

August 17, 2017  
Charleston, SC

A meeting of Charleston County Council was held on the 17<sup>th</sup> day of August, 2017, in the Beverly T. Craven Council Chambers, Second Floor of the Lonnie Hamilton, III Public Services Building, located at 4045 Bridge View Drive, North Charleston, South Carolina.

Present at the meeting were the following members of Council: A. Victor Rawl, Chairman, who presided, Henry Darby, Brantley Moody, Teddie Pryor, Joe Qualey, Herbert R. Sass, III, Dickie Schweers and Elliott Summey. Ms. Johnson was absent.

County Administrator Jennifer Miller and County Administrator Joe Dawson were also present.

Rev. Robert Reid gave the invocation and Mr. Moody led 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 the news media and persons requesting notification.

Mr. Pryor moved approval of the Minutes of June 6, 2017, seconded by Mr. Summey, and carried.

The Chairman announced that the next item was recognitions and resolutions.

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

The Chairman asked Public Works Director Jim Neal to assist with the recognition of several Public Works employees. Charleston County Council was pleased to recognize Kendrick Swinton who was selected as the SC-APWA Outstanding Public Works Employee of the Year. Although several impressive nominations were submitted, the Awards Committee chose Kendrick due to his customer service record and leadership in the Field Operations Division of the County's Public Works Department.

Charleston County Council was also pleased to recognize the SC Backhoe Rodeo Team that defeated the NC team in the inaugural NC/SC Backhoe Rodeo Challenge. The team was Matthew Bishop (1<sup>st</sup>), Kevin Brown (2<sup>nd</sup>), and John Myers and the Support Team Trae West and Wes Wright. A short video clip of the competition was shown.

A resolution honoring the memory of Burnet Rhett Maybank, Jr. was presented to his son, Burnet Maybank, III by Mr. Sass.

The resolution is as follows:

**A RESOLUTION**  
**OF CHARLESTON COUNTY COUNCIL**  
*Honoring the Memory of Burnet Rhett Maybank, Jr.*

**WHEREAS, Burnet Rhett Maybank, Jr.**, a leader, World War II veteran, attorney, philanthropist, outdoorsman, athlete, former