

April 6, 2010
Charleston, SC

A regular meeting of County Council of Charleston County was held on the 6th day of April, 2010 at 7:00 p.m. in Council Chambers, Second Floor, Lonnie Hamilton, III Public Services Building, at 4045 Bridge View Drive, Charleston, South Carolina.

Present at the meeting were the following members of Council: Teddie E. Pryor, Sr., Chairman, who presided; Colleen Condon; Curtis B. Inabinett; A. Victor Rawl; Dickie Schweers; and J. Elliott Summey. Council Members Henry E. Darby, Joe McKeown and Paul R. Thurmond were absent.

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

Mr. Inabinett gave the invocation. Ms. Craven 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. Summey moved approval of the Minutes of March 16, 2010, seconded by Mr. Rawl, and carried.

The Chairman requested Ms. Jennie Bloom Education Coordinator of Recycling/Solid Waste to come forward with the 2010 Earth Day Art Contest Winner, Miss Khalaya Brown, an 11 year old, 5th grader at A. C. Cocoran Elementary School.

The Chairman asked Council Member Curtis Inabinett to join Ms. Bloom and Miss Brown for a photo shot with Miss Brown's art work which will appear on this year's Earth Day T- Shirt. Miss Brown was given a shirt with her art work on it and a supply of art supplies so she can continue with her drawings.

The Chairman asked Mr. Jim Lake, Director of Charleston Consolidated Dispatch to come forward with some of his Telecommunicators and requested the Clerk to read Council's Resolution, which is as follows:.

A RESOLUTION NATIONAL TELECOMMUNICATOR WEEK

WHEREAS, emergencies can occur at anytime which need prompt emergency response; generally from law enforcement, fire, or emergency medical services; **and**

WHEREAS, when an emergency occurs, the prompt response of law enforcement, firefighters, and paramedics is critical to the protection of life and preservation of property; **and**

telecommunicator
week
request
resolution

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WHEREAS, the safety of our first responders is dependent upon the quality and accuracy of information obtained from citizens who call 911 in Charleston County; **and**

WHEREAS, Emergency Services Dispatchers are the first and most critical contact our citizens have with emergency services; **and**

WHEREAS, Emergency Services Dispatchers are the single vital link for our law enforcement officers, paramedics and firefighters by monitoring their activities by radio, providing them information, and insuring their safety; **and**

WHEREAS, Emergency Services Dispatchers within Charleston County have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; **and**

WHEREAS, each dispatcher has exhibited compassion, understanding, and professionalism during the performance of their job in the past year; **and**

WHEREAS, Charleston County is moving forward with the establishment of the Charleston County Consolidated 911 Center, and we look forward to a transition which improves service to citizens and conditions for dispatchers.

NOW, THEREFORE BE IT RESOLVED that **Charleston County Council, together with the Charleston County Consolidated Dispatch Board**, declares the week of April 11th through 17th, 2010 to be National Telecommunicators Week in Charleston County, in honor of the men and women whose diligence and professionalism keep our cities, county and citizens safe.

CHARLESTON COUNTY COUNCIL

Teddie E. Pryor, Chairman

April 6, 2010

Case ZREZ
1-10-6705, 1817
Pineland
Drive
Ordinance
2nd Reading

An Ordinance rezoning the property located at 1817 Pineland Drive was given second reading by title only.

AN ORDINANCE

REZONING THE PROPERTY LOCATED AT 1817 PINELAND DRIVE, PARCEL IDENTIFICATION NUMBER 313-00-00-131, FROM A Single Family RESIDENTIAL 4 (R-4) DISTRICT TO A 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 second reading of the Ordinance. The roll was called and votes recorded as follows:

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

The vote being six (6) ayes and three (3) absent, the Chairman declared the Ordinance to have received second reading approval.

**Case ZREZ
1-10-6707,
2875 Maybank
Highway
Ordinance
2nd Reading**


An Ordinance rezoning the property located at 2875 Maybank Highway was given second reading by title only.

AN ORDINANCE

REZONING THE PROPERTY LOCATED AT 2875 MAYBANK HIGHWAY, PARCEL IDENTIFICATION NUMBER 313-00-00-132 FROM A COMMERCIAL TRANSITION (CT) DISTRICT TO A 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 second reading of the Ordinance. The roll was called and votes recorded as follows:



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

The vote being six (6) ayes and three (3) absent, the Chairman declared the Ordinance to have received second reading approval.

