

Charleston, S. C.  
June 18, 2013

A regular meeting of County Council of Charleston County was held on the 18<sup>th</sup> day of June, 2013, 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 W. Kurt Taylor and County Attorney Joseph Dawson.

Rev. Robert Reid gave the invocation and County Attorney Joseph Dawson 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. Sass moved approval of Council Minutes of June 4<sup>th</sup> and June 11<sup>th</sup>, 2013, seconded by Ms. Condon, and carried.

Mr. Rawl moved approval of a Resolution proclaiming Small Business Week in Charleston County, seconded by Ms. Johnson, and carried.

The Resolution is as follows:

**Resolutions**  
**A) Small**  
**Business Week**  
**B) Teacher of**  
**the Year Lisa**  
**Trott**



## **A RESOLUTION OF CHARLESTON COUNTY COUNCIL Proclaiming June 17-21, 2013, Small Business Week**

**WHEREAS**, small businesses are vital to the economic health of Charleston County and small business owners embody the spirit of entrepreneurship and strong work ethic that lie at the heart of the American dream; **and**,

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**WHEREAS**, small businesses power our economy by creating, over the past 16 years, the majority of new private sector jobs in our country; **and**,

**WHEREAS**, Charleston County is proud of the relationships it holds with local small and minority-women owned businesses and wishes to recognize small businesses for the key role they play in keeping our economy strong.

**NOW, THEREFORE BE IT RESOLVED**, Charleston County Council, does hereby proclaim **June 17-21, 2013**, as

## **SMALL BUSINESS WEEK**

in Charleston County and hereby urges our citizens to join with us in this observance as we celebrate the accomplishments of small business owners and their employees and encourage the development of new small businesses.

### **CHARLESTON COUNTY COUNCIL**

Teddie E. Pryor, Sr., Chairman  
June 18, 2013

Mr. Sass moved approval of a Resolution honoring Charleston County School District's Teacher of the year. This motion was seconded by Ms. Condon and carried.

The Resolution is as follows:



## **A RESOLUTION OF CHARLESTON COUNTY COUNCIL**

**HONORING CHARLESTON COUNTY SCHOOL DISTRICT'S  
TEACHER OF THE YEAR LISA TROTT**

June 18, 2013

**WHEREAS**, from time to time **Charleston County Council** has the privilege of recognizing individuals in this community who exemplify commitment, determination, dedication, and excellence; **and**,

**WHEREAS**, **Lisa Trott**, the **2013 Charleston County School District Teacher of the Year**, has exhibited all of these characteristics during her career as an educator; **and**,

**WHEREAS**, **Lisa Trott**, a 4<sup>th</sup> grade teacher at Ashley River Creative Arts Elementary School in West Ashley, was chosen as the school's Teacher of the Year; **and**,

**WHEREAS**, **Lisa Trott** competed against the Teacher of the Year from each school in Charleston County in a process that was narrowed down to five finalists by the Charleston County School District Superintendent's Teacher Roundtable and those finalists were judged by a panel of educators from outside the district based on applications, recommendations, interviews, and classroom observations; **and**,

**WHEREAS**, **Lisa Trott**, a National Board Certified teacher who has previously been recognized as the Distinguished Reading Teacher of the Year and the Charleston Animal Society's Humane Educator of the Year, says that her one of her proudest accomplishments is passing on students "who have learned to expect more out of themselves, to challenge themselves, who are committed to being the very best humans they can be."

**NOW, THEREFORE BE IT RESOLVED THAT CHARLESTON COUNTY COUNCIL**, in meeting duly assembled, is proud to congratulate **Charleston County School District's Teacher of the Year Lisa Trott** and hereby acknowledges her contributions to the citizens of Charleston County by actively involving her students in learning.

**CHARLESTON COUNTY COUNCIL**

**Teddie E. Pryor, Sr., Chairman**  
**June 18, 2013**

**FY 2014  
Charleston  
County Park  
and  
Recreation  
Commission  
Ordinance  
3rd Reading**

An Ordinance approving the budget for the Charleston County Park and Recreation Commission was given third reading by title only

AN ORDINANCE

# 1774

APPROVING THE BUDGET AND DIRECTING THE AUDITOR OF CHARLESTON COUNTY TO LEVY THE NECESSARY MILLAGE AND THE TREASURER TO

June 18, 2013

COLLECT TAXES FOR THE CHARLESTON COUNTY PARK AND RECREATION  
COMMISSION FOR FISCAL YEAR 2013-2014

**WHEREAS**, Charleston County Council has budgetary authority over the above-named Charleston County Park and Recreation Commission, and

**WHEREAS**, the Charleston County Park and Recreation Commission has submitted a budget to County Council for approval,

**NOW, THEREFORE, BE IT ORDAINED** by the Charleston County Council, in meeting duly assembled:

**Section 1.**

That the findings contained in this Ordinance are approved and confirmed in all respects.

**Section 2.**

That the General Fund budget of the Charleston County Park and Recreation Commission in the amount of \$13,727,677 is hereby approved by Charleston County Council.

**Section 3.**

The Auditor of Charleston County shall levy 4.1 mills for operating expenditures and 1.3 mills for debt service for the Commission in the year 2013, and the Treasurer shall collect upon all taxable property within the boundaries of the District during the fiscal year beginning July 1, 2013 and ending June 30, 2014.

**Section 4.**

The \$1,330,791 difference between the \$13,727,677 in budgeted expenditures and the \$12,396,886 in budgeted ad valorem taxes consists of other available funding sources.

**Section 5.**

For the purpose of paying in cash for the foregoing and all other general ordinary expenditures of the said Commission for fiscal year 2014, as authorized by this Ordinance, or by any other appropriation ordinance hereafter passed in aforesaid fiscal year, the Charleston County Treasurer is hereby authorized and directed to use such cash as may from time to time be on hand or in the process of collection, and to borrow, from time to time as may be necessary on his official note or notes, or other evidence or evidences of indebtedness in anticipation of the collection of evidences of indebtedness in anticipation of the collection of the taxes herein levied; provided that all loans made from private persons, firms, or corporations shall be made only after three (3) days' notice by advertising once in some newspaper in the County of Charleston and on the best terms possible for the Charleston County Park and Recreation Commission a sum or sums up to \$6,000,000 for the use of the aforementioned Commission and the sum or sums so borrowed shall constitute a valid and prior claim against the said taxes herein levied and against the aforementioned Special Purpose District; provided, further, that if the net interest cost is less than eight (8%) percent, the Chairman is authorized to award

the loan to the bidder or bidders offering to purchase the notes at the lowest net interest cost to the County (calculated by computing the total dollar interest cost from the date of issuance to the date of maturity and deducting therefrom the amount of the premium offered, if any, over and above the premium amount); and provided, further, that the said County Treasurer shall be authorized in his discretion to make any such loans from special funds or funds, including sinking funds, in his hands as County Treasurer, repayment of which shall be secured in the same manner as if made from private persons, or corporations as aforesaid.

**Section 6.**

By amendment to this Ordinance, Council may adjust appropriation transactions affecting fund totals, other than those authorized in Section 7.

**Section 7.**

Monies received from governmental grants shall accrue to the Special Revenue Fund of the Charleston County Park and Recreation Commission set forth in this Budget Ordinance. Should grant funds be applied for or received after the beginning of the budget year, and thereby not be stated in this Budget Ordinance, then, by passage of a Resolution authorizing the grant application and expenditures by the governing body of the Charleston County Park and Recreation Commission, the necessary Special Revenue Fund shall be created to provide a mechanism for the expenditure of these monies.

**Section 8.**

All monies properly encumbered as of June 30, 2013, shall be added to the Charleston County Park and Recreation Commission's budget for Fiscal Year 2014. These encumbered monies may be expended only as set forth in their encumbrance except as authorized by the Charleston County Park and Recreation Commission's governing body.

**Section 9.**

All monies designated by the Charleston County Park and Recreation Commission as of June 30, 2013, shall be added to the applicable organizational budget for Fiscal Year 2014. These designated monies may be expended only as set forth in their authorization by the Commission. Unencumbered appropriations shall remain in the respective funds as unrestricted reserves whose subsequent appropriation shall be determined by Ordinance.

**Section 10.**

The Charleston County Park and Recreation Commission shall provide to the appropriate County staff sufficient information to do a midyear budget review and shall allow the appropriate County staff to become familiar with the day-to-day operations of the Charleston County Park and Recreation Commission for the limited purpose of better understanding how the Commission functions, and so that County Council is possessed of all the facts necessary to exercise competent budgetary authority as granted by the Courts.

**Section 11.**

If any provision of this ordinance or its application to any circumstance is held by a court of competent jurisdiction to be invalid for any reason, this holding shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are declared by Council to be severable.

**Section 12.**

This Ordinance shall become effective upon Third Reading.

ADOPTED and APPROVED in meeting duly assembled this 18th day of June, 2013.

CHARLESTON COUNTY, SOUTH CAROLINA

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

ATTEST:

Beverly T. Craven  
Clerk to Charleston County Council

First Reading: June 4, 2013  
Second Reading: June 11, 2013  
Third Reading: June 18, 2013

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

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

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

**FY 2014  
Cooper River  
Park &  
Playground  
Ordinance  
3rd Reading**

An Ordinance approving the budget for the Cooper River Park and Playground Commission was given third reading by title only

## AN ORDINANCE

\$ 1775

APPROVING THE BUDGET AND DIRECTING THE AUDITOR OF CHARLESTON COUNTY TO LEVY THE NECESSARY MILLAGE AND THE TREASURER TO COLLECT TAXES FOR THE COOPER RIVER PARK AND RECREATION COMMISSION FOR FISCAL YEAR 2013-2014

**WHEREAS**, Charleston County Council has budgetary authority over the above-named Cooper River Park and Recreation Commission; and

**WHEREAS**, the Cooper River Park and Recreation Commission has submitted a budget to County Council for approval;

**NOW, THEREFORE, BE IT ORDAINED** by the Charleston County Council, in meeting duly assembled:

**Section 1.**

That the findings contained in this Ordinance are approved and confirmed in all respects.

**Section 2.**

That the General Fund Budget of the Cooper River Park and Playground Commission in the amount of \$208,500 is hereby approved by Charleston County Council.

**Section 3.**

The Auditor of Charleston County shall levy 14.3 mills for operating expenditures of the Commission in the year 2013, and the Treasurer shall collect the proceeds of the levy upon all taxable property within the boundaries of the Commission during the fiscal year beginning July 1, 2013, and ending June 30, 2014.

**Section 4.**

The \$61,000 difference between the \$208,500 in budgeted expenditures and the \$147,500 in budgeted ad valorem taxes consists of other available funding sources.

**Section 5.**

By amendment to this Ordinance, Council may adjust appropriation transactions affecting fund totals, other than those authorized in Section 6.

**Section 6.**

Monies received from governmental grants shall accrue to the Special Revenue Fund of the Cooper River Park and Playground Commission set forth in this Budget Ordinance. Should grant funds be applied for or received after the beginning of the budget year, and thereby not be stated in this Budget Ordinance, then, by passage of a Resolution authorizing the grant application and expenditures by the governing body of the Cooper

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River Park and Playground Commission, the necessary Special Revenue Fund shall be created to provide a mechanism for the expenditure of these monies.

**Section 7.**

All monies properly encumbered as of June 30, 2013, shall be added to the Cooper River Park and Playground Commission's budget for Fiscal Year 2014. These encumbered monies may be expended only as set forth in their encumbrances except as authorized by the Cooper River Park and Playground Commission's governing body.

**Section 8.**

All monies designated by the Cooper River Park and Recreation Commission as of June 30, 2013, shall be added to the applicable organizational budget for Fiscal Year 2014. These designated monies may be expended only as set forth in their authorization by the Commission. Unencumbered appropriations shall remain in the respective funds as unrestricted reserves whose subsequent appropriations shall be determined by Ordinance.

