plans. Also, evaluation of improvements to Maybank Highway to include an additional westbound lane traveling from James Island onto Johns Island and improvements to the intersection of River Road and Maybank Highway. Further, it is recommended that Maybank Highway from River Road to its intersection with Main Road/Bohicket Road be resurfaced with the addition of 4 foot wide paved shoulders.

It is anticipated that this refined scope can be designed, permitted, and constructed with the funding allocated by the Charleston County half-cent sales tax and would not require additional funding from the CHATS guideshare. Removal of the federal funding of the project alleviates obstacles associated with compliance of Section 4(f) of the 1966 Department of Transportation Act (23 CFR part 774).

Subject to Council's direction to staff on the project scope, the next steps in project development will involve a traffic operational analysis to evaluate the need for an additional westbound lane onto Johns Island from the Paul J. Gelegotis Bridge over the Stono River and approval of the project design from the required permitting agencies.

Under the stakeholder recommendations, the need for CHATS federal guideshare funding for the Maybank Highway project would be eliminated. To qualify for this funding, the project must be on the State Transportation Improvement Program (STIP). The Folly Road / Camp Road Intersection Improvement Project is currently on the STIP and experiencing a funding shortfall. Staff request approval to submit a request to CHATS to reprogram \$6.5 million from the Maybank Highway project to the Folly Road / Camp Road intersection project and return to council later for approval to submit a request to CHATS to reprogram the remaining funds. This additional funding will allow the Folly Road / Camp Road project to move forward.

Committee recommended that Council, in accord with the recommendations resulting from the March 27, 2014, stakeholder meeting:

1. approve the refined project scope to include improvements to Maybank Highway from the Paul J. Gelegotis Bridge over the Stono River to River Road. These improvements would include the construction of two new location-parallel routes (northern and southern pitchfork roads) as proposed in the completed right-of-way plans. It is also recommended that Maybank Highway from River Road to its intersection with Main Road/Bohicket Road be resurfaced with the addition of 4 foot wide paved shoulders.
2. allow staff to submit a request to CHATS to reallocate \$6.5 million of federal guideshare funding from Maybank Highway Improvement Project to the Folly/Camp Intersection Improvement Project.

Mr. Rawl moved to defer action on this item until the next Council meeting. This motion was seconded by Ms. Johnson.

Following discussion among the Council Members regarding the merits of taking action at this meeting or the next, Mr. Rawl withdrew his motion and made a substitute motion to take \$6.5 million of sales tax funding from the total amount of sales tax funding approved for the Maybank Highway Project and move it to the Folly Road at Camp Road intersection project since it had been determined by the FHWA and SCDOT that the

proposed design for Maybank Highway must comply with applicable design criteria for roads of its classification and function as a minor arterial and when compared to the impacts associated with a widening concept, the construction of two new location-parallel routes through environmentally sensitive areas will be difficult to permit as the least damaging practicable alternative and the Folly Road/Camp Road Intersection Improvement Project is currently on the State Transportation Improvement Program and experiencing a funding shortfall. This motion was seconded by Mr. Pryor.

Mr. Rawl stated that when the original design of the Paul Gelegotis Bridge was approved, it was contemplated that Maybank Highway would be widened all the way to Main/Bohicket Road and that since the City of Charleston had not given municipal consent for the project to go forward, the pitchfork design was proposed. He also stated that the referendum question which was approved by the voters was to widen Maybank Highway. Since the widening of Maybank Highway could not be accomplished, it was prudent to move forward with another bonded project which was underfunded.

Mr. Summey asked which funding was being discussed.

Chairman Pryor stated that the funding being discussed was Transportation Sales Tax funding and that Council could also direct staff to develop a plan to use the federal guideshare money and submit that plan to CHATS to reprogram.

Mr. Taylor stated if he understands the proposal it would be to take the Sales Tax funding from the Maybank Highway project to fully fund the Folly/Camp project, to use the remaining funding to widen Maybank Highway from the bridge to River Road, and to request CHATS to reprogram the federal guideshare money to other projects.

Mr. Rawl stated that was correct and remarked that if the City of Charleston wanted to move forward with the pitchfork design, the funding should come from the City of Charleston since the improvements did not meet the eligibility requirements for federal funding.

Mr. Schweers stated that he believed the motion, as stated, would kill the Maybank Highway pitchfork project. He stated that this project was debated for years and this was the project the community wanted.

Ms. Johnson stated that she would like to see traffic addressed on both James and Johns Island since she lives on James Island and is familiar with the traffic problems at Camp and Folly, but also represents Johns Island and is familiar with the traffic problems on Maybank Highway.

Mr. Darby stated that he was going to follow staff's lead on this project.

Ms. Condon asked for clarification on staff recommendation. Mr. Taylor stated that staff's recommendation was the same of the committee recommendation, but that if Council takes \$6.5 million Transportation Sales Tax funding from the Maybank highway project and with the loss of the federal guideshare funding, there would not be enough funding to widen the road to River Road. Ms. Condon then asked staff if this project could be divided into two projects in order to use the federal guideshare funding to widen Maybank Highway up to River Road. Mr. Taylor, Mr. Thigpen, and Ms. Molli LeMin, Transportation Development Project Manager, all stated that the Federal Highway

Administration would consider the road as a whole even if the project was resubmitted with a smaller scope. Mr. Taylor elaborated that since the FHWA considers Maybank Highway an arterial road for emergency evacuation, the narrow lanes and slower speed limits of the town and country section would not meet the requirements for using federal funds on the project. Ms. Condon stated that she didn't understand why Council could not narrow the scope of the project to just include the widening from the bridge to River Road and resubmit it. She also stated that she believed it was critical to have the extra lane on Maybank Highway with or without the pitchfork. Ms. Condon asked how long it would take to get results of the supplemental traffic study to determine where the extra lane should be designed. Ms. LeMin stated that she believed the supplemental traffic study should only take about 3 months. Ms. Condon stated that in the event this motion failed, she would whole-heartedly support the committee recommendation.