**Case ZREZ, 1-
10-6721, 2938
Highway 17N
Ordinance
2nd Reading**

An Ordinance rezoning the property located at 2938 Highway 17 North was given second reading by title only.

AN ORDINANCE

REZONING THE PROPERTY LOCATED AT 2938 HIGHWAY 17 NORTH, PARCEL IDENTIFICATION NUMBER 500-00-00-007, FROM A SINGLE

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FAMILY RESIDENTIAL 4 (R-4) DISTRICT TO A COMMERCIAL TRANSITION (CT) 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 second reading of the Ordinance. The roll was called and votes recorded as follows:

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

The vote being six (6) ayes and three (3) absent, the Chairman declared the Ordinance to have received second reading approval.

**Airport Area
Road
Improvements
Request to
Approve**

A report was read from the Economic Development Committee under date of April 1, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, Kurt Taylor, Deputy County Administrator, and Jim Armstrong, Director of Transportation Development, regarding Economic Development Projects near the Charleston International Airport. It was stated that on November 17, 2009 Council directed Staff to develop a program

Committee recommended that Council:

1. Approve the three phase airport area infrastructure improvement Plan.
2. Authorize Staff to prepare and submit a South Carolina State Transportation Infrastructure Bank funding application.
3. Approve the entering into an Intergovernmental Agreement for the temporary maintenance of select portions of Charleston County Aviation Authority roads.

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

**ZLDR
Ordinance
Amendments
A) Request to
Approve
B) Ordinance
1st Reading**

A report was read from the Planning/Public Committee under date of April 1, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Dan Pennick, Director of the Zoning and Planning Department, regarding proposed text amendments to clarify the Zoning Land Development Regulations (ZLDR) and simplify within the ZLDR actions to implement the Charleston County Comprehensive Plan adopted by Council on November 18, 2008.

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Committee recommended that Council approve and give first reading to an Ordinance amending Chapters 2, 3, 4, 5, 6, 8, 9, 10, 11, and 12 to the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR).

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

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

AN ORDINANCE

AMENDING THE FOLLOWING CHAPTERS OF THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, ORDINANCE # 1202, AS AMENDED, CHAPTER 2 (REVIEW AND DECISION MAKING BODIES), CHAPTER 3 (DEVELOPMENT REVIEW PROCEDURES), CHAPTER 4 (BASE ZONING DISTRICTS) CHAPTER 5 (OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS) CHAPTER 6 (USE REGULATIONS), CHAPTER 8 (SUBDIVISION REGULATIONS), CHAPTER 9 (DEVELOPMENT STANDARDS), CHAPTER 10 (NONCONFORMITIES) CHAPTER 11 (VIOLATIONS, PENALTIES AND ENFORCEMENT), AND CHAPTER 12 (DEFINITIONS).

The Ordinance in its entirety will be available in the office of the Clerk of Council, at the time of third reading approval.

ZPD-10-09
5779 1218
Lieben
Rd/3745 17N

A report was read from the Planning/Public Committee under date of April 1, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Dan Pennick, Director of the Zoning and Planning Department, regarding a requested zoning change from the single family residential 4 (-4) and the Community Commercial (CC) Zoning Districts to the Planned Development (PD-144) Zoning District.

Committee recommended that Council approved, with conditions, and gave first reading to an Ordinance rezoning properties located at 1218 Lieben Road and a portion of 3456 Highway 17N from a single family residential 4 (R-4) & Community Commercial (CC) Districts to a Planned Development (PD-144) District.

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

An Ordinance rezoning property at 1218 Lieben Road & a portion of 3745 Highway 17 N was given first reading by title only.

AN ORDINANCE

REZONING PROPERTIES LOCATED AT 1218 LIEBEN ROAD & A PORTION OF 3745 HIGHWAY 17N FROM A SINGLE FAMILY

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**RESIDENTIAL 4 (R-4) & COMMUNITY COMMERCIAL (CC) DISTRICTS TO
A PLANNED DEVELOPMENT (PD0-144) DISTRICT.**

The Ordinance in its entirety will be available in the office of the Clerk of Council, at the time of third reading approval.

ZPD 12=09 6474,
2741 Highway 17
N & Coakley Rd
A) Request to
Approve
B) Ordinance
1st Reading

A report was read from the Planning/Public Committee under date of April 1, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Dan Pennick, Director of the Zoning and Planning Department, regarding a requested zoning change from the Special Management 3 (S-3) District to the Planning Development (PD (145) District.