**Section 9.**

The Cooper River Park and Playground Commission shall provide to the appropriate County staff sufficient information to do a midyear budget review and shall allow the appropriate County staff to become familiar with the day-to-day operations of the Cooper River Park and Playground Commission for the limited purpose of better understanding how the Commission functions, and so that County Council is possessed of all the facts necessary to exercise competent budgetary authority as granted by the Courts.

**Section 10.**

If any provision of this ordinance or its application to any circumstance is held by a court of competent jurisdiction to be invalid for any reason, this holding shall not affect other provisions or applications of this ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are declared by Council to be severable.

**Section 11.**

This Ordinance shall become effective upon Third Reading.

ADOPTED and APPROVED in meeting duly assembled this 18th day of June, 2013.

CHARLESTON COUNTY, SOUTH CAROLINA

Teddie E. Pryor, Chairman  
Charleston County Council

Attest:  
Beverly T. Craven, Clerk  
Charleston County Council

First Reading: June 4, 2013  
Second Reading: June 11, 2013  
Third Reading: June 18, 2013

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

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

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

**FY 2014  
James Island  
PSD  
Ordinance  
3rd Reading**

An Ordinance approving the budget for the James Island Public Service District was given third reading by title only.

AN ORDINANCE #1776

APPROVING THE BUDGET AND DIRECTING THE AUDITOR OF CHARLESTON COUNTY TO LEVY THE NECESSARY MILLAGE AND THE TREASURER TO COLLECT TAXES FOR THE JAMES ISLAND PUBLIC SERVICE DISTRICT FOR FISCAL YEAR 2013-2014.

**WHEREAS**, Charleston County Council has budgetary authority over the above named James Island Public Service District, and

**WHEREAS**, the James Island Public Service District has submitted a budget to County Council for approval,

**NOW, THEREFORE, BE IT ORDAINED** by the Charleston County Council, in meeting duly assembled:

**Section 1.**

That the findings contained in this Ordinance are approved and confirmed in all respects.

**Section 2.**

That the General Fund Budget of the James Island Public Service District in the amount of \$6,314,431 is hereby approved by Charleston County Council.

**Section 3.**

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The Auditor of Charleston County shall levy 51.1 mills for operating expenditures and 3.8 mills for Debt Service for the District in the year 2013, and the Treasurer shall collect the proceeds of the levy upon all taxable property within the boundaries of the District during the fiscal year beginning July 1, 2013, and ending June 30, 2014.

**Section 4.**

The \$751,510 difference between the \$6,314,431 in budgeted expenditures and the \$5,562,921 in budgeted ad valorem taxes will come from operating reserves.

**Section 5.**

By amendment to this Ordinance, Council may adjust appropriation transactions affecting fund totals, other than those authorized in Section 6.

**Section 6.**

Monies received from governmental grants shall accrue to the Special Revenue Fund of the James Island Public Service District set forth in this Budget Ordinance. Should grant funds be applied for or received after the beginning of the budget year, and thereby not be stated in this Budget Ordinance, then, by passage of a Resolution authorizing the grant application and expenditures by the governing body of the James Island Public Service District, the necessary Special Revenue Fund shall be created to provide a mechanism for the expenditure of these monies.

**Section 7.**

All monies properly encumbered as of June 30, 2013, shall be added to the James Island Public Service District's budget for Fiscal Year 2014. These encumbered monies may be expended only as set forth in their encumbrance except as authorized by the James Island Public Service District's governing body.

**Section 8**

All monies designated by James Island Public Service District as of June 30, 2013, shall be added to the applicable organizational budget for Fiscal Year 2014. These designated monies may be expended only as set forth in their authorization by the District. Unencumbered appropriations shall remain in the respective funds as unrestricted reserves whose subsequent appropriation shall be determined by Ordinance.

**Section 9.**

The James Island Public Service District shall provide to the appropriate County staff sufficient information to do a midyear budget review and shall allow the appropriate County staff to become familiar with the day-to-day operations of the James Island Public Service District for the limited purpose of better understanding how the District functions, and so that County Council is possessed of all the facts necessary to exercise competent budgetary authority as granted by the Courts.

**Section 10.**

If any provision of this ordinance or its application to any circumstance is held by a court of competent jurisdiction to be invalid for any reason, this holding shall not affect other provisions or applications of this ordinance which can be given effect without the invalid

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provision or application, and to this end, the provisions of this ordinance are declared by Council to be severable.

**Section 11.**

This Ordinance shall become effective upon Third Reading.

ADOPTED and APPROVED in meeting duly assembled this 18th day of June, 2013.

CHARLESTON COUNTY, SOUTH CAROLINA

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

ATTEST:

Beverly T. Craven  
Clerk to Charleston County Council

First Reading: June 4, 2013  
Second Reading: June 11, 2013  
Third Reading: June 18, 2013

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

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

The vote being six (6) ayes, and three (3) nays, the Chairman declared the ordinance to have received third reading approval.

An Ordinance approving the budget for the North Charleston District was given third reading by title only.

**North  
Charleston  
District  
Ordinance 3<sup>rd</sup>  
Reading**

AN ORDINANCE #1777

APPROVING THE BUDGET AND DIRECTING THE AUDITOR OF CHARLESTON COUNTY TO LEVY THE NECESSARY MILLAGE AND THE TREASURER TO COLLECT TAXES FOR THE North Charleston PUBLIC SERVICE DISTRICT FOR FISCAL YEAR 2013-2014

June 18, 2013

**WHEREAS**, Charleston County Council has budgetary authority over the above-named North Charleston District, and

**WHEREAS**, the North Charleston District has submitted a budget to County Council for approval,

**NOW, THEREFORE, BE IT ORDAINED** by the Charleston County Council, in meeting duly assembled:

**Section 1.**

That the findings contained in this Ordinance are approved and confirmed in all respects.

**Section 2.**

That the General Fund Budget of the North Charleston District in the amount of \$1,197,149 is hereby approved by Charleston County Council.

**Section 3.**

The Auditor of Charleston County shall levy 88.0 mills for the operating expenditures of the District in the year 2013, and the Treasurer shall collect the proceeds of the levy upon all taxable property within the boundaries of the District during the fiscal year beginning July 1, 2013, and ending June 30, 2014.

**Section 4.**

The \$331,424 difference between the \$1,197,149 in budgeted expenditures and the \$865,725 in budgeted ad valorem taxes consists of other available funding sources.

**Section 5.**

By amendment to this Ordinance, Council may adjust appropriation transactions affecting fund totals, other than those authorized in Section 6.

**Section 6.**

Monies received from governmental grants shall accrue to the Special Revenue Fund of the North Charleston District set forth in this Budget Ordinance. Should grant funds be applied for or received after the beginning of the budget year, and thereby not be stated in this Budget Ordinance, then, by passage of a Resolution authorizing the grant application and expenditures by the governing body of the North Charleston District, the necessary Special Revenue Fund shall be created to provide a mechanism for the expenditure of these monies.

**Section 7.**

All monies properly encumbered as of June 30, 2013, shall be added to the North Charleston District's budget for Fiscal Year 2014. These encumbered monies may be expended only as set forth in their encumbrance except as authorized by the North Charleston District's governing body.

**Section 8**

All monies designated by the North Charleston District Commission as of June 30, 2013, shall be added to the applicable organizational budget for Fiscal Year 2014. These designated monies may be expended only as set forth in their authorization by the Commission. Unencumbered appropriations shall remain in the respective funds as unrestricted reserves whose subsequent appropriation shall be determined by Ordinance.

**Section 9.**

The North Charleston District shall provide to the appropriate County staff sufficient information to do a midyear budget review and shall allow the appropriate County staff to become familiar with the day-to-day operations of the North Charleston District for the limited purpose of better understanding how the District functions, and so that County Council is possessed of all the facts necessary to exercise competent budgetary authority as granted by the Courts.

**Section 10.**

If any provision of this ordinance or its application to any circumstance is held by a court of competent jurisdiction to be invalid for any reason, this holding shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are declared by Council to be severable.

**Section 11.**

This Ordinance shall become effective upon Third Reading.

ADOPTED and APPROVED in meeting duly assembled this 18th day of June, 2013.

CHARLESTON COUNTY, SOUTH CAROLINA

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

ATTEST:

Beverly T. Craven  
Clerk to Charleston County Council

First Reading: June 4, 2013  
Second Reading: June 11, 2013  
Third Reading: June 18, 2013

The Chairman called for third reading of the Ordinance, and votes were recorded as follows:

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

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

**St. Andrews Parish Park and Playground Ordinance 3rd Reading**

An Ordinance approving the budget for the St. Andrews Parish Park and Playground Commission was given third reading by title only

AN ORDINANCE #1778

APPROVING THE BUDGET AND DIRECTING THE AUDITOR OF CHARLESTON COUNTY TO LEVY THE NECESSARY MILLAGE AND THE TREASURER TO COLLECT TAXES FOR THE ST. ANDREW'S PARISH PARK AND PLAYGROUND COMMISSION FOR FISCAL YEAR 2013-2014, AND AUTHORIZING THE ISSUANCE OF A TAX ANTICIPATION NOTE IN THE AMOUNT OF \$400,000.

**WHEREAS**, Charleston County Council has budgetary authority over the above-named St. Andrew's Parish Parks and Playground Commission, and

**WHEREAS**, the St. Andrew's Parish Parks and Playground Commission has submitted a budget to County Council for approval,

**NOW, THEREFORE, BE IT ORDAINED** by the Charleston County Council, in meeting duly assembled:

**Section 1.**

That the findings contained in this Ordinance are approved and confirmed in all respects.

**Section 2.**

That the General Fund Budget of the St. Andrew's Parish Parks and Playground Commission in the amount of \$2,233,776 is hereby approved by Charleston County Council.

**Section 3.**

The Auditor of Charleston County shall levy 17.4 mills for operating expenditures for the Commission in the year 2013, and the Treasurer shall collect the proceeds of the levy upon all taxable property within the boundaries of the Commission during the fiscal year beginning July 1, 2013, and ending June 30, 2014.

**Section 4.**

The \$820,657 difference between the \$2,233,776 in budgeted expenditures and the \$1,413,119 in budgeted ad valorem taxes consists of other available funding sources.

**Section 5.**

For the purpose of paying in cash for the foregoing and all other general ordinary expenditures of the said Commission for Fiscal Year 2014, as authorized by this Ordinance, or by any other appropriation ordinance hereafter passed in aforesaid fiscal year, the Charleston County Treasurer is hereby authorized and directed to use such cash as may from time to time be on hand or in the process of collection, and to borrow, from time to time as may be necessary on his official note or notes, or other evidence or evidences of indebtedness in anticipation of the collection of evidences of indebtedness in anticipation of the collection of the taxes herein levied; provided that all loans made from private persons, firms, or corporations shall be made only after three (3) days' notice by advertising once in some newspaper in the County of Charleston and on the best terms possible for the St. Andrew's Parish Parks and Playground Commission a sum or sums up to \$400,000 for the use of the aforementioned Commission and the sum or sums so borrowed shall constitute a valid and prior claim against the said taxes herein levied and against the aforementioned Commission; provided, further, that if the net interest cost is less than eight (8%) percent, the Chairman is authorized to award the loan to the bidder or bidders offering to purchase the notes at the lowest net interest cost to the County (calculated by computing the total dollar interest cost from the date of issuance to the date of maturity and deducting therefrom the amount of the premium offered, if any, over and above the premium amount); and provided, further, that the said County Treasurer shall be authorized in his discretion to make any such loans from special funds or funds, including sinking funds, in his hands as County Treasurer, repayment of which shall be secured in the same manner as if made from private persons, or corporations as aforesaid.

