

COMMITTEE ON WATER AND SANITATION
(Standing Committee of Berkeley County Council)

Chairman: Mrs. Judith K. Spooner, District No. 2

Members: Mr. Phillip Farley, District No. 1
Mr. William E. Crosby, District No. 3
Mr. Charles E. Davis, District No. 4
Mr. Dennis L. Fish, District No. 5
District No. 6 - Vacant
Mr. Caldwell Pinckney, Jr., District No. 7
Mr. Steve C. Davis, District No. 8
Mr. James H. Rozier, Jr., Supervisor, ex officio

A meeting of the **COMMITTEE ON WATER AND SANITATION**, Standing Committee of Berkeley County Council, will be held on **Monday December 12, 2005**, following the meeting of the Committee on Justice and Public Safety and the Committee on Land Use in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina, at **5:00 p.m.**

AGENDA

APPROVAL OF MINUTES

November 14, 2005
November 28, 2005

A. Consideration of a Resolution finding that it is in the best interest of Berkeley County to become a member of the **Lake Marion Regional Water Agency** (the "Agency"), authorizing the submission of an application for membership in the Agency, and approving the simultaneous admission of additional members.

B. Consideration of a Resolution appointing a commissioner to represent Berkeley County on the **Lake Marion Regional Water Agency**.


C. Consideration prior to **First Reading** of the **Fourth Supplemental Ordinance** providing for the issuance and sale of Berkeley County, South Carolina, **Water and Sewer System Revenue Bonds, Series 2006-B**, in the principal amount of not exceeding \$10,000,000; prescribing the form and details of such bonds; delegating certain matters to the County Supervisor; and other matters relating thereto.

D. Review prior to **Third Reading** of the following:

1. Bill No. 05-98, the **Third Supplemental Ordinance** providing for the issuance and sale of Berkeley County, South Carolina, **Water and Sewer System Refunding Revenue Bonds, Series 2006-A**, in the principal amount of not exceeding \$50,000,000; prescribing the form and details of such bonds; delegating certain matters to the County Supervisor; and other matters relating thereto.

2. **Bill No. 05-100**, an ordinance to amend Chapter 65, Article 2, of the Berkeley County Code of Ordinances, establishing a limitation of the use or installation of public and private water services and wastewater collection and treatment systems for only those areas within Berkeley County in which property uses are in compliance with the Berkeley County Zoning and Development Standards Ordinance; and establishing certain exceptions thereto.

December 7, 2005


Barbara B. Austin, CCC
Clerk of County Council

COMMITTEE ON WATER AND SANITATION
(Standing Committee of Berkeley County Council)

Chairman: Mrs. Judith K. Spooner, Council Member District No. 2

A meeting of the **COMMITTEE ON WATER AND SANITATION**, Standing Committee of Berkeley County Council, was held on **Monday December 12, 2005**, in the Assembly Room of the Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina, at 6:24 p.m.

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

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

During periods of discussion and/or presentations, minutes are typically condensed and paraphrased.

Chairman Spooner called the meeting to order and asked for approval of minutes from meetings of the Committee on Water and Sanitation held November 14, 2005 and November 28, 2005.

APPROVAL OF MINUTES

It was moved by Council Member Farley and seconded by Council Member Crosby to **approve** the **minutes** as presented. The motion passed by unanimous voice vote of the Committee.

A. Consideration of a resolution finding that it is in the best interest of Berkeley County to become a member of the **Lake Marion Regional Water Agency** (the "Agency"), authorizing the submission of an application for membership in the Agency, and approving the simultaneous admission of additional members.

Mr. Robbie Metts, Deputy Supervisor, stated that membership in this agency would create an opportunity for growth and capacity of the County's water system, in addition to a financial savings and the ability for grant funding.

It was moved by Council Member Fish and seconded by Council Member Farley to approve **consideration** of a **resolution** authorizing submission of an application for **membership** to the **Lake Marion Regional Water Agency**. The motion passed by unanimous voice vote of the Committee.

B. Consideration of a resolution appointing a **commissioner** to represent Berkeley County on the **Lake Marion Regional Water Agency**

It was moved by Council Member Fish and seconded by Council Member Farley to approve **consideration** of a **resolution** appointing James H. Rozier, Jr., Supervisor, as **commissioner** to represent Berkeley County on the **Lake Marion Regional Water Agency**. The motion passed by unanimous voice vote of the Committee.

C. Consideration prior to First Reading of the Fourth Supplemental Ordinance providing for the issuance and sale of Berkeley County, South Carolina, **Water and Sewer System Revenue Bonds, Series 2006-B**, in the principal amount of not exceeding \$10,000,000; prescribing the form and details of such bonds; delegating certain matters to the County Supervisor; and other matters relating thereto.

Mr. Robbie Metts stated that this ordinance would provide for Berkeley County's match in funds with regard to the Lake Marion Regional Water Agency Project.

It was moved by Council Member Fish and seconded by Council Member Farley to approve **consideration**, prior to First Reading, of a **Fourth Supplemental Ordinance**. The motion passed by unanimous voice vote of the Committee.

D. Review prior to Third Reading of the following:

1. Bill No. 05-98, the Third Supplemental Ordinance providing for the issuance and sale of Berkeley County, South Carolina, **Water and Sewer System Refunding Revenue Bonds, Series 2006-A**, in the principal amount of not exceeding \$50,000,000; prescribing the form and details of such bonds; delegating certain matters to the County Supervisor; and other matters relating thereto.

It was moved by Council Member Fish and seconded by Council Member Crosby to approve **review**, prior to Third Reading, of **Bill No. 05-98**.

In discussion, Mr. David Jennings, Berkeley County Water and Sanitation Authority Attorney, stated that with the current spread in interest rates on the market today, the benefit to the County would be a \$2,200,000 savings.

Mr. Edward Boyles, representing Banc of America, stated that the current rate on the County's water and sewer existing debt is approximately five percent. In the current market, there is opportunity to refinance that debt (with a swap rate), bringing the rate down to a four percent cost of money. Payment on this debt would be reduced, on

average, \$147,000 per year over the life of the issue, totaling approximately \$2,200,000 of a reduction in payments. After Council adopts the ordinance, the rate will be priced the following day.

In conclusion, Mr. Boyles explained that in the current market, the traditional fixed rate carries an interest rate, which is 70 base points higher. A swap rate results in a bond rate just below four percent.

Supervisor Rozier indicated that this deal could be derailed if the Banc of America declared bankruptcy or the Federal Government stopped allowing municipal bond interest as a deductible; although, neither of these two scenarios is likely.

The motion passed by unanimous voice vote of the Committee.

2. **Bill No. 05-100**, and **ordinance** to amend Chapter 65, Article 2, of the Berkeley County Code of Ordinances, establishing a **limitation** of the use or installation of public and private **water services** and **wastewater collection** and **treatment systems** for only those areas within Berkeley County in which property uses are in compliance with the Berkeley County Zoning and Development Standards Ordinance; and establishing certain exceptions thereto.

It was moved by Council Member Crosby and seconded by Council Member Fish to approve **review**, prior to Third Reading, of **Bill No. 05-100**. The motion passed by unanimous voice vote of the Committee.

It was moved by Council Member Crosby and seconded by Council Member Fish to **adjourn** the Committee on Water and Sanitation Meeting. The motion passed by unanimous voice vote of the Committee.

Meeting adjourned at 6:36 p.m.

January 9, 2006

Date Approved