Mr. Rawl stated that the statute involving municipal consent for road projects is specifically for projects managed by the SCDOT and this project is not a DOT project and that he believed municipal consent is how this project got derailed to begin with. The people of Charleston County voted to widen Maybank Highway and special interest groups and the City of Charleston stopped the widening from happening.

Mr. Qualey stated that he wanted to thank Chairman Pryor and Mr. Rawl for trying to get funding for the Folly/Camp project as quickly as possible, but he did not want to be the person responsible for denying the people of Johns Island the Maybank Highway project so he would not support the motion on the floor, but would also support the committee recommendation and then if CHATS denies the request to reprogram the money to Folly and Camp Road, he would then ask Council to help find the money to fund Folly and Camp within the Transportation Sales Tax budget.

Chairman Pryor inquired who represented the County at the emergency stakeholder meeting. It was reported that Assistant Administrator for Transportation and Public Works Jim Armstrong, Transportation Development Director Steve Thigpen, Project Manager Molli LeMin, and various representatives from LPA were included in the meeting. Chairman Pryor stated that he understood Mayor Riley had represented the City of Charleston at this meeting and he wished he had been informed of the meeting so he could have attended.

The Chairman called for a roll call vote on Mr. Rawl's motion. The roll was called and the votes were recorded as follows:

Condon	-nay
Darby	-aye
Johnson	-aye
Qualey	-nay
Rawl	-aye
Sass	-nay
Schweers	-nay
Summey	-nay
Pryor	-aye

The vote being four (4) ayes and five (5) nays, the Chairman declared the motion to have failed.

Mr. Schweers moved approval of the Committee recommendation, which is that Council, in accord with the recommendations resulting from the March 27, 2014, stakeholder meeting:

1. approve the refined project scope to include improvements to Maybank Highway from the Paul J. Gelegotis Bridge over the Stono River to River Road. These improvements would include the construction of two new location-parallel routes (northern and southern pitchfork roads) as proposed in the completed right-of-way plans. It is also recommended that Maybank Highway from River Road to its intersection with Main Road/Bohicket Road be resurfaced with the addition of 4 foot wide paved shoulders.
2. allow staff to submit a request to CHATS to reallocate \$6.5 million of federal guideshare funding from Maybank Highway Improvement Project to the Folly/Camp Intersection Improvement Project.

The motion was seconded by Ms. Condon. The Chairman called for a roll call vote on this motion. The roll was called and the votes were recorded as follows:

Condon	-aye
Darby	-aye
Johnson	-abstain
Qualey	-aye
Rawl	-nay
Sass	-aye
Schweers	-aye
Summey	-aye
Pryor	-nay

The vote being six (6) ayes, two (2) nays, and one (1) abstaining, the Chairman said that the motion carried.

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

Mr. Summey said if his comments at the April 17 Finance Committee had offended any Johns Island residents, he apologized.

Mr. Schweers requested that staff should arranged a meeting regarding dredging of the Intracoastal Waterway, which is virtually impassable, with Mayor Leland, David Warren of the Army Corps of Engineers, Brad Pickle, director of the Atlantic Intracoastal Waterway Association, the mayors of municipalities along the Intracoastal Waterway including McClellanville, Awendaw, Sullivan's Island, Isle of Palms, Mount Pleasant, and Charleston. He added that after speaking with the Army Corps of Engineers, he understands that the Corps still has the ability but there are no federal funds available or state or local funding, and requested that Mr. Pickle be able to address Council. Also that Staff determine what funding is needed, and what sources might be available from the Accommodation Sales Tax or the ½ Cent Sales Tax. He added that Mr. Pickle, Mr. Warren, or an appropriate representative, from the Corps of Engineers and Mayor Leland must be in attendance. Other affected mayors should be invited but their attendance is not mandatory.

Ms. Johnson stated that she abstained from voting on the Maybank Highway issue because she believes that Johns Island congestion is important, and she lives on James Island and knows the congestion there, as well. Ms. Johnson also asked for a status update on the Main Road Superstreet Project.

Mr. Steve Thigpen, Director of Transportation stated he has not had a status update from the DOT about the Superstreet Project recently, but would check with the DOT and report back to Ms. Johnson.

Chairman Pryor stated that he had been at a meeting with Stantec in March and was told by a representative of SCDOT that the Superstreet project had been delayed and the Chairman wondered why staff had not informed Council of this development.

Mr. Darby asked Mr. Taylor to provide an update on the Tri-County Vietnam Veterans celebration at a future committee meeting.

Ms. Condon wished everyone a Happy Earth Day and reminded everyone of the Earth Day celebration on Saturday, April 26 at Riverfront Park.

Mr. Rawl stated that he hoped Congressmen Sanford, Rice, and Clyburn as well as Senators Scott and Graham would be invited to attend the meeting regarding dredging the Intracoastal Waterway.

Mr. Taylor said that he was happy to report that staff had recently conducted conference calls with rating agencies and had found out that Fitch sustained our AAA rating.

Chairman Pryor wished Mrs. Craven a Happy Birthday.

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

Beverly T. Craven
Clerk of Council