**Section 6.**

By amendment to this Ordinance, Council may adjust appropriation transactions affecting fund totals, other than those authorized in Section 7.

**Section 7.**

Monies received from governmental grants shall accrue to the Special Revenue Fund of the St. Andrew's Parish Parks and Playground Commission set forth in this Budget Ordinance. Should grant funds be applied for or received after the beginning of the budget year, and thereby not be stated in this Budget Ordinance, then, by passage of a Resolution authorizing the grant application and expenditures by the governing body of the St. Andrew's Parish Parks and Playground Commission, the necessary Special Revenue Fund shall be created to provide a mechanism for the expenditure of these monies.

**Section 8.**

All monies properly encumbered as of June 30, 2013, shall be added to the St. Andrew's Parish Parks and Playground Commission's budget for Fiscal Year 2014. These

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encumbered monies may be expended only as set forth in their encumbrance except as authorized by the St. Andrew's Parish Parks and Playground Commission's governing body.

**Section 9.**

All monies designated by the St. Andrew's Parish Parks and Playground Commission as of June 30, 2013, shall be added to the applicable organizational budget for Fiscal Year 2014. These designated monies may be expended only as set forth in their authorization by the Commission. Unencumbered appropriations shall remain in the respective funds as unrestricted reserves whose subsequent appropriation shall be determined by Ordinance.

**Section 10.**

The St. Andrew's Parish Parks and Playground Commission shall provide to the appropriate County staff sufficient information to do a midyear budget review and shall allow the appropriate County staff to become familiar with the day-to-day operations of the St. Andrew's Parish Parks and Playground Commission for the limited purpose of better understanding how the Commission functions, and so that County Council is possessed of all the facts necessary to exercise competent budgetary authority as granted by the Courts.

**Section 11.**

If any provision of this ordinance or its application to any circumstance is held by a court of competent jurisdiction to be invalid for any reason, this holding shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are declared by Council to be severable.

**Section 12.**

This Ordinance shall become effective upon Third Reading.

ADOPTED and APPROVED in meeting duly assembled this 18th day of June, 2013.

CHARLESTON COUNTY, SOUTH CAROLINA

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

ATTEST:

Beverly T. Craven  
Clerk to Charleston County Council

First Reading: June 4, 2013  
Second Reading: June 11, 2013  
Third Reading: June 18, 2013

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

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

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

**St. John's  
Fire District  
Ordinance  
3<sup>RD</sup>  
Reading**

.An Ordinance approving the budget for the Saint John's Fire District was given third reading by title only

AN ORDINANCE #1779

APPROVING THE BUDGET AND DIRECTING THE AUDITOR OF CHARLESTON COUNTY TO LEVY THE NECESSARY MILLAGE AND THE TREASURER TO COLLECT TAXES FOR THE SAINT JOHN'S FIRE DISTRICT FOR FISCAL YEAR 2013-2014. AND AUTHORIZING THE ISSUANCE OF A TAX ANTICIPATION NOTE IN THE AMOUNT UP TO \$1,000,000

**WHEREAS**, Charleston County Council has budgetary authority over the above-named St. John's Fire District, and

**WHEREAS**, the St. John's Fire District has submitted a budget to County Council for approval,

**NOW, THEREFORE, BE IT ORDAINED** by the Charleston County Council, in meeting duly assembled:

**Section 1.**

That the findings contained in this Ordinance are approved and confirmed in all respects.

**Section 2.**

That the General Fund Budget of the St. John's Fire District in the amount of \$10,853,288 is hereby approved by Charleston County Council.

**Section 3.**

The Auditor of Charleston County shall levy 20.5 mills for operating expenditures and 2.8 mills for debt service in the year 2013, and the Treasurer shall collect the proceeds of the levy upon all taxable property within the boundaries of the District during the fiscal year beginning July 1, 2013, and ending June 30, 2014.

**Section 4.**

The \$867,430 difference between the \$10,853,288 in budgeted expenditures and the \$9,985,858 in budgeted ad valorem taxes consists of other available funding sources.

**Section 5.**

For the purpose of paying in cash for the foregoing and all other general ordinary expenditures of the said District for Fiscal Year 2014, as authorized by this Ordinance, or by any other appropriation ordinance hereafter passed in aforesaid fiscal year, the Charleston County Treasurer is hereby authorized and directed to use such cash as may from time to time be on hand or in the process of collection, and to borrow, from time to time as may be necessary on his official note or notes, or other evidence or evidences of indebtedness in anticipation of the collection of evidences of indebtedness in anticipation of the collection of the taxes herein levied; provided that all loans made from private persons, firms, or corporations shall be made only after three (3) days' notice by advertising once in some newspaper in the County of Charleston and on the best terms possible for the St. John's Fire District a sum or sums up to \$1,000,000 Dollars for the use of the aforementioned District and the sum or sums so borrowed shall constitute a valid and prior claim against the said taxes herein levied and against the aforementioned District; provided, further, that if the net interest cost is less than eight (8%) percent, the Chairman is authorized to award the loan to the bidder or bidders offering to purchase the notes at the lowest net interest cost to the County (calculated by computing the total dollar interest cost from the date of issuance to the date of maturity and deducting therefrom the amount of the premium offered, if any, over and above the premium amount); and provided, further, that the said County Treasurer shall be authorized in his discretion to make any such loans from special funds or funds, including sinking funds, in his hands as County Treasurer, repayment of which shall be secured in the same manner as if made from private persons, or corporations as aforesaid.

**Section 6.**

By amendment to this Ordinance, Council may adjust appropriation transactions affecting fund totals, other than those authorized in Section 7.

**Section 7.**

Monies received from governmental grants shall accrue to the Special Revenue Fund of the St. John's Fire District set forth in this Budget Ordinance. Should grant funds be applied for or received after the beginning of the budget year, and thereby not be stated in this Budget Ordinance, then, by passage of a Resolution authorizing the grant application and expenditures by the governing body of the St. John's Fire District, the necessary Special Revenue Fund shall be created to provide a mechanism for the expenditure of these monies.

June 18, 2013

**Section 8.**

All monies properly encumbered as of June 30, 2013, shall be added to the St. John's Fire District's budget for Fiscal Year 2014. These encumbered monies may be expended only as set forth in their encumbrance except as authorized by the St. John's Fire District's governing body.

**Section 9.**

All monies designated by the St. John's Fire District's Commission as of June 30, 2013, shall be added to the applicable organizational budget for Fiscal Year 2014. These designated monies may be expended only as set forth in their authorization by the Commission. Unencumbered appropriations shall remain in the respective funds as unrestricted reserves whose subsequent appropriation shall be determined by Ordinance.

**Section 10.**

The St. John's Fire District shall provide to the appropriate County staff sufficient information to do a midyear budget review and shall allow the appropriate County staff to become familiar with the day-to-day operations of the St. John's Fire District for the limited purpose of better understanding how the District functions, and so that County Council is possessed of all the facts necessary to exercise competent budgetary authority as granted by the Courts.

**Section 11.**

If any provision of this ordinance or its application to any circumstance is held by a court of competent jurisdiction to be invalid for any reason, this holding shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are declared by Council to be severable.

**Section 12.**

This Ordinance shall become effective upon Third Reading.

ADOPTED and APPROVED in meeting duly assembled this 18th day of June, 2013.

CHARLESTON COUNTY, SOUTH CAROLINA

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

ATTEST:

Beverly T. Craven  
Clerk to Charleston County Council

First Reading: June 4, 2013  
 Second Reading: June 11, 2013  
 Third Reading: June 18, 2013

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

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

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

**St. Paul's Fire  
 District  
 Ordinance 3<sup>rd</sup>  
 Reading**

An Ordinance approving the budget for the Saint Paul's Fire District was given third reading by title only

AN ORDINANCE #1780

APPROVING THE BUDGET AND DIRECTING THE AUDITOR OF CHARLESTON COUNTY TO LEVY THE NECESSARY MILLAGE AND THE TREASURER TO COLLECT TAXES FOR THE SAINT PAUL'S FIRE DISTRICT FOR FISCAL YEAR 2013-2014 FOR THE ST. PAUL'S FIRE DISTRICT FOR FISCAL YEAR 2013-2014 AND AUTHORIZE THE ISSUANCE OF A TAX ANTICIPATION NOTE IN THE AMOUNT UP TO \$2,000.00

**WHEREAS**, Charleston County Council has budgetary authority over the above-named St. Paul's Fire District, and

**WHEREAS**, the St. Paul's Fire District has submitted a budget to County Council for approval,

**NOW, THEREFORE, BE IT ORDAINED** by the Charleston County Council, in meeting duly assembled:

**Section 1.**

That the findings contained in this Ordinance are approved and confirmed in all respects.

**Section 2.**

That the General Fund Budget of the St. Paul's Fire District in the amount of \$5,083,222 is hereby approved by Charleston County Council.

**Section 3.**

The Auditor of Charleston County shall levy 50.6 mills for operating expenditures and 4.7 mills for debt service of the District in the year 2013, and the Treasurer shall collect the proceeds of the levy upon all taxable property within the boundaries of the District during the fiscal year beginning July 1, 2013, and ending June 30, 2014.

**Section 4.**

The \$506,691 difference between the \$5,083,222 in budgeted expenditures and the \$4,576,531 in budgeted ad valorem taxes consists of other available funding sources.

**Section 5.**

For the purpose of paying in cash for the foregoing and all other general ordinary expenditures of the said District for fiscal year 2014, as authorized by this Ordinance, or by any other appropriation ordinance hereafter passed in aforesaid fiscal year, the Charleston County Treasurer is hereby authorized and directed to use such cash as may from time to time be on hand or in the process of collection, and to borrow, from time to time as may be necessary on his official note or notes, or other evidence or evidences of indebtedness in anticipation of the collection of evidences of indebtedness in anticipation of the collection of the taxes herein levied; provided that all loans made from private persons, firms, or corporations shall be made only after three (3) days' notice by advertising once in some newspaper in the County of Charleston and on the best terms possible for the St. Paul's Fire District a sum or sums up to \$2,000,000 for the use of the aforementioned District and the sum or sums so borrowed shall constitute a valid and prior claim against the said taxes herein levied and against the aforementioned District; provided, further, that if the net interest cost is less than eight (8%) percent, the Chairman is authorized to award the loan to the bidder or bidders offering to purchase the notes at the lowest net interest cost to the County (calculated by computing the total dollar interest cost from the date of issuance to the date of maturity and deducting therefrom the amount of the premium offered, if any, over and above the premium amount); and provided, further, that the said County Treasurer shall be authorized in his discretion to make any such loans from special funds or funds, including sinking funds, in his hands as County Treasurer, repayment of which shall be secured in the same manner as if made from private persons, or corporations as aforesaid.

**Section 6.**

By amendment to this Ordinance, Council may adjust appropriation transactions affecting fund totals, other than those authorized in Section 7.

**Section 7.**

Monies received from governmental grants shall accrue to the Special Revenue Fund of the St. Paul's Fire District set forth in this Budget Ordinance. Should grant funds be applied for or received after the beginning of the budget year, and thereby not be stated in this Budget Ordinance, then, by passage of a Resolution authorizing the grant application and expenditures by the governing body of the St. Paul's Fire District, the necessary Special Revenue Fund shall be created to provide a mechanism for the expenditure of these monies.

**Section 8.**

All monies properly encumbered as of June 30, 2013, shall be added to the St. Paul's Fire District's budget for fiscal year 2014. These encumbered monies may be expended only as set forth in their encumbrance except as authorized by the St. Paul's Fire District's governing body.

**Section 9**

All monies designated by the St. Paul's Fire District Commission as of June 30, 2013, shall be added to the applicable organizational budget for Fiscal Year 2014. These designated monies may be expended only as set forth in their authorization by the Commission. Unencumbered appropriations shall remain in the respective funds as unrestricted reserves whose subsequent appropriation shall be determined by Ordinance.

