

February 17, 2009
Charleston, SC

A regular meeting of County Council of Charleston County was held on the 17th day of February, 2009, at 7:00 p.m. in Council Chambers, Second Floor, Lonnie Hamilton, III Public Services Building, 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; Curtis B. Inabinett; Joe McKeown; A. Victor Rawl; Dickie Schweers; J. Elliott Summey and Paul R. Thurmond.

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

Council Member Thurmond gave the invocation. Council Member Summey led in the pledge to the flag.

Ms. Condon moved approval of the minutes of February 3, 2009, seconded by Mr. Inabinett, and carried.

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

The Chairman stated that he was moving item 19 up to this point on the agenda, because Mr. Darby would have to leave prior to the end of the Council Meeting.

A report was read from the Finance Committee under date of February 12, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, Kurt Taylor, Deputy Administrator for Transportation, and Hernan Penna, Director of Traffic and Transportation for the City of Charleston, regarding a request from the City of Charleston for Transportation Sales Tax funding to be authorized for the completing of design for the Ashley River Bridge Pedestrian/Bicycle Facility Retrofit project. It was stated that the City of Charleston has requested funds from the U. S. Government in the proposed economic recovery package for the construction of this facility.

Committee recommended that Council fund the design as a one time reallocation from the following:

Glenn McConnell/Magwood Road	\$375,000
Gabe Road	140,000
James Jefferson Road	30,000
Joseph White Road	100,000
Isaac German Watershed Study	<u>55,000</u>
Total	\$700,000

**Ashley River
Bridge
Retrofit
Project Design
Recommendation**

Mr. Thurmond moved approval of Committee recommendation, seconded by Mr. Darby, and carried. Messrs. Rawl and Schweers voted nay.

The Chairman stated that Council Member Darby will give a Power Point Presentation reflecting on February's Black History Month. The presentation highlighted Viola Liuzzo who was shot and killed prior to her 40th birthday on the March for Freedom from Selma to Montgomery, Alabama.

The next item on the agenda was a presentation from Dr. Nancy McGuinley, Superintendent of the Charleston County School District. Dr. McGuinley gave statistics on the building and educational programs of the District, and told of the progress being made in both areas.

The Chairman stated that Mr. Bill Griggs, Director of Insurance Services of the South Carolina Association of Counties will present three awards to Charleston County's Safety and Risk Management Department. The three awards are: 2008 Service Award; 2008 Outstanding Safety Achievement Award and the 2008 Sustained Excellence in Risk Management Award.

Mr. Pryor requested Mr. Griggs; Larry Hodge, Safety and Risk Management Director; Mike Schering, Asst. Risk Manager, Ron Puckett, Safety Manager, John Case, Safety Officer, and Barbara Canady, Insurance Claims Coordinator to come forward to accept the three awards.

The next item on Council's agenda was an awards presentation given by M. B. Kahn, Inc., the Contractor associated with the construction of the Detention Center. The awards are to be given to several individuals who completed the Second Chance "Jail to Work" Program.

The Chairman asked Ms. Margaret Rush, Director of the Second Chance Program; Mr. Nick Montana, Project Manager, M. B. Kahn, Inc., Sheriff Al Cannon; Detention Center Chief Mitch Lucas to come forward, along with recipients of the awards. The Awards were presented by Mr. Montana, and Ms. Rush gave a brief description of the program.

Case # 3475
Fickling Hill
Road
Ordinance
3rd Reading

An Ordinance amending Charleston County Zoning Ordinance was given third reading by title only.

AN ORDINANCE

Ord. # 1572

REZONING PROPERTIES LOCATED AT FICKLING HILL ROAD FROM PLANNED DEVELOPMENT DISTRICT PD-108 DISTRICT TO PLANNED DEVELOPMENT DISTRICT PD 108-A

WHEREAS, the properties located at **FICKLING HILL ROAD**, identified as Tax Map Parcel Numbers **282-00-00-089, -095, -102, -147, -153, and -154** and (is/are) currently Zoned **PLANNED DEVELOPMENT DISTRICT PD-108**); and

WHEREAS, the applicant requests the parcels be rezoned to Planned Development (PD 108-A) and has submitted a complete application for PD Development Plan approval pursuant to Article 4.27 of the Charleston County Zoning and Land Development Regulations (ZLDR); and