Committee recommended that Council approved the requested zoning change, with Staff recommendations.

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

An Ordinance rezoning property at 2741 Highway 17 North and 1118 Coakley Road was given first reading by title only.

AN ORDINANCE

**REZONING PROPERTIES LOCATED AT 2741 HIGHWAY 17NORTH &
1118 COAKLEY ROAD FROM A SPECIAL MANAGEMENT 3 (S-3)
DISTRICT TO A PLANNED DEVELOPMENT (PD-145) DISTRICT TO
ALLOW FOR A PROPOSED OFFICE/COMMERCIAL DEVELOPMENT
DISTRICT TO A PLANNED DEVELOPMENT DISTRICT.**

The Ordinance in its entirety will be available in the office of the Clerk of Council, at the time of third reading approval.

ZPD 1-10-6704
3350 & 3362
Maybank Hwy.
A) Request to
Approve
B) Ordinance
1st Reading

A report was read from the Planning/Public Committee under date of April 1, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Dan Pennick, Director of the Zoning and Planning Department, regarding a requested zoning change from a General Office District to the adjacent property which is zoned Planned Development (PD-77). It was stated that the applicant, the St. John's Water Company, who owns both parcels, would like to add the adjacent property to the Planned Development in order to increase their operations and improve their existing facilities.

Committee recommended that Council approve the requested zoning change.

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

An Ordinance rezoning properties located at 3350 Maybank Highway & 3382 Maybank Highway from PD-77, St. John's Water Company was given first reading by title only.

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AN ORDINANCE**REZONING PROPERTIES LOCATED AT 3350 MAYBANK HIGHWAY & 3362 MAYBANK HIGHWAY FROM PD-77 ST. JOHN'S WATER COMPANY PLANNED DEVELOPMENT AND GENERAL OFFICE (OG) DISTRICT TO A PLANNED DEVELOPMENT (PD-148) DISTRICT.**

The Ordinance in its entirety will be available in the office of the Clerk of Council, at the time of third reading approval.

Consent Agenda
A) GAB
Chairman's
Rural South
Appointee
B) Fair Housing
Month
C) Community
Development
Week
D) FY 2010 FM
Global Fire
Prevention Grant

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

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

A report was read from the Finance Committee under date of April 1, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and the letter of resignation received from Curtis Bostic regarding his seat on the Charleston Greenbelt Advisory Board representing the rural communities surrounding Highway 17 South. It was shown that the Chairman of Council recommends the appointment of a Member of the Greenbelt Advisory Board from the rural communities surrounding Highway 17 South.

Committee recommended that Council appoint Ms. Jacquetta Jones to the Greenbelt Advisory Board representing the Communities surrounding Highway 17 South to fill the vacancy created by the resignation of Curtis Bostic for a term ending in July, 2011.

A report was read from the Finance Committee under date of April 1, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Christine DuRant, Director of the Grants Administration Department, regarding a request for a Resolution from Council proclaiming April as Fair Housing Month in Charleston County. It was stated that Charleston County's Grants Administration Department, as the manager of the Urban Entitlement funding, has been the administrator of these funds for Fair Housing throughout the County since 1997, and that services that have been provided with the funding having been designated to address the impediments to fair housing throughout our area. It was shown that through these dollars, approximately 10,000 citizens have been served in the last 13 years.

Committee recommended that Council approve a Resolution declaring the month of April 2010 as Fair Housing Month in Charleston County.

The Resolution is as follows:

A RESOLUTION

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OF CHARLESTON COUNTY COUNCIL

WHEREAS, Charleston County is designated as an Urban Entitlement Community and is a grantee of funds from the US Department of Housing and Urban Development; and

WHEREAS, HUD-funded grant recipients are obligated under various laws not to discriminate in housing or services directly or indirectly on the basis of race, color, religion, sex, national origin, age, familial status, or disability; and

WHEREAS, HUD rules further require that recipients of Federal financial assistance comply with civil rights related program requirements that affect nearly every aspect of each program. HUD's non-discrimination requirements are compiled from several different federal laws designed to protect each individual's right to fair housing and equal opportunity; and

WHEREAS, fair housing and fair housing choice is generally defined as the ability of people with similar incomes to have similar access to housing; and

WHEREAS, fair housing is an issue of affordable housing in our cities and rural areas and continues to be a problem for many families of all races, the young as well as the elderly; and

WHEREAS, Charleston County utilizes HUD funding to educate the public regarding the rights and responsibilities afforded by the fair housing law, to include the education of housing providers and financial providers; and

WHEREAS, April has been designated as Fair Housing Month in the United States, and provides an opportunity for all Americans to dedicate themselves to the principles of free choice and to reacquaint themselves with the rights and responsibilities that are theirs under the law.