**Section 10.**

The St. Paul's Fire District shall provide to the appropriate County staff sufficient information to do a midyear budget review and shall allow the appropriate County staff to become familiar with the day-to-day operations of the St. Paul's Fire District for the limited purpose of better understanding how the District functions, and so that County Council is possessed of all the facts necessary to exercise competent budgetary authority as granted by the Courts.

**Section 11.**

If any provision of this ordinance or its application to any circumstance is held by a court of competent jurisdiction to be invalid for any reason, this holding shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are declared by Council to be severable.

**Section 12.**

This Ordinance shall become effective upon Third Reading.

ADOPTED and APPROVED in meeting duly assembled this 18th day of June, 2013.

June 18, 2013

## CHARLESTON COUNTY, SOUTH CAROLINA

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

## ATTEST:

Beverly T. Craven  
Clerk to Charleston County Council

First Reading: June 4, 2013

Second Reading: June 11, 2013

Third Reading: June 18, 2013

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

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

The vote being seven (7) ayes and two (2) nays, the Chairman declared the ordinance to have received third reading approval.

An Ordinance establishing and making appropriations from the Transportation Sales Tax Budget for FY 2014, was given third reading by title only.

AN ORDINANCE

#1781

TO ESTABLISH AND MAKE APPROPRIATIONS FOR FISCAL YEAR 2014 FROM THE TRANSPORTATION SALES TAX SPECIAL REVENUE FUND FOR PROJECTS AND PURPOSES PERMITTED BY LAW, TO PROVIDE FOR BUDGET CONTROL OF SAID APPROPRIATIONS BY THE COUNTY COUNCIL AND COUNTY ADMINISTRATOR, AND OTHER MATTERS RELATED THERETO.

**WHEREAS**, County Council, by Ordinance No. 1324, duly enacted on August 10, 2004 (the "Sales Tax Ordinance"), provided for the imposition of a ½ of one percent sales and use tax (the "Sales Tax") in Charleston County pursuant to the provisions of S.C. Code Section 4-37-10 et seq. (the "Act"), subject to the results of a referendum to be held on the imposition of the sales tax on November 2, 2004 (the "Referendum"); and

**WHEREAS**, the Referendum was approved by a majority of the qualified electors of the County, and

June 18, 2013

**WHEREAS**, pursuant to applicable law, rules and regulations, the sales tax will be collected starting May 1, 2005, and

**WHEREAS**, there is a need to provide funds for greenbelts, mass transit, administration and other transportation-related projects before the beginning of the next County fiscal year, and

**WHEREAS**, pursuant to the Sales Tax Ordinance, a budget for expenditures of sales and use tax revenues from this source must be approved by County Council,

NOW, THEREFORE, BE IT ORDAINED by the County Council of Charleston County:

County Council hereby adopts the above recitals as findings of fact.

**SECTION 1:** Revenues and income accruing to the County of Charleston during Fiscal Year 2014 from the proceeds of the Sales Tax shall be deposited into the Transportation Sales Tax Special Revenue Fund, and paid out from time to time by the County Treasurer in accordance with the provisions of this ordinance.

**SECTION 2:** There is hereby appropriated from the Transportation Sales Tax Special Revenue Fund the following amounts for the following respective corporate purposes of Charleston County for and during the period beginning July 1, 2013, and ending June 30, 2014, to wit:

<u>Organization Units:</u>	<u>Mass Transit</u>	<u>Greenbelts</u>	<u>Transportation Related Projects</u>
CARTA	\$ 9,052,000	\$ -	\$ -
RTMA - Tri-County Link	533,000	-	-
ITN Charleston Trident	35,000	-	-
Greenbelts - Operating	-	177,873	-
MWDBE Program	-	-	318,400
Public Information Office	-	-	36,539
Roads Program	-	-	16,810,895
Debt Service	-	8,687,647	18,979,455
County Indirect Cost	10,000	5,000	160,000
<b>TOTAL</b>	<b>\$ 9,630,000</b>	<b>\$ 8,870,520</b>	<b>\$ 36,305,289</b>

**SECTION 3:** Unless covered by SECTION 5 or 6 of this ordinance, all of the foregoing appropriations are maximum and conditional, and are subject to reduction by action of County Council in the event that the County's revenues accruing to its Transportation Sales Tax Special Revenue Fund shall fail to be sufficient to pay the same, to the end that the cost of operation of the county government shall remain at all times within its income.

**SECTION 4:** For internal County organizational units, the salaries or compensation of positions funded in whole or in part through this budget shall be determined and paid in accordance with the provisions of the Personnel Policies and Procedures adopted by County Council. Travel and expense allowances shall be paid only upon proper documentation as prescribed by the County Administrator. The per diem rates adopted by the State of South Carolina and the mileage reimbursement rates

adopted by the Internal Revenue Service shall apply. Positions funded in whole or in part through this budget shall only be those in support of expenditures of funds authorized by the Act and the Sales Tax Ordinance. Positions not solely providing administrative support to projects and purposes under the Act and the Sales Tax Ordinance shall be funded in part from other sources.

SECTION 5: Anticipated revenues accruing to the Transportation Sales Tax Special Revenue Fund are stated in this Budget Ordinance. Should actual funding sources for said fund be less than projected, the Administrator shall reduce budgeted expenditures attributable to said fund. Should actual funding sources be greater than projected in this Ordinance, the Administrator may a) revise budgeted expenditures or b) direct the increase to be held for future year's expenditures. Any such actions shall be periodically reported to County Council.

SECTION 6: Internal County organizational units are bound to the appropriated disbursements as defined in SECTION 2 as delineated in the FY 2014 Approved Budget Detail document prepared in support of this ordinance.

The County Administrator, or his designated representative, is hereby authorized to effect transfers between County organizational units. By amendment to this ordinance, County Council may also adjust appropriations and make supplemental appropriations from the proceeds of the Sales Tax.

SECTION 7: Agencies outside the County which receive funds from the Transportation Sales Tax Special Revenue Fund shall enter into an intergovernmental agreement in a form approved by the County Administrator and County Attorney. Such agreements shall include, provisions set forth herein, as well as other provisions necessary or helpful in administering the distribution of funds hereunder pursuant to the Act, the Sales Tax Ordinance, and other applicable laws, rules, regulations and County policies.

SECTION 8: In order that Council may be assured that monies appropriated to the outside agencies funded from the proceeds of the Sales Tax are properly expended for projects and purposes permissible under the Act and the Sales Tax Ordinance, such agencies receiving funds shall submit requests for funding in accordance with procedures and schedules established by the County Administrator. Such procedures and schedules shall require, *inter alia*, a statement of the particular purpose(s) for which the money is intended to be spent. Except as specifically authorized by County Council, any outside agency or organization receiving an appropriation of Sales Tax funds must provide to County Council an independent annual audit of such agency's or organization's financial records and transactions and such other and more frequent financial information as required by County Council, all in a form satisfactory to County Council.

SECTION 9: Contracts necessary for County organizational units to expend monies appropriated in this budget when not specifically permitted by the Charleston County Procurement Code are hereby authorized and said contracts shall be approved by a resolution of County Council. Awards of bids are hereby authorized and shall be conducted in accordance with the provisions of the Charleston County Procurement Code.

SECTION 10: The Charleston County Administrator is hereby authorized to prepare and administer the detailed operating budget in support of and not inconsistent with the provisions of this ordinance as the detailed transportation sales tax budget for Charleston County.

June 18, 2013

SECTION 11: The classification and grades of all positions shown in the detailed budget are only provisional and are subject to audit by the Human Resources Department to recommend the appropriate grade and classification.

SECTION 12: The County Administrator, or his designated representative, is hereby authorized to transfer positions (Full Time Equivalents – FTEs) among organizational units and fund types.

SECTION 13: If any provision of this ordinance or its applications to any circumstance is held by a court of competent jurisdiction to be invalid for any reason, this holding shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are declared by Council to be severable.

SECTION 14: All provisions of the Charleston County Fiscal Year 2014 operating budget which are complementary hereto and not inconsistent herewith are hereby incorporated by reference and shall govern expenditures from the Transportation Sales Tax Special Revenue Fund.

SECTION 15: This ordinance shall be effective following approval of third reading.

ADOPTED and APPROVED in meeting duly assembled this 18th day of June, 2013.

CHARLESTON COUNTY, SOUTH CAROLINA

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

ATTEST:

Beverly T. Craven  
Clerk to Charleston County Council

First Reading: June 4, 2013  
Second Reading: June 11, 2013  
Third Reading: June 18, 2013

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

Condon	- aye
Darby	- aye
Johnson	- aye
Qualey	- aye
Rawl	- aye
Sass	- aye
Schweers	- aye

June 18, 2013

Summey	- aye
Pryor	- aye

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

An Ordinance relating to the imposition of Annual Solid Waste and Disposal fees was given third reading by title only.

**AN ORDINANCE                      #1782**

**RELATING TO THE IMPOSITION OF ANNUAL SOLID WASTE RECYCLING AND DISPOSAL FEES FOR THE DISPOSITION OF SOLID WASTE AND RECYCLING; PROVIDING FOR CLASSIFICATIONS OF REAL PROPERTY SUBJECT TO ANNUAL SOLID WASTE RECYCLING AND DISPOSAL FEES; AND ESTABLISHING THE AMOUNT OF THE ANNUAL SOLID WASTE RECYCLING AND DISPOSAL FEES.**

NOW, THEREFORE, be ordained by Charleston County Council, in meeting duly assembled, finds as follows:

SECTION 1. Findings. It is hereby found and declared by Charleston County Council ("County Council"), the governing body of Charleston County, South Carolina (the "County"):

1. On October 20, 1987, County Council adopted an ordinance entitled AN ORDINANCE RELATING TO THE DISPOSITION OF SOLID WASTE; PROVIDING FOR THE COLLECTION OF SUCH USER FEE; AND PROVIDING FOR AN EFFECTIVE DATE, (the "Solid Waste Ordinance"). A requirement of the Solid Waste Ordinance is that County Council each year adopts an ordinance relating to rates to be imposed during the year to pay certain costs associated with disposition of Solid Waste. County Council attempts to consider the rate ordinance at substantially the same time each year that it considers its budget ordinance inasmuch as the two ordinances each relate to the cost of providing basic services to the County's residents. County Council has adopted rate ordinances as contemplated by the Solid Waste Ordinance for each fiscal year since adoption of the Solid Waste Ordinance. The rate ordinances relate to, among other things, the imposition of annual disposal user fees for the disposition of solid waste, provide for classifications of real property subject to annual disposal user fees and establish the amount and make appropriations of the annual disposal user fees. The rate ordinances were adopted on September 20, 1988, August 22, 1989, October 2, 1990, June 18, 1991, June 2, 1992, June 15, 1993, June 7, 1994, June 6, 1995, June 4, 1996, June 3, 1997, June 2, 1998, June 1, 1999, June 6, 2000, June 5, 2001, June 4, 2002, June 3, 2003, June 1, 2004, June 6, 2005, June 6, 2006, June 5, 2007, June 3, 2008, June 2, 2009, June 15, 2010, June 16, 2011, and June 19, 2012. The Solid Waste Ordinance, the 1988 Ordinance, the 1989 Ordinance, the 1990 Ordinance, the 1991

Ordinance, the 1992 Ordinance, the 1993 Ordinance, the 1994 Ordinance, the 1995 Ordinance, the 1996 Ordinance, the 1997 Ordinance, the 1998 Ordinance, the 1999 Ordinance, the 2000 Ordinance, the 2001 Ordinance, the 2002 Ordinance, the 2003 Ordinance, the 2004 Ordinance, the 2005 Ordinance, the 2006 Ordinance, the 2007 Ordinance, the 2008 Ordinance, the 2009 Ordinance, the 2010 Ordinance, 2011 Ordinance, and the 2012 Ordinance are herein referred to as the Ordinances.

2. In each of the Ordinances, County Council has made certain findings and declarations concerning the need for an adequate Solid Waste Disposal and Resource Recovery System (the "System") for the County, concerning the means of obtaining the use of such System, concerning the benefits that would accrue to property owners in the County from the existence of the System, and concerning certain other matters set forth more fully in the Ordinances.

In each of the Ordinances, County Council has made specific reference to certain terms and conditions set forth in the Ordinances previously adopted but has not specifically set forth the provisions to which reference has been made. As a result, it has been necessary in the past to refer to each of the Ordinances for a complete understanding of all the terms and conditions relating to the System. In connection with adoption of the 1995 Ordinance, several citizens suggested that a single rate ordinance restating the relevant provisions of the Ordinances would be helpful to their understanding of the System. County Council determined to undertake such an effort in adopting the 1995 Ordinance, which attempted to include many of the separate terms and conditions set forth in each of the Ordinances in order to cumulatively present the County's system of Solid Waste. In the interest of efficiency, County Council has determined to incorporate by reference the 1995 Ordinance rather than restate herein the terms and conditions that cumulatively present the County's system of Solid Waste. In addition to incorporating by reference the 1995 Ordinance, it is the purpose of this Ordinance to take the action required on an annual basis by the Solid Waste Ordinance.

3. As stated in Paragraph 2 of SECTION 5 of the Solid Waste Ordinance, as amended, County Council must adopt a Rate Ordinance establishing classifications and determining the Recycling and Disposal Fees to be imposed upon the Owners of occupied real property within the County. The purpose of this Ordinance is to meet the requirements of the Solid Waste Ordinance and the Ordinances.

SECTION 2. Definitions. The definitions contained in the Ordinances are incorporated herein by reference.

SECTION 3. Annual Solid Waste Recycling and Disposal Fees, Amendment of SECTION 20 of the Solid Waste Ordinance. As required by Paragraph (1) of SECTION 5 of the Solid Waste Ordinance, and as further required by the

June 18, 2013

Ordinance providing for the issuance of the 1994 User Fee Revenue Bonds, County Council is required annually to adopt a budget for the operation and maintenance of the System. Such budget is attached hereto as Exhibit A, which budget confirms the funds described in the Fiscal Year Beginning July 1, 2013 Budget Ordinance adopted by County Council substantially on a schedule consistent with adoption of this Ordinance, which funds are hereby appropriated for the purposes set forth in Exhibit A. In order to provide a portion of the sum reflected in the budget, County Council sets the following Annual Solid Waste Recycling and Disposal Fees.

1. Residential Properties -- the Annual Solid Waste Recycling and Disposal Fee (the "Fee" or "Fees") for Residential Properties shall be as follows:

Classification of Property	Annual Solid Waste Recycling and Disposal Fee
----------------------------	---

Single Family Residence	\$99.00 each
Multi-family Unit	\$70.00 each

2. Non-Residential Properties -- the Fee for Non-Residential Properties shall be \$86.00 for all Non-Residential Properties that generate 0.5 cubic yards or less of non-compacted waste per week. The Fee for other Non-Residential Properties shall be the product of \$172.00 multiplied by the average number of cubic yards of non-compacted waste generated per week. Compacted waste shall be calculated at a ratio of four cubic yards of noncompacted waste for every one yard of compacted waste.

SECTION 4. Preparation of Annual Disposal User Fee Roll. The Solid Waste Ordinance provides that upon adoption by the County Council of the Rate Ordinance and not later than the date the County tax books are transmitted by the Auditor to the County pursuant to Section 12-39-140 of the S.C. Code, 1976, as amended, the Auditor shall cause to be prepared an Annual Disposal User Fee Roll (the "Fee Roll"). The information required to be included in the Fee Roll shall conform to that maintained by the Auditor on the tax books with respect to real property within the County.

The Solid Waste Ordinance further provides that County Council shall cause to be published in a newspaper of general circulation in the County, once each week for two consecutive weeks, notice that County Council on a specified date at a regular or special meeting will hear testimony as to the amount of any Fee. At such time as the Fee Roll is prepared, County Council will cause to be reviewed the Fee Roll prepared by the Auditor with respect to Residential Properties. County Council shall make such changes or additions as necessary to conform the roll to the Rate Ordinance. If upon the completion of such review, County Council shall be satisfied that the Fee Roll for Residential Properties has been prepared in conformity with the Rate Ordinance, it shall ratify and confirm

such roll and certify the roll to the Treasurer and the Solid Waste User Fee Department, as appropriate, for collection.

County Council will also cause to be reviewed the Fee Roll for Non-Residential Properties prepared by the Revenue Collections Department. County Council shall make such changes or additions as necessary to conform such roll to the Rate Ordinance. If upon the completion of such review, County Council shall be satisfied that the Fee Roll for Non-Residential Properties has been prepared in conformity with the Rate Ordinance, it shall ratify and confirm such roll and certify the roll to the Revenue Collections Department for collection.

SECTION 5. Required Publications and Public Hearing. As required in Sections 5 and 7 of the Solid Waste Ordinance, a public hearing shall be held prior to adoption of this Ordinance for the following purposes:

1. To adopt a budget for the operation and maintenance of the System.
2. To adopt a Rate Ordinance establishing classifications and determining the Fees.

As required by the last paragraph of Section 5 of the Solid Waste Ordinance, notice of the time, place and purpose of the public hearing was published once a week for two successive weeks prior to the public hearing, specifically May 26, 2013 and June 2, 2013. The form of such notice is attached hereto as Exhibit B.

As required by SECTION 7 of the Solid Waste Ordinance, "County Council shall cause to be published in a newspaper of general circulation in the County once each week for two consecutive weeks, notice that the County Council on a specified date at a regular or special meeting will hear testimony as to the amount of any Annual Recycling and Disposal Fee." Such notice was supplied in the publication described in the preceding paragraph in order to afford County Council the opportunity to hear testimony as to the amount of the Fee. As stated above, the form of such notice is attached hereto as Exhibit B.

SECTION 6. Ratification and Confirmation of Annual Solid Waste Recycling and Disposal Fee. A public hearing has been held in connection with adoption of this Ordinance to enable County Council to hear comments and receive testimony regarding (1) the budget for the System and (2) the rates and classifications determining the Fees to be imposed upon the Owners of certain property within the County or collected by municipalities primarily located in the County. County Council hereby ratifies and confirms the Fee.

SECTION 7. Partial Invalidity. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be

June 18, 2013

deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 8. Effective Date. This Ordinance shall take effect upon third reading by County Council.

ADOPTED and APPROVED in meeting duly assembled this 18th day of June, 2013.

CHARLESTON COUNTY, SOUTH CAROLINA

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

ATTEST:

Beverly T. Craven  
Clerk to Charleston County Council

First Reading: June 4, 2013  
Second Reading: June 11, 2013  
Third Reading: June 18, 2013

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

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

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

An Ordinance providing for the Levy of Taxes for Corporate Purposes of Charleston County for the fiscal year 2014 was given third reading by title only.

**AN ORDINANCE                      1783**

**PROVIDING FOR THE LEVY OF TAXES FOR CORPORATE PURPOSES OF CHARLESTON COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014, HEREINAFTER REFERRED TO AS FISCAL YEAR 2014; MAKING APPROPRIATIONS FROM THE GENERAL FUND AND OTHER**

**FUNDS OF CHARLESTON COUNTY FOR SUCH PURPOSES; AND FURTHER PROVIDING FOR THE LEVY OF TAXES FOR CORPORATE PURPOSES OF CHARLESTON COUNTY, INCLUDING THE AWENDAW CONSOLIDATED FIRE DISTRICT, EAST COOPER FIRE DISTRICT, NORTHERN CHARLESTON COUNTY FIRE DISTRICT, WEST ST. ANDREW'S FIRE DISTRICT, AND TRIDENT TECHNICAL COLLEGE FOR FISCAL YEAR 2014; PROVIDING FOR APPROPRIATIONS FROM SUCH SPECIAL FUNDS CREATED FOR THE PURPOSES OF THE AWENDAW CONSOLIDATED FIRE DISTRICT, EAST COOPER FIRE DISTRICT, NORTHERN CHARLESTON COUNTY FIRE DISTRICT, WEST ST. ANDREW'S FIRE DISTRICT, AND TRIDENT TECHNICAL COLLEGE IN ORDER TO SUPPLY THE NECESSARY FUNCTIONS OF THE UNITS; PROVIDING FOR BUDGET CONTROL OF THE APPROPRIATIONS BY THE CHARLESTON COUNTY COUNCIL AND THE COUNTY ADMINISTRATOR; MAKING PROVISIONS FOR THE FISCAL AFFAIRS OF CHARLESTON COUNTY; AND PROVIDING FOR THE ISSUANCE OF TAX ANTICIPATION NOTES IN AN AMOUNT UP TO \$25,000,000 FOR CHARLESTON COUNTY AND UP TO \$400,000 FOR THE AWENDAW CONSOLIDATED FIRE DISTRICT.**

NOW, THEREFORE, be ordained by Charleston County Council, in meeting duly assembled, finds as follows:

SECTION 1: As set by Charleston County Council ("County Council"), the Charleston County Auditor (the "Auditor") shall levy 40.7 mills for General Fund Purposes and 6.1 mills for the Debt Service of Charleston County (the "County") in the year 2013.

Proceeds of the levy upon all taxable property in the County shall be collected by the Charleston County Treasurer (the "Treasurer") as provided by law for the collection of County ad valorem taxes, the proceeds thereof to be placed in the appropriate funds of the County together with all revenues and income accruing to the County during the Fiscal Year 2014, and regardless of sources, shall be paid out from time to time by the Treasurer in accordance with the provisions of this Budget Ordinance (the "Ordinance") and other appropriation ordinances hereafter passed by County Council, except welfare funds received by the Charleston County Department of Social Services from the State of South Carolina or the United States.