WHEREAS, the Charleston County Planning Commission has reviewed the proposed PD Development Plan and adopted a resolution, by majority vote of the entire membership, recommending that County Council approve with conditions the proposed development plan, which recommendation is based on the Approval Criteria of Section 4.27.9.C.6 of the ZLDR; 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 with conditions the proposed PD Development Plan based on the Approval Criteria of Section 4.27.9.C.6 of Article 4.27 of the ZLDR;

WHEREAS, County Council has determined the PD Development Plan meets the following criteria:

- A. The PD Development Plan complies with the standards contained in Article 4.27 of the ZLDR;
- B. The development is consistent with the intent of the Charleston County Comprehensive Plan;
- C. The County and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed.

NOW, THEREFORE, be ordained by Charleston County Council, 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. REZONING OF PROPERTIES

A. Charleston County Council rezones the properties located at **FICKLING HILL ROAD**, identified as Tax Map Parcel Numbers **282-00-00-089, -095, -102, -147, -153, and -154**, from **PLANNED DEVELOPMENT PD 108** to **PLANNED DEVELOPMENT PD-108-A**; and

B. The PD Development Plan submitted by the applicant and identified as the "Planned Development District Guidelines for **FICKLING HILL ROAD**, Charleston County, South Carolina Dated **OCTOBER 14, 2008**", including the changes thereto

and conditions, if any, approved by County Council as Planned Development **108** or **PD-108-A**, is incorporated herein by reference, and shall constitute the PD Development Plan for the parcels identified above; and

C. Any and all development of **PD-108-A** must comply with the PD Development Plan, ZLDR, and all other applicable ordinances, rules, regulations, and laws; and

D. The zoning map for Tax Map Parcel Numbers **282-00-00-089, -095, -102, -147, -153, and -154** is amended to **PD-108-A** in accordance with Section 3.4.7 of Article 3.4 of the ZLDR.

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 upon approval of County Council following third reading.

The Chairman called for third reading of the Ordinance. The roll was called and vote recorded as follows:

- Ms. Condon - aye
- Mr. Darby - absent at time of voting
- Mr. Inabinett - aye
- Mr. McKeown - aye
- Mr. Rawl - aye
- Mr. Schweers - aye
- Mr. Summey - aye
- Mr. Thurmond - aye
- Mr. Pryor - aye

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

**Case #3479-C
130 Main Rd
Ordinance
2nd Reading**

An Ordinance rezoning property at 130 Main Road was given second reading by title only.

AN ORDINANCE REZONING PROPERTIES LOCATED AT 130 MAIN ROAD, ST. ANDREWS FROM PLANNED DEVELOPMENT (PD) 106 TO PLANNED DEVELOPMENT (PD) 106A

February 17, 2009

WHEREAS, the properties located at **130 MAIN ROAD**, identified as Tax Map Parcel Numbers **285-07-00-012** and (is/are) currently zoned **PLANNED DEVELOPMENT (PD) 106**); and

WHEREAS, the applicant requests the parcels be rezoned to Planned Development (PD) and has submitted a complete application for PD Development Plan approval pursuant to Article 4.27 of the Charleston County Zoning and Land Development Regulations (ZLDR); and

WHEREAS, the Charleston County Planning Commission has reviewed the proposed PD Development Plan and adopted a resolution, by majority vote of the entire membership, recommending that County Council approve with conditions the proposed development plan, which recommendation is based on the Approval Criteria of Section 4.27.9.C.6 of the ZLDR; 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 with conditions the proposed PD Development Plan based on the Approval Criteria of Section 4.27.9.C.6 of Article 4.27 of the ZLDR;

WHEREAS, County Council has determined the PD Development Plan meets the following criteria:

- A. The PD Development Plan complies with the standards contained in Article 4.27 of the ZLDR;
- B. The development is consistent with the intent of the Charleston County Comprehensive Plan;
- C. The County and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed.