NOW, THEREFORE, BE IT RESOLVED, that Charleston County Council, does hereby proclaim April 2010 as Fair Housing Month in Charleston County, and urges all citizens of Charleston County to join in this effort to reaffirm fair housing opportunities for all people and to practice the letter and spirit of the Fair Housing Law.

CHARLESTON COUNTY COUNCIL
Teddie E. Pryor, Chairman
April 6, 2010

A report was read from the Finance Committee under date of April 1, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Christine O. DuRant, Grants Administration Department, regarding a request for Council to adopt a Resolution declaring the week of April 4th through April 10th as National Community Development Week. It was stated that this year marks the 35th Anniversary of the Community Development Block Grant Program funded through the U. S. Department of Housing and Urban Development (HUD).

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Committee recommended that Council declare by Resolution that April 4th through April 10, 2010 is Community Development Week in Charleston County.

The Resolution is as follows:

A RESOLUTION OF CHARLESTON COUNTY COUNCIL


WHEREAS, the Community Development Block Grant (CDBG) Program has operated since 1975 to provide local governments with the resources required to meet the needs of persons of low and moderate income, and CDBG funds are used by thousands of neighborhood-based non-profit organizations throughout the nation to address pressing neighborhood and human service needs; and

WHEREAS, the Community Development Block Grant Program has had a significant impact on our local economics through job creation, physical redevelopment and improved local tax bases; and;

WHEREAS, Charleston County and other local governments have clearly demonstrated the capacity to administer and customize the CDBG Program to identify and resolve pressing local problems, such as affordable housing, neighborhood and human service needs, job creation and retention and physical redevelopment.

NOW, THEREFORE, BE IT RESOLVED, that Charleston County Council, does hereby proclaim the week of April 4-10, 2010, as Community Development Week in Charleston County, and urges all citizens to join in recognizing the Community Development Program of Charleston County and its importance to our community.

CHARLESTON COUNTY COUNCIL
Teddie E. Pryor, Chairman
April 6, 2010



A report was read from the Finance Committee under date of April 1, 2010 that it considered the information furnished by Allen O'Neal, and Al Cannon, Charleston County Sheriff, regarding funding opportunities under GM Global FY 2010 Fire Prevention Grant Program. It was stated that the Sheriff's Office Forensic Services is responsible for investigating suspicious fires whenever serious injury or death occurs or, if the responding fire department has reason to believe the fire was intentionally started. It was further stated that currently, the method of investigation is to collect numerous fire debris samples based on the pattern and origin of the fire, and subsequently these samples are analyzed at a state forensic laboratory for traces of accelerants. It was further shown that today a more effective tool to utilize at a fire scene is the combustible gas detector which would supplement current methods by permitting an effective and efficient search for accelerants at fire scenes, and in order to meet these needs, the Sheriff's Office is requesting eight (8) combustible gas detectors valued at \$1,920.

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Committee recommended that Council approve submission of the Sheriff's Office grant application for the FY10 FM Global Fire Prevention Grant Program in the amount of \$1,920, with the understanding that there is no match or FTE's required, and that the grant period has not been established.

Regional
Parkland
Greenbelt
Funding
PRC
Revisit


A report was read from the Finance Committee under date of April 1, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and the letter from Ms. Lisa Steed King, Chairperson of Charleston County Park & Recreation Commission, regarding the Park and Recreation Commission's desire to purchase property on Dorchester Road abutting the Ashley River in North Charleston and for Beach access on East Arctic Avenue, Folly Beach in accordance with the intergovernmental agreement between Charleston County Council and the Charleston County Park and Recreation Commission.

Committee also considered the information received at the Finance Committee on March 11th and at County Council's Meeting of March 16th.

Committee recommended that Council approve the purchase by the Charleston County Park and Recreation Commission of 5 adjacent parcels of public beach access located on East Arctic Avenue, Folly Beach for the sum of \$2,810,000, with funding to come from the Regional Parkland Greenbelt Funds.