SECTION 2: It is hereby appropriated from the General, Debt Service, Proprietary, and Special Revenue Funds referred to in SECTION 1, the following amounts of money for the following respective corporate purposes of Charleston County for and during the period beginning July 1, 2013, and ending June 30, 2014, to wit:

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Organization Units:	General	Debt Service	Proprietary	Special Revenue
<b>COUNCIL AGENCIES</b>				
County Council	\$ 2,000,843	\$ -	\$ -	\$ -
Accommodations Tax - Local	-	-	-	13,211,243
Accommodations Tax - State	-	-	-	92,000
Internal Auditor	222,303	-	-	-
Legal	1,067,407	-	32,338,019	111,693
State Agencies	377,106	-	-	-
<b>ELECTED OFFICIALS</b>				
Auditor	2,104,355	-	-	-
Clerk of Court	3,408,852	-	-	1,000,000
Coroner	1,236,812	-	-	-
Legislative Delegation	195,544	-	-	-
Probate Courts	2,291,741	-	-	-
Register of Mesne Conveyance	1,879,066	-	-	-
Sheriff	59,778,376	-	-	1,298,520
Solicitor	5,693,360	-	-	2,899,160
Treasurer	1,791,483	-	-	-
<b>APPOINTED OFFICIALS</b>				
Elections and Voter Registration	1,617,680	-	-	-
Library	14,287,911	-	-	-
Master-In-Equity	619,014	-	-	-
Public Defender	2,984,480	-	-	4,755,157
Veterans Affairs	342,599	-	-	-
<b>ADMINISTRATOR</b>	1,089,468	-	-	100,000
Consolidated Dispatch	9,008,495	-	2,156,536	-
Economic Development	-	-	-	1,905,621
Nondepartmental	11,700,561	24,230,613	-	-
<b>DEPUTY ADMINISTRATOR FINANCE</b>	456,968	-	-	-
Assessor	4,041,205	-	-	-
Budget	659,197	-	-	-
Finance	955,078	-	-	-
Revenue Collections	1,133,499	-	2,080,000	-
<b>DEPUTY ADMIN GENERAL SERVICES</b>	372,794	-	-	-
Building Inspections	1,602,185	-	-	36,142
Facilities Management	12,779,472	-	3,146,611	-
Internal Services	-	-	15,505,112	-
Magistrates' Courts	4,770,778	-	-	66,826
Technology Services	12,492,660	-	7,477,937	-
Zoning/Planning	1,566,433	-	-	160,000
<b>DEPUTY ADMIN HUMAN SERVICES</b>	391,542	-	-	-
Emergency Management	799,270	-	-	254,256
Emergency Medical Services	11,921,633	-	-	-
Human Resources	1,423,644	-	27,223,000	-
Procurement	879,763	-	2,150,000	-
Safety & Risk Management	2,020,113	-	6,014,148	-
<b>ASST ADMIN COMMUNITY SERVICES</b>				
Community Services	1,942,597	-	-	-
Dept of Alcohol & Other Drug Abuse	-	-	10,517,004	-
<b>ASST ADMIN TRANS &amp; PUBLIC WORKS</b>	18,964	-	-	-
Public Works	9,698,668	-	-	2,810,356
Transportation Development	378,985	-	-	-
<b>TOTAL</b>	<b>\$ 194,002,904</b>	<b>\$ 24,230,613</b>	<b>\$ 108,608,367</b>	<b>\$ 28,700,974</b>

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SECTION 3: Unless covered by SECTION 14 of this Ordinance, all of the foregoing appropriations are maximum and conditional, and subject to reduction by action of County Council in the event that the County's revenues accruing to its General, Debt Service, Proprietary, and Special Revenue Funds, as provided in SECTION 1, shall be insufficient to pay the same, to the end that the cost of operation of the County government shall remain at all times within its income.

SECTION 4: The Auditor is hereby authorized and directed to levy 33.9 mills in the year 2013 on all of the taxable property in the area located within Charleston County known as the Awendaw Consolidated Fire District to be deposited in the Awendaw Consolidated Fire District Special Revenue Fund.

Proceeds of the levy upon all taxable property located within the Awendaw Consolidated Fire District shall be collected by the Treasurer as provided by the law for the collection of County *ad valorem* taxes, the proceeds thereof to be placed in a separate fund to be held and administered by the Treasurer, including all monies collected, earned, donated, proceeds of the tax anticipation borrowing or otherwise accruing from the operation of the Awendaw Consolidated Fire District. Such funds shall be paid out from time to time by the Treasurer in accordance with the provisions of this Ordinance and other ordinances hereafter ratified by County Council.

SECTION 5: It is hereby appropriated \$2,513,929 from the funds referred to in SECTION 4 and from such other funds as may be generated by the Awendaw Consolidated Fire District for the corporate purposes of the District for and during the period beginning July 1, 2013, and ending June 30, 2014. The appropriation is for the operation of a Special Revenue Fund and subject to the limitations of disbursement referred to in SECTION 15 of this Ordinance.

SECTION 6: The Auditor is hereby authorized and directed to levy 19.1 mills in the year 2013 on all of the taxable property in the area located within Charleston County known as the East Cooper Fire District to be deposited in the East Cooper Fire District Special Revenue Fund.

Proceeds of the levy upon all taxable property in the area located within the County known as the East Cooper Fire District shall be collected by the Treasurer as provided by law for the collection of County *ad valorem* taxes, the proceeds thereof to be placed in a separate fund to be held and administered by the Treasurer, including all monies collected, earned, donated, or otherwise accruing from the operation of the East Cooper Fire District. Such funds shall be paid out from time to time by the Treasurer in accordance with the provisions of this Ordinance and other ordinances hereafter ratified by County Council.

SECTION 7: It is hereby appropriated \$145,000 from the funds referred to in SECTION 6 and from such other funds as may be generated by the East

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Cooper Fire District for the corporate purposes of the District for and during the period beginning July 1, 2013, and ending June 30, 2014. The appropriation is for the operation of a Special Revenue Fund and subject to the limitations of disbursement referred to in SECTION 15 of this Ordinance.

SECTION 8: The Auditor is hereby authorized and directed to levy 11.2 mills in the year 2013 on all of the taxable property in the area located within Charleston County known as the Northern Charleston County Fire District to be deposited in the Northern Charleston County Fire District Special Revenue Fund.

Proceeds of the levy upon all taxable property in the area located within Charleston County known as the Northern Charleston County Fire District shall be collected by the Treasurer as provided by law for the collection of County *ad valorem* taxes, the proceeds thereof to be placed in a separate fund to be held and administered by the Treasurer, including all monies collected, earned, donated, or otherwise accruing from the operation of the Northern Charleston County Fire District. Such funds shall be paid out from time to time by the Treasurer in accordance with the provisions of this Ordinance and other ordinances hereafter ratified by County Council.

SECTION 9: It is hereby appropriated \$287,800 from the funds referred to in SECTION 8 and from such other funds as may be generated by the Northern Charleston County Fire District for the corporate purposes of the District for and during the period beginning July 1, 2013, and ending June 30, 2014. The appropriation is for the operation of a Special Revenue Fund and subject to the limitations of disbursement referred to in SECTION 15 of this Ordinance.

SECTION 10: The Auditor is hereby authorized and directed to levy 4.2 mills (3.6 mills for baseline operations and 0.6 mills to eliminate the Fiscal Year 2013 deficit) in the year 2013 on all of the taxable property in the area located within Charleston County known as the West St. Andrew's Fire District to be deposited in the West St. Andrew's Fire District Special Revenue Fund.

Proceeds of the levy upon all taxable property in the area located within Charleston County known as the West St. Andrew's Fire District shall be collected by the Treasurer as provided by law for the collection of County *ad valorem* taxes, the proceeds thereof to be placed in a separate fund to be held and administered by the Treasurer, including all monies collected, earned, donated, or otherwise accruing from the operation of the West St. Andrew's Fire District. Such funds shall be paid out from time to time by the County Treasurer in accordance with the provisions of this Ordinance and other ordinances hereafter ratified by County Council.

SECTION 11: It is hereby appropriated \$8,000 from the funds referred to in SECTION 10 and from such other funds as may be generated by the West St. Andrew's Fire District for the corporate purposes of the District for and during the

period beginning July 1, 2013, and ending June 30, 2014. The appropriation is for the operation of a Special Revenue Fund and subject to the limitations of disbursement referred to in SECTION 15 of this Ordinance.

SECTION 12: The Auditor is hereby authorized and directed to levy 1.9 mills for operating purposes and 0.5 mills for debt service in the year 2013 on all taxable property in Charleston County to be deposited in the Trident Technical College Special Revenue Funds.

Proceeds of the levy upon all taxable property shall be collected by the Treasurer as provided by law for the collection of County *ad valorem* taxes, the proceeds thereof to be placed in separate funds to be held and administered by the Treasurer. Such funds shall be paid out from time to time by the Treasurer in accordance with the provisions of this Ordinance and other ordinances hereafter ratified by County Council.

SECTION 13: It is hereby appropriated \$5,910,000 for operating purposes of Trident Technical College ("TTC") and \$1,537,000 for debt service of TTC from the funds referred to in SECTION 12 and from such other funds as may be generated by TTC for and during the period beginning July 1, 2013, and ending June 30, 2014. The appropriations are for the operation of Special Revenue Funds and subject to the limitations of disbursement referred to in SECTION 15 of this Ordinance.

SECTION 14: The Charleston County Approved Operating Budget, with the detail and provisos as so stated in the document titled Charleston County Budget Detail Fiscal Year 2014, which is hereby incorporated by reference as part of this Ordinance as if fully set forth herein, is hereby adopted as the detailed Budget for Charleston County.

SECTION 15: The anticipated revenues accruing to all Proprietary and Special Revenue Funds are stated in this Budget Ordinance. Should actual funding sources for any such fund be less than projected, the County Administrator (the "Administrator") shall reduce budgeted disbursements attributable to the fund. Should actual funding sources be greater than projected in this Ordinance, the Administrator may revise budgeted disbursements or direct the increase to be held for future years' disbursements.

SECTION 16: All monies properly encumbered as of June 30, 2013, shall be added to the applicable organizational unit's budget for Fiscal Year 2014. These encumbered monies may be expended only as set forth in their encumbrance except as authorized by the Administrator. Unencumbered appropriations shall remain in the respective funds as unrestricted reserves whose subsequent appropriation shall be determined by ordinance.

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SECTION 17: All monies designated by County Council as of June 30, 2013, shall be added to the applicable organizational unit's budget for Fiscal Year 2014. These designated monies may be expended only as set forth in their authorization by County Council. Unencumbered appropriations shall remain in the respective funds as unrestricted reserves whose subsequent appropriation shall be determined by ordinance.

SECTION 18: For the purpose of paying in cash for the foregoing and all other general ordinary County expenses for Fiscal Year 2014 as authorized by this Ordinance or by any other appropriation ordinance hereafter ratified by County Council in and for the fiscal year, the Treasurer is hereby authorized and directed to use such cash as may from time to time be on hand or in the process of collection, and to borrow from time to time as may be necessary on his official note or notes, or other evidence(s) of indebtedness in anticipation of the collection of the taxes herein levied, provided that all loans made from private persons, firms, or corporations shall be made only after three days' notice by advertising once in some newspaper in the County and on the best terms possible, a sum or sums not exceeding in the aggregate \$25,000,000 for the use of the County and a sum not exceeding in the aggregate \$400,000 for the use of the Awendaw Consolidated Fire District, and the sum or sums so borrowed for the operation of the County shall constitute a valid and prior claim against the taxes levied herein and against the County and the sum or sums so borrowed for the operation of the Awendaw Consolidated Fire District shall constitute a valid and prior claim only against the taxes levied herein for the use of the Awendaw Consolidated Fire District; provided further that the Treasurer shall be authorized in his discretion to make any such loans from special fund or funds, including sinking funds, in his hands as Treasurer, repayment of which shall be secured in the same manner as if made from private persons, firms, or corporations as aforesaid; and provided further that if the net interest cost is less than eight percent (8%), the Chairman of County Council is authorized to award the loan to the bidder or bidders offering to purchase the notes at the lowest net interest cost to the County (calculated by computing the total dollar interest cost from the date of issuance to the date of maturity and deducting there from the amount of the premium offered, if any, over and above the premium amount).

SECTION 19: Organization units are bound to the appropriated disbursements as defined in SECTION 2 and delineated in the Fiscal Year 2014 Approved Budget Detail document.

For "State Agencies" and "Outside Agencies", the organizational budgets are bound by "object code."

The County Administrator, or his designated representative, is hereby authorized to effect transfers between organizational units. The County Administrator is also authorized to further restrict budget transfers within major expenditure categories.

County Council may by resolution effect transfers from Council's contingency to organizational units.

County Council may by amendment to this Ordinance adjust appropriation transactions affecting fund totals, other than those authorized elsewhere within this Ordinance.

SECTION 20: In order that County Council may be assured that monies appropriated to the agencies funded in "County Council" and "Local Accommodations Tax" in SECTION 2 of this Ordinance are properly expended for a public purpose, the above agencies receiving monies shall provide all documents and information required in the County policy for funding outside agencies, adopted August 22, 2006, as may be amended from time to time.

SECTION 21:

(a) Monies received from governmental grants shall accrue only to Special Revenue, Capital Projects, and Proprietary Funds as set forth in this Budget Ordinance. Should grant funds be applied for or received after the beginning of the budget year and thereby not be stated in this Budget Ordinance, then, by passage of Council's resolution authorizing the grant application and expenditures, the necessary Special Revenue, Capital Projects, and Proprietary Funds shall be created to provide a mechanism for the expenditures of these monies.