NOW, THEREFORE, be ordained it by Charleston County Council, in meeting duly assembled, finds 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. REZONING OF PROPERTIES

A. Charleston County Council rezones the properties located at **130 MAIN ROAD**, identified as Tax Map Parcel Numbers **285-07-00-012** , from **PLANNED DEVELOPMENT (PD) 106**) to **Planned Development (106-A)**; and

- B. The PD Development Plan submitted by the applicant and identified as

the "Planned Development District Guidelines for(**PD-106-A**), Charleston County, South Carolina Dated **11-12-08**", including the changes thereto and conditions, if any, approved by County Council as Planned Development **PD-106-A**, is incorporated herein by reference, and shall constitute the PD Development Plan for the parcels identified above; and

C. Any and all development of **PD-106-A** must comply with the PD Development Plan, ZLDR, and all other applicable ordinances, rules, regulations, and laws; and

D. The zoning map for Tax Map Parcel Numbers **285-07-00-012** is amended to **PD-106-A** in accordance with Section 3.4.7 of Article 3.4 of the ZLDR.

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 upon approval of County Council following third reading.

The Chairman called for second reading of the Ordinance. The roll was called and vote recorded as follows:

- Ms. Condon - aye
- Mr. Darby - absent at time of voting
- Mr. Inabinett - aye
- Mr. McKeown - aye
- Mr. Rawl - aye
- Mr. Schweers - aye
- Mr. Summey - aye
- Mr. Thurmond - aye
- Mr. Pryor - aye

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

**SCE&G
Easement
Detention
Center
Ordinance
2nd Reading**

An Ordinance granting an easement to the SCE&G was given second reading by title only.

AN ORDINANCE

APPROVING AND AUTHORIZING THE GRANT OF A UTILITY EASEMENT TO THE SOUTH CAROLINA ELECTRIC AND GAS COMPANY ON A PORTION OF

THE COUNTY PROPERTY KNOWN AS THE CHARLESTON COUNTY
DETENTION CENTER.

**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 vote recorded as follows:

Ms. Condon	- aye
Mr. Darby	- absent at time of voting
Mr. Inabinett	- aye
Mr. McKeown	- aye
Mr. Rawl	- aye
Mr. Schweers	- aye
Mr. Summey	- aye
Mr. Thurmond	- aye
Mr. Pryor	- aye

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

An Ordinance granting an easement to the SCE&G was given second reading by title only.

**SCE&G
Easement
K-9 Unit
Ordinance
2nd Reading**

AN ORDINANCE

APPROVING AND AUTHORIZING THE GRANT OF A UTILITY EASEMENT TO
THE SOUTH CAROLINA ELECTRIC AND GAS COMPANY ON A PORTION OF
COUNTY PROPERTY KNOWN AS THE CHARLESTON COUNTY K-9 FACILITY.

**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 vote recorded as follows:

Ms. Condon	- aye
Mr. Darby	- absent at time of voting
Mr. Inabinett	- aye
Mr. McKeown	- aye
Mr. Rawl	- aye
Mr. Schweers	- aye
Mr. Summey	- aye
Mr. Thurmond	- aye
Mr. Pryor	- aye

The vote being eight (8) ayes, one (1) absent, the Chairman declared the Ordinance

to have received second reading approval.

Boat Situs Ordinance 2nd Reading

An Ordinance extending the time that a boat can be in Charleston County without taxation was given second reading by title only.

AN ORDINANCE

PURSUANT TO SOUTH CAROLINA CODE OF LAWS SECTION 12-37-714(2) EXTENDING THE PERIOD OF TIME THAT A BOAT NOT USE EXCLUSIVELY IN INTERSTATE COMMERCE CAN BE IN CHARLESTON COUNTY FROM 60 DAYS CONSECUTIVELY OR 90 DAYS IN THE AGGREGATE TO 180 DAYS IN THE AGGREGATE DURING A PROPERTY TAX YEAR.

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 vote recorded as follows:

- Ms. Condon - aye
- Mr. Darby - absent at time of voting
- Mr. Inabinett - aye
- Mr. McKeown - aye
- Mr. Rawl - aye
- Mr. Schweers - aye
- Mr. Summey - aye
- Mr. Thurmond - aye
- Mr. Pryor - aye

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

**Case #ACP-12-08-2221
Case #ZPD 12-08-2222
8754 Savannah Hwy Request to Postpone**

A report was read from the Planning/Public Works Committee under date of February 12, 2009 that it considered the information furnished by Allen O’Neal, County Administrator and Dan Pennick, Director of Planning, regarding Case # ACP-12-08-2221 and Case # ZRD 12-08-2222.

Committee recommended that these cases be deferred for up to 90 days.

Mr. McKeown moved approval of Committee recommendation, seconded by Ms. Condon, and carried. Mr. Schweers voted nay, and Mr. Thurmond abstained, and furnished the Clerk with a Statement of Conflict of Interest, citing a business relationship with the property owner next to this property.

**Case 3463C
6775 Bears Bluff Road
A) Request to Change
B) Ordinance
1st Reading**

A report was read from the Planning/Public Works Committee under date of February 12, 2009 that it considered the information furnished by Allen O’Neal, County Administrator, and Dan Pennick, Director of Planning, regarding a request to rezone property located at 6775 Bears Bluff Road from a Planned Development PD 94

District to a Planned Development PD 94A District.

Committee recommended that Council approved the requested changes with Staff recommendations.

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

An Ordinance amending Charleston County Zoning Ordinance was given first reading by title only.

**AN ORDINANCE REZONING PROPERTIES LOCATED
AT 6775 BEARS BLUFF ROAD FROM PD-94
DISTRICT TO PLANNED DEVELOPMENT DISTRICT PD 94-A**

WHEREAS, the properties located at **6775 BEARS BLUFF ROAD**, identified as Tax Map Parcel Numbers **133-00-00-041** and (is/are) currently zoned **PD-94**); and

WHEREAS, the applicant requests the parcels be rezoned to Planned Development (PD) and has submitted a complete application for PD Development Plan approval pursuant to Article 4.27 of the Charleston County Zoning and Land Development Regulations (ZLDR); and

WHEREAS, the Charleston County Planning Commission has reviewed the proposed PD Development Plan and adopted a resolution, by majority vote of the entire membership, recommending that County Council approve with conditions the proposed development plan, which recommendation is based on the Approval Criteria of Section 4.27.9.C.6 of the ZLDR; 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 with conditions the proposed PD Development Plan based on the Approval Criteria of Section 4.27.9.C.6 of Article 4.27 of the ZLDR;

WHEREAS, County Council has determined the PD Development Plan meets the following criteria:

- A. The PD Development Plan complies with the standards contained in Article 4.27 of the ZLDR;
- B. The development is consistent with the intent of the Charleston County Comprehensive Plan;
- C. The County and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed.

NOW, THEREFORE, be ordained it by Charleston County Council, in meeting duly assembled, finds 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. REZONING OF PROPERTIES

A. Charleston County Council rezones the properties located at **6775 BEARS BLUFF ROAD**, identified as Tax Map Parcel Numbers **133-00-00-041**, from **PD-94** to Planned Development **PD-94-A**; and

B. The PD Development Plan submitted by the applicant and identified as the "Planned Development District Guidelines for **PD-94-A**, Charleston County, South Carolina Dated **JULY 24, 2008**", including the changes thereto and conditions, if any, approved by County Council as Planned Development **94-A** or **PD-94-A**, is incorporated herein by reference, and shall constitute the PD Development Plan for the parcels identified above; and

C. Any and all development of **PD-94-A** must comply with the PD Development Plan, ZLDR, and all other applicable ordinances, rules, regulations, and laws; and

D. The zoning map for Tax Map Parcel Numbers **133-00-00-041** is amended to **PD-XXX** in accordance with Section 3.4.7 of Article 3.4 of the ZLDR.

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 upon approval of County Council following third reading.

**Case 3477C
5907
Highway 174
Request
Delay/Waiver**

A report was read from the Planning/Public Works Committee under date of February 12, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and Dan Pennick, Director of Planning, regarding a request to allow the Applicant to withdraw his rezoning application at this time and to allow him to obtain a waiver of the one year waiting period to reapply.

Committee recommended that the applicant be allowed to withdraw his rezoning request and be granted a waiver of the one year waiting period to reapply.

Ms. Condon moved approval of Committee recommendation, seconded by Mr. Thurmond, and carried. Mr. Schweers voted nay.

**FY 2008
Exchange
Club Grant
Request to
Apply**

A report was read from the Finance Committee under date of February 12, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and J. Alton Cannon, Charleston County Sheriff, regarding funding opportunities being offered to the Community for 2009. It was stated that the Sheriff is seeking funding for a program called Project Lifesaver, a program whose objective is to effectively combat the problem of Citizens with Alzheimer's disease, Autism or others who might have medical issues that cause them to wander from their homes. It was further stated that these individuals can be fitted with small bracelets or anklets equipped with tiny transmitters. It was shown that this project was used with 2008 funding and was successful in the first year of operation

Committee recommended that Council approve the Sheriff' Department's submission to the Exchange Club of Charleston 2009 Community Service Grant Program in the amount of \$4,400, with the understanding that no matching funds, FTE's or vehicles are associated with this request; and that no obligation for continued funding beyond the term of this grant, which term has not yet been set, is required.

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

**Terrorism
Prevention
Grant
Request to
Apply**

A report was read from the Finance Committee under date of February 12, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and J. Alton Cannon, Sheriff of Charleston County, regarding funding available under the 2009 Law Enforcement Terrorism Prevention Program (LETPP). It was stated that since September 11, 2001, local law enforcement has been given the added responsibility of being the first line of defense in terrorism deterrence, prevention and protection within their respective jurisdictions. It was shown that in order to meet these needs the Sheriff's Office is requesting a tactical response vehicle valued at \$308,000, which vehicle will replace a similar vehicle that was not able to be repaired and was sold several months ago. It was further shown that a robotic wireless upgrade is needed to extend the Explosive Response Team's (ERT) robot's operational range for an estimated cost of \$64,000; and additionally to meet the continuing Federal requirements of interoperability and data sharing, ten laptop computers at an estimated cost of \$55,000, and personnel safety equipment estimated at \$54,000 for a combined total of \$481,000.

Committee recommended that Council approve the submission of the Sheriff's Office grant application for the South Carolina Law Enforcement Division 2009 Law Enforcement Terrorism Prevention Program (LETPP) in the amount of \$481,000, with the understanding that no match or FTE's are required under this grant, and that the grant period will run from September 1, 2009 until September 30, 2010.

Mr. Thurmond stated that it was his intention that the Committee recommendation

would specifically state that prior to acceptance of grant funds that this item would come back to Committee.

This addition was approved by common consent,

Mr. McKeown moved approval of Committee recommendation with the addition that this item would come back to Committee, seconded by Ms. Condon, and carried.

**Charleston
Center
Assistance
Grant
Request to
Approve**

A report was read from the Finance Committee under date of February 12, 2008 that it considered the information furnished by Allen O'Neal, County Administrator, and Mark Cowell, Director of the Charleston Department of Alcohol and Other Drug Abuse Services, regarding grants periodically made available by the South Carolina Department of Social Services (DSS). it was stated that these funds are to assist clients in making a transition back into the workforce, and can be used for such things as job training, childcare, security deposits, work clothing and other things which can assist people in returning to the workforce.

Committee recommended that Council authorize the Charleston Center to receive two transitional assistance grants from the South Carolina Department of Alcohol and Other Drug Abuse Services (SC-DAODAS) in the amounts of \$425,000 for inpatient clients and \$40,000 for outpatient clients for the period running from October 1, 2008 to September 30, 2009, with the understanding that no additional FTE's or local cash match is required and that there is no additional General Fund impact for these routine grants.

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

**Rev. Parris
Williams Dr
James
Prioleau Rd
Award of
Contract**

A report was read from the Finance Committee under date of February 12, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and E. Steve Taylor, regarding bids received upgrading and paving Rev. Parris Williams Drive and James Prioleau Road. It was stated that that Public Works had designed this project prior to the incorporation of the Town of James Island. It was further stated that the town of James Island requested that the construction of this project be funded by the Transportation Sales Tax Program, and these improvements have been funded in the fy 2009 Local Paving category of the Transportation Sales Tax Allocation Projects.

Committee recommended that Council authorize award of a contract for Rev. Parris Williams Drive/James Prioleau Road to the lowest responsive and responsible bidder, Landscape Pavers, LLC in the amount of \$212,776.00, with funding to come from the Transportation Sales Tax.

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

**FY 2009
Transit
Budgets
Budget
Reductions**

A report was read from the Finance Committee under date of February 12, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, Chief Deputy Administrator/Chief Finance Officer and Chief Budget Officer, Mack Gile,

regarding budgetary action necessary to balance expenditures with revenues. It was stated that with the downturn in the economy, the actual collections for the Transportation Sales Tax (TST) are less than the estimates that were made almost a year ago. It was shown that the collections for fiscal year 2009 are now projected to be 11 per cent below the approved budget. It was further stated that approximately half of the \$847,000 shortfall can be covered by depleting the fund balance for the transit fund; however that would still leave a shortage of \$425,000 that would have to be absorbed by the two agencies receiving these TST funds.

Committee recommended that Council decrease the fiscal year 2009 Transportation Sales Tax appropriation to CARTA by \$401,000 and decrease the fiscal year 2009 Transportation Tax appropriation to Tricounty Link by \$24,500.

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

**Worthless
Check Unit
Request
Approval**

A report was read from the Finance Committee under date of February 12, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and Ninth Circuit Solicitor, Scarlett A. Wilson, regarding the formation of a Worthless Check Unit within the Office of the Solicitor. It was stated that the South Carolina Legislature in R333,H4925 Proviso 33.6 of 2004 authorized such a unit as a means to assist merchants and citizens in the collection and prosecution of worthless checks. It was shown that the authorized program provides for the expeditious collection of restitution while transferring the collection process from the victim to the Office of the Solicitor. It was further shown that to initiate this unit, the Solicitor's Offices requests concurrence and support of Charleston County Council, 1,000 sq. ft. of County Office Space, the approval of two FTE's and \$21,000 for technology start up costs.

That Council:

1. Approve \$21,000 from the Equipment Replacement Fund for technology start up costs.
2. Approve 2 FTE's with funding to come from the Solicitor's Bond and/or Estreatment fund.
3. Approve the use of 1,000 sq. feet of Office Space.

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

**Scope of
Solid Waste
Request to
Approve
Change**

A report was read from the Finance Committee under date of February 12, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and Jennifer Miller, Deputy Administrator for Operations, regarding the inclusion of Highway 17 South in the scope for the Solid Waste Management Study with Kessler Consulting.

Committee recommended that Council:

1. Authorize that the Kessler Contract Scope be amended to include an analysis of Highway 17 South, and a professional opinion be given as to the use of Highway 17 South and a professional opinion be given as to the use of Highway 17 South in Charleston County's long-range Solid Waste Management Plan.
2. Direct the Green Ribbon Committee to be convene and provided an analysis and presentation by Kessler Consulting, Inc. the morning of the March 12, 2009 Finance Committee and provide a recommendation to Council.

Mr. McKeown moved approval of Committee recommendation, seconded by Ms. Condon, and carried. Mr. Thurmond abstained, and furnished the Clerk with a Statement of Conflict of Interest, citing a business relationship with the property owner next to property subject to this study.

**Application
for
Appointment
Request to
Amend**

A report was read from the Finance Committee under date of February 12, 2009 that it considered the information furnished by Allen O'Neal, County Administrator, and Joseph Dawson, County Attorney, regarding a request from the County Attorney for Council to consider amending a statement currently on the County's Application for Appointment.

Committee recommended that Council delete the current statement on its Applications for Appointment and substitute the following:

DO YOU UNDERSTAND THAT, UNLESS OTHERWISE PROVIDED BY LAW, YOU SERVE AT THE PLEASURE OF COUNTY COUNCIL AND ALL APPOINTMENTS ARE SUBJECT TO THE ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM ACT, S.C. CODE ANN. SECTION 8-13-10 ET SEQ., AND ANY MEMBER APPOINTED TO A BOARD OR COMMISSION WHOSE ACTION IS INCONSISTENT OR MAY BE PERCEIVED TO BE INCONSISTENT WITH THE SPIRIT OR INTENT OF THE ACT MAY BE SUBJECT TO REMOVAL?

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

**Public
Forum**

The Chairman asked if any Member of the Audience wished to address Council.

Mrs. Joann Goodman, a resident of New Jersey, who lives in Charleston on a boat asked a question about the proposed boat situs Ordinance.

The County Attorney advised Council that he was not in a position to give Mrs. Goodman advice on the proposed Ordinance, since it had not received third reading approval, but that someone on County Staff would call her. She furnished her telephone number to the Deputy Clerk of Council.

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

Mr. Thurmond spoke on the proposed layoff of 2,000 California State Employees.

Mr. Inabinett stated that he understands the difference responsibilities of Council and the School Board, but hopes that if there is anything we can do, we will do it, because everyone has to support our educational system.

Judge Rawl said that Council needs to strengthen its relationship with the Charleston County Legislative Delegation.

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

Beverly T. Craven
Clerk of Council