Mr. Summey and Mr. Pryor moved approval of Committee recommendation.

After much discussion among Council Members regarding this request, Ms. Condon asked Mr. Summey if he would consider an amendment to the Committee recommendation.



Ms. Condon moved that the Committee recommendation be amended to included the Charleston County Parks and Commission be encourage to included the Town of Folly Beach in the design phase of the proposed Folly Beach assess park.

Mr. Summey agreed to accept Ms. Condon's amendment as did Mr. Pryor who had seconded Mr. Summey's motion.

The motion, as amended, carried.

The approved motion is as follows:

1. Approved the purchase by the Charleston County Park and Recreation Commission of 5 adjacent parcels of public beach access located on East Arctic Avenue, Folly Beach for the sum of \$2,810,000, with funding to come from the Regional Parkland Greenbelt Funds.
2. Encouraged the Charleston County Park and Recreation Commission to include the Town of Folly Beach's input in the design phase of the project.

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**Sale of Sheppard
Tract
Recommendation**

A report was read from the Finance Committee under date of April 1, 2010 that it considered the information furnished by Allen O'Neal, County Administrator, and Daniel Chandler, Director of Capital Projects and Facilities Management, regarding the sale of County owned property known as the Sheppard Tract. It was stated that on November 3, 2009, Council authorized the properties to be advertised for sale and two bids were received on March 10, 2010.

Committee also considered the information regarding the price proposal which was discussed in executive session.

Committee recommended that this item be forward to Council without recommendation.

The Chairman stated that this item would not be considered by Council because the proposed purchaser was not in agreement with the deed restriction Council wished to place on the property.

Public Forum

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

Ms. Josephine Freeman. 1840 Carriage Lane, newly elected President of concerned citizens of Petersfield, and three others spoke of the needs in their neighborhood, particularly regarding recreation for its young citizens.

The Chairman asked the Administrator to meet with Ms. Freeman at the conclusion of the meeting.

Mr. Inabinett said that this is a unique community about two miles from Hollywood, and asked Council to give them any help possible.

Rev. Charles Glover spoke on the three ditches that run to Daniel Flood Road and stated that the ditches need to be reinstated.

The Chairman said that this matter will come before Council's Planning/Planning and Public Works Committee shortly that Public Works is working on this project.

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

Mr. Schweers said that he would like to have included in the next Finance Committee meeting a discussion on broadcasting Council's meetings.

Mr. Inabinett said that he has been paying close attention to intersections, particularly on Highway 17. He stated that he knows that something will have to be done. Main Road and Highway 17 is growing by leaps and bounds.

Ms. Condon said that she just learned that Folly Beach has a new Mayor and Council Members who are opposed to the new park planned by the Charleston County Park and Recreation Commission. She stated that she was moving for reconsideration of

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agenda item fourteen and asked for a second to her motion.

Mr. Rawl seconded Ms. Condon's motion.

After a discussion among Council, Ms. Condon changed her motion to defer the issue for two week.

Mr. Rawl seconded Ms. Condon's new motion.

The Chairman called for a vote on deferral of the question of approving the Folly Beach Park request. The roll was called and votes recorded as follows:

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

The vote being three (3) ayes, three (3) nays and three (3) absent, the Chairman declared the requested deferral to have failed.

Mr. Inabinett said that he encouraged the persons in the audience from the Petersfield area to go back home and make plans to come back to Council with requests for small recreation facilities.

Mr. Rawl asked the County Attorney to verify that Council is not required to accept the bid of the other bidder regarding the Sheppard Tract Sale.

Mr. Dawson said that the County is under no obligation regarding the sale of the property known as the Sheppard Tract.

The Administrator stated that he would like to recognize two County employees, the first being Ms. Chris Martino-Lambert, Deputy Human Resource Director, who has been filling in as Interim Human Resource Director for the past nine months and has done an excellent job, and the newly appointed Director of Human Resources, Fagin Stackhouse, who started his job on April 5th.

Sheriff Al Cannon said that he had no problems with the posting of salaries of employees of the Sheriff's Department.

Mr. Schweers asked the County Attorney if a motion to reconsider the Folly Beach Park agenda item at Council next meeting would be in order.

Mr. Dawson's reply was in the affirmative

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The Chairman reminded Council Members that the dedication of the new detention center would be held at 11:00 on Wednesday and urged all Member of Council who could come to do so.

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


Beverly T. Craven
Clerk of Council

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