(b) Funds derived from the sale of real property shall be placed in the Capital Proceeds Capital Projects Fund, and these funds shall be expended only for capital outlays after specific resolution of County Council.

SECTION 22: A Rainy Day Fund is established to provide emergency funds for use in the event of a major calamity. This fund will be maintained at no less than four percent of General Fund disbursements. Any expenditure from the Rainy Day Fund shall be authorized by amendment to this Budget Ordinance by County Council

On June 30, 2014, if the total revenue for General Fund purposes generated by current and delinquent *ad valorem* taxes and Local Option Sales Tax revenue is greater than \$127,080,000, then the first \$500,000 of excess shall be placed in the Rainy Day Fund.

SECTION 23: Contracts necessary to expend monies appropriated in this budget when not specifically permitted by the Charleston County Procurement Code are hereby authorized and the contracts shall be approved by a resolution of County Council. Awards of bids on capital items, when less than the amount

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specified in the Charleston County Approved Operating Budget, are hereby authorized and shall be purchased in accordance with the provisions of the Charleston County Procurement Code.

SECTION 24: The salaries or compensation shall be determined and paid in accordance with the provisions of the Personnel Policies and Procedures adopted by County Council. Travel and expense allowances shall be paid only upon proper documentation as prescribed by the Administrator. The per diem rates adopted by the State of South Carolina and the mileage reimbursement rates adopted by the Internal Revenue Service shall apply.

SECTION 25: The classification and grades of all positions shown in the Charleston County Approved Operating Budget are only provisional and subject to audit by the Human Resources Department to determine the appropriate grade and classification.

SECTION 26: The Administrator, or his designated representative, is hereby authorized to transfer positions (Full Time Equivalents - FTEs) among organizational units and fund types.

SECTION 27: If for any reason any provision of this Ordinance, or its applications to any circumstance, is invalidated by a court of competent jurisdiction, the remaining portions of this Ordinance shall remain in full force and effect.

SECTION 28: This Ordinance shall become effective upon approval of County Council following third reading.

First Reading: June 4, 2013  
 Second Reading: June 11, 2013  
 Third Reading: June 18, 2013

Mr. Schweers said that it was important for him to restate, prior to the vote, the statement he made at time of first and second reading of the County's fiscal year 2014 Ordinance which is as follows:

"I do not understand why it is necessary now, in a rising economy, to increase millage, when the financial picture has been so bleak in the past."

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

Condon	- aye
Darby	- aye
Johnson	- aye
Qualey	- nay
Rawl	- aye
Sass	- nay

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Schweers	- nay
Summey	- nay
Pryor	- aye

The vote being five (5) ayes and four (4) nays, the Chairman declared the ordinance to have received third reading approval.

The Chairman announced that The Chairman stated that several persons had spoken at the Public Comment period prior to Council's meeting regarding the Bar Closing Ordinance and asked if Council Members wished to make any amendments prior to third reading.

After Council discussion, Mr. Darby moved that the proposed Ordinance be amended to delay implementation of the Charleston County's Bar Closing Ordinance until October 1<sup>st</sup>, 2013, seconded by Mr. Summey, and carried.

County Attorney Dawson stated that Council should give unanimous consent to approve amending this proposed Ordinance.

Unanimous consent was given by Council.

An Ordinance regarding the Charleston County Bar Closing Ordinance, as amended, was given third reading by title only.

## **AN ORDINANCE                      #1784**

### **AMENDING SECTION 13-3 OF THE CHARLESTON COUNTY CODE OF ORDINANCES SO AS TO PROHIBIT THE OPERATION OF COMMERCIAL ESTABLISHMENTS ALLOWING ON-PREMISES CONSUMPTION OF BEER, ALE, PORTER, WINE, OR ALCOHOLIC LIQUORS BETWEEN THE HOURS OF 2:00 A.M. AND 6:00 A.M.**

NOW, THEREFORE, be it ordained by Charleston County Council, in a meeting duly assembled, finding as follows:

#### **SECTION I. OPERATION PROHIBITED**

Section 13-3 of the Charleston County Code of Ordinances is hereby amended to read as follows:

*Commercial establishments which allow for the on-premises consumption of beer, ale, porter, wine, and/or alcoholic liquors shall be prohibited from operating between the hours of 2:00 a.m. and 6:00 a.m.*

#### **SECTION II. SEVERABILITY**

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and

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independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

### **SECTION III. EFFECTIVE DATE**

This Ordinance is effective on October 1, 2013.

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

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

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

the next item on Council's agenda was the consent agenda.

Mr. Rawl moved approved of the Consent Agenda, seconded by Ms. Condon, and carried.

The Consent agenda is as follows:

A report was read from the Finance Committee under date of June 18, 2013 that it considered the information furnished by Kurt Taylor, County Administrator and Ninth Circuit Solicitor, Scarlett Wilson, regarding the Violence Against Women Act (VAWA) Grant Program which is a competitive grant awarded by the South Carolina Department of Public Safety with U.S. Department of Justice funds. It was stated that the Solicitor's Office has been awarded this grant for the past four years (\$147,636 in FY09, \$150,000 in FY10, \$101,041 in FY11 and \$91,041 in FY12), and that this award is a continuation (fifth year) of a previously awarded grant. It was shown that the Solicitor's Office is requesting to use the award of \$169,827 to fund a prosecutorial team consisting of a Prosecutor, Investigator and Victim Advocate. It was further shown that this grant has a 25% cash match of \$56,546, and that this cash match will be funded Estreatment Funds (S23521001). It was further stated that there are three (3) grant-funded FTEs associated with this grant and the grant period will run from October 1, 2013 until September 30, 2014, and at the conclusion of the grant period, the FTEs will be dissolved if no further grant funding is available.

Committee recommended that Council:

Allow the Solicitor's Office to apply for and accept, if awarded, a Violence Against Women Act (VAWA) Program Grant from the South Carolina Department of Public Safety in the amount of \$169,827, with the understanding that:

- Cash match of \$56,546 will be funded from Estreatment Funds.
- The grant period will run from October 1, 2013 until September 30, 2014.
- There are three (3) grant-funded FTEs associated with this request and at the conclusion of the grant period, the FTEs will be dissolved if no further grant funding is available.

A report was read from the Finance Committee under date of June 18, 2013 that it considered the information furnished by Kurt Taylor, County Administrator and Ninth Circuit Solicitor, Scarlett Wilson, regarding the Victims of Crime Act (VOCA) Program Grant is a competitive grant awarded by the South Carolina Department of Public Safety with U.S. Department of Justice funds. It was stated that the Solicitor's Office has been awarded this grant for the past four years (\$46,660 in FY10, \$56,483 in FY11, \$59,365 in FY12 and \$58,392 in FY13), and this award will be a continuation (fifth year) of a previously awarded grant. It was shown that the Solicitor's Office is requesting to use the award of \$58,392 to fund a Victim Advocate. It was further shown that the grant period will run from July 1, 2013 until June 30, 2014, with one (1) grant-funded FTE associated with this request, and the match associated with this grant is in-kind (volunteer hours) and therefore does not cause an expense to the Solicitor's Office or to the County. It is also understood that at the conclusion of the grant period, the FTE position will be dissolved if no further grant funding is available.

Committee recommended that Council authorize the Solicitor's Office to apply for and accept, if awarded, a Victims of Crime Act (VOCA) Program Grant from the South Carolina Department of Public Safety in the amount of \$58,392, with the understanding that the grant period will run from July 1, 2013 through June 30, 2014; that there is one (1) grant-funded FTE associated with this request; that there is no cash match associated with this request. and It is understood that at the conclusion of the grant period, the FTE will be dissolved if no further grant funding is available.

A report was read from the Finance Committee under date of June 18, 2013 that it considered the information furnished by Kurt Taylor, County Administrator and Ninth Circuit Solicitor, Scarlett Wilson, regarding a competitive grant awarded by the South Carolina Department of Public Safety. It was stated that the Solicitor's Office has been awarded this grant for the past three years, and this application is for a continuation (fourth year) of a previously awarded grant. It was shown that the Solicitor's Office is requesting to use the \$75,000 award to fund a DUI Prosecutor. The grant period will run from October 1, 2013 until September 30, 2014; that there is one (1) grant-funded FTE associated with this request and there is no cash match associated with this grant. It is understood that at the conclusion of the grant period, the FTE position will be dissolved if no further grant funding is available.

Committee recommended that Council authorize the Solicitor's Office to apply for and accept, if awarded, a Highway Safety Grant from the SC Department of Public Safety in the amount of \$75,000, with the understanding that there is no cash match associated with this award; that there is one (1) grant-funded FTE associated with this award; that the grant period will run from October 1, 2013 through September 30, 2014; and that at

the conclusion of the grant period, the FTE position will be dissolved if no further grant or other funding is available.

A report was read from the Finance Committee under date of June 18, 2013 that it considered the information furnished by Kurt Taylor, County Administrator and Ninth Circuit Solicitor, Scarlett Wilson, regarding The Ninth Circuit Solicitor's Office's request to apply for a federal pass-through Justice Assistance Grant Program (JAG) grant to fund one (1) Juvenile Crimes Prosecutor. It was stated that JAG grants have been awarded to the Solicitor's Office for the past four fiscal years and comes through the SC Department of Public Safety's Office of Justice Programs (OJP) in the amount of \$71,593. It was shown that this grant has a 10% cash match of \$7,955, and the cash match will be paid from the Solicitor's State Appropriations account. It was further stated that there is one (1) grant-funded FTE associated with this request; that this FTE will handle Berkeley County cases but will be a Charleston County employee since Charleston is the lead county for the 9<sup>th</sup> Circuit. It was further shown that the grant period is July 1, 2013 through June 30, 2014, and It is understood that at the conclusion of the grant period, the FTE position will be dissolved if no further grant or other funding is available.

Committee recommended that Council authorize the Solicitor's Office to apply for and accept, if awarded, a Justice Assistance Grant Program (JAG) grant in the amount of \$71,593 from the SC Department of Public Safety, Office of Justice Programs, with the understanding that:

- There is a 10% cash match of \$7,955 which is to be paid from the Solicitor's State Appropriations account.
- There is one (1) grant-funded FTE associated with this request that will be an employee of Charleston County but will handle Berkeley cases since Charleston County is the lead county in the 9<sup>th</sup> Circuit.
- The grant period will run from July 1, 2013 through June 30, 2014.
- It is understood that at the conclusion of the grant period, the FTE position will be dissolved if no further grant or other funding is available.

A report was read from the Finance Committee under date of June 18, 2013 that it considered the information furnished by Kurt Taylor, County Administrator and Ninth Circuit Solicitor, Scarlett Wilson, regarding The Ninth Circuit Solicitor's Office's request to apply for a federal pass-through Justice Assistance Grant Program (JAG) grant to fund one Prosecutor and one Investigator for Drug Crimes and Violent Crimes. It was stated that JAG grants have been awarded to the Solicitor's Office for the past four fiscal years, and the grant comes through the SC Department of Public Safety's Office of Justice Programs (OJP) and is in the amount of \$127,357. It was shown that this grant has a 10% cash match of \$14,151, which will be paid from the Solicitor's State Appropriations account. It was shown that there are two (2) grant-funded FTEs associated with this request, both of these FTE's will handle Berkeley County cases but will be Charleston County employees since Charleston is the lead county for the 9<sup>th</sup> Circuit and the grant period is July 1, 2013 through June 30, 2014, with the understanding that at the conclusion of the grant period, the FTE positions will be dissolved if no further grant or other funding is available.

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Committee recommended that Council authorize the Solicitor's Office to apply for and accept, if awarded, a Justice Assistance Grant Program (JAG) grant in the amount of \$127,357 from the SC Department of Public Safety, Office of Justice Programs, with the understanding that the 10% cash match of \$14,151 will be paid from the Solicitor's State Appropriations account; that the two (2) grant-funded FTEs associated with this request be employees of Charleston County but will handle Berkeley cases since Charleston County is the lead county in the 9<sup>th</sup> Circuit; and with the further understanding that at the conclusion of the grant period, the FTE positions will be dissolved if no further grant or other funding is available.

It was further shown that the grant period will run from July 1, 2013 through June 30, 2014.

A report was read from the Finance Committee under date of June 18, 2013 that it considered the information furnished at the Finance Committee of June 18, 2013 by Kurt Taylor, County Administrator and Barrett J. Tolbert, Director of Procurement, regarding bids received for the Hwy 171 Sidewalk Phase 1 Project which is located in the West Ashley area of Charleston County. It was stated that the project consists of sidewalk, traffic control, and pedestrian signalization improvements along the East Frontage Road adjacent to Hwy 171 / SC 7, Sam Rittenburg Boulevard and will run along the east side of the frontage road from Orange Grove Road to the entrance of the Boy Scouts of America's Coastal Council facility. It was further stated that the work shall include, but is not limited to, sidewalk pedestrian signalization, drainage improvements, erosion and sedimentation control, and traffic control during construction.

Bids were received in accordance with the terms and conditions of Invitation for Bid No. 4769-13C. The mandatory Small Business Enterprise utilization for this solicitation is 12.2% and the DBE goal is 20%.

<b>Bidder</b>	<b>Bid Price</b>	<b>SBE Percentag e</b>	<b>DBE Percentag e</b>
<b>L&amp;L Contractors, Inc. Andrews, South Carolina Principal: Ervin Lambert</b>	<b>\$457,888.00</b>	<b>55.1%</b>	<b>55.45%</b>
Allston Farrell Construction Mount Pleasant, South Carolina Principal: Matthew Farrell	\$549,190.00	100%	22.03%
Celek & Celek Construction, Inc. Charleston, South Carolina Principal: Brian Celek	\$558,924.00	100%	2.68%
Green Wave Contracting, Inc. Georgetown, South Carolina Principal: Blake Harwell	\$569,529.27	100%	22.64%
German Technical Group, LLC North Charleston, South Carolina Principal: Eugene K. German	\$594,696.92	100%	100%
IPW Construction Group, LLC North Charleston, South Carolina Principal: Cyrus D. Sinor	\$647,166.29	61.8%	30.90%

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AOS Specialty Contractors, Inc. Lexington, South Carolina Principal: Dianne Rushing	\$855,877.00	100%	16.37%
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Committee recommended that Council authorize award of bid for the Hwy 171 Sidewalks – Phase 1 – Transportation Sales Tax to L&L Contractors, Inc., the lowest responsive and responsible bidder, in the amount of \$457,888.00, with the understanding that funds are available in the roads portion of the Transportation Sales Tax.

A report was read from the Finance Committee under date of June 18, that it considered the information furnished by Kurt Taylor, County Administrator and Barrett J. Tolbert, Director of the Procurement Office regarding the Wappoo Road Storm Drain and Sidewalk Replacement project, which will include traffic control, storm drainage, and sidewalk construction along Wappoo Road in the City of Charleston. The approximate length of this project is 0.57 miles from Savannah Highway (US-17) to just South of Skinner Avenue (S-10-359). The current drainage system along Wappoo Road has leaking joints causing settlement in the sidewalk that has created potential trip hazards. The goal of the project is to replace approximately 2500' of the failing storm drainage system and sidewalk.

Bids were received in accordance with the terms and conditions of Invitation for Bid No. 4767-13C. The mandatory Small Business Enterprise utilization for this solicitation is 12.2% and the DBE goal is 20%.

<b>Bidder</b>	<b>Bid Price</b>	<b>SBE Percentage</b>	<b>DBE Percentage</b>
<b>Green Wave Contracting, Inc.</b> <b>Georgetown, South Carolina</b> <b>Principal: Blake Harwell</b>	<b>\$344,766.86</b>	<b>100%</b>	<b>33.17%</b>
AOS Specialty Contractors, Inc. Lexington, South Carolina Principal: Dianne Rushing	\$397,766.00	100%	100%
IPW Construction Group, LLC North Charleston, South Carolina Principal: Cyrus D. Sinor	\$425,661.60	75%	75%
Anson Construction Company, Inc. Charleston, South Carolina Principal: P. F. Stutsman	\$458,862.00	100%	20.95%
Green Construction Company of Summerville, Inc. Summerville, South Carolina Principal: Marion Green	\$550,688.00	12.5%	100%
L&L Contractors, Inc. Andrews, South Carolina Principal: Ervin Lambert	\$583,576.50	58.3%	58.30%
Allston Farrell Construction Mount Pleasant, South Carolina Principal: Matthew Farrell	\$599,194.00	100%	.55%

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Celek & Celek Construction, Inc. Charleston, South Carolina Principal: Brian Celek	\$948,924.00	100%	7.17%
Gulf Stream Construction Company, Inc. North Charleston, South Carolina Principal: Kenneth A. Holseberg	\$1,068,881.00	16.5%	16.89%

Committee recommended that Council authorize award of bid for the Wappoo Road Storm Drain and Sidewalk Replacement to Green Wave Contracting, Inc., the lowest responsive and responsible bidder, in the amount of \$344,766.86, with the understanding that funds are available in the roads portion of the Transportation Sales Tax.

A report was read from the Finance Committee under date of June 18, 2013 that it considered the information furnished by Kurt Taylor, County Administrator and Barrett J. Tolbert, Director of Procurement, regarding bids received for the Station 25 Street Cured-in-Place Pipe (CIPP) Installation and Paving Project located in the Town of Sullivan's Island, Charleston County. It was stated that the project consists of installing 290 feet of CIPP, installation of a tide flex gate, and asphalt resurfacing along Station 25 Street from approximately Jasper Boulevard to Goldbug Avenue, and the work also includes sedimentation and erosion control and traffic control during construction.

It was shown that bids were received in accordance with the terms and conditions of Invitation for Bid No. 4764-13C, and that due to the specialized work in this project, the Small Business Enterprise requirement and the Disadvantaged Business Enterprise goal for this project was waived.

Bidder	Bid Price
<b>B&amp;C Utilities, Inc.</b> <b>3785 Old Charleston Highway</b> <b>Johns Island, South Carolina</b>	<b>\$143,959.65</b>
Anson Construction Company, Inc. Post Office Box 31979 Charleston, South Carolina	\$172,960.00

Committee recommended that Council authorize award of bid for the Station 25 Street CIPP Installation and Paving Project to B&C Utilities, Inc., the lowest responsive and responsible bidder, in the amount of \$143,959.65, with the understanding that funds are available in the roads portion of the Transportation Sales Tax.

A report was read from the Finance Committee under date of June 18, 2013 that it considered the request of Ronald E. Mitchum, Executive Director of the Berkeley-Charleston-Dorchester Council of Governments requesting County Council to fill one labor seat for the Trident Workforce Investment Board and that Charles Carter Moore, III is the nominee for that position.

Committee recommended that Council approve Mr. Charles Carter Moore to fill the vacant seat on the Trident Workforce Investment Board (labor seat).

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A report was read from the Finance Committee meeting of June 18, 2013 that it considered the information furnished by Kurt Taylor, County Administrator and Carl Simmons, Director of Building Inspection Services, regarding for a request for a reduction in the fees being charged to the St. John's Water Company for construction of a new 1,500,000 gallon elevated water storage tank. It was stated that on March 16, 2011 Council adopted a policy that fee waiver requests would be considered by Council on a case by case basis.

Committee recommended that Council waive the permit fees for the St. John's Water Company.

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

A report was read from the Finance Committee meeting of June 18, 2013 that it considered the information furnished by Kurt Taylor, County Administrator and Mack Gile, Budget Director regarding County Council taking specific action to designate (or "carry forward") certain unspent funds into the next fiscal year. Section 17 of the County budget ordinance for FY 2014 provides the ability for Council to designate funds and all designations expire at the end of FY 2014 unless they are designated again by Council. It was shown that the County has four areas for which staff is recommending designations.

**1. Detention Center: Illegal Alien Assistance funds – not to exceed \$828,920\***

The grant from the Bureau of Justice Assistance through the South Carolina Alien Assistance Program requires the funds to be included in the County's General Fund. However, the funds are restricted to defraying the Detention Center's personnel and operating costs associated with illegal alien detainees. To maintain the restriction, the unspent balance of these funds should be designated for use in FY 2014.

**2. Technology Services projects – not to exceed \$553,805\***

For FY 2013, funds were budgeted for Technology Services for projects to maintain and upgrade the County's technology infrastructure. Several of these projects will be in progress at June 30, 2013. By designating these funds, Technology Services will be able to continue maintaining the County's technology infrastructure.

**3. Sheriff Inmate Welfare Fund: Digital Security Portal – not to exceed \$160,000\***

This device will improve security at the Detention Center by scanning detainees rather than searching.

**4. Environmental Management: single stream containers – not to exceed \$2,440,000\***

During FY13, \$6,000,000 was budgeted for the purchase of single stream roll carts to implement the Single Stream Recycling Program. By designating these funds, Environmental Management will be able to complete the purchase of the single stream roll carts.

\*Final amount determined when FY 2013 actual expenditures are known.

Committee recommends that Council Designate funds to be added to the FY 2014 budget as follows:

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1. Detention Center: Illegal Alien Assistance funds in an amount not to exceed \$828,920.
2. Technology Services on-going projects in an amount not to exceed \$553,805.
3. Sheriff Inmate Welfare Fund on-going project in an amount not to exceed \$160,000.
4. Environmental Management single-stream containers in an amount not to exceed \$2,440,000.

Committee recommended that Council approve Staff's recommendations for use of designated funds in FY2014

Mr. Rawl moved approval of Committee recommendation, seconded by Mr. Summey, and carried. Mr. Qualey voted nay.

A report was read from the Finance Committee under date of June 18, 2013 that it considered the information furnished by Joseph Dawson, County Attorney overseeing the Environmental Management Department and Arthur D. Braswell, Interim Environmental Management Director, regarding extending Consulting Services Contract with Kessler Consulting, Inc. for a term of two years. It was stated that on April 24, 2013, at a regular County Council meeting, Council voted to direct the County Attorney and Kessler Consulting, Inc. to continue to oversee the design and implementation of the Solid Waste Management Program, specifically including completion of, but was not limited to the Single-Stream Recycling Program; site acquisition for a new MRF; procurement of out of county municipal solid waste transfer and disposal service3s; procurement of engineering, design, construction and MF outsourcing contracts for a new recycling facility.

Committee recommended that Council authorize Environmental Management's request to extend the Consulting Services contract with Kessler Consulting, Inc. for a term of two (2) years, to include an annual adjustment beginning on the first anniversary of the Effective Date and annual on the anniversary of the Effective Date thereafter, and to reflect changes in the cost of doing business as measured by the Consumer Price Index (CPI).

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

The Chairman called for a roll call vote on the Committee recommendation. The roll was called and votes recorded as follows:

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

The vote being eight (8) ayes and one (1) nay, the Chairman declared the motion to have been approved.

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

All Members of Council wished Mr. Keith Bustraan, Deputy Administrator for Finance a speedy recovery.

Ms. Condon stated that June 18<sup>th</sup> was the sixth anniversary of the Super Sofa Company Fire.

County Administrator Kurt Taylor thanked Council for passing the fiscal year 2014 budgets.

The Chairman requested the County Attorney to bring to the next Finance Committee meeting the information regarding the Transfer Station for Solid Waste.

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

Beverly T. Craven  
Clerk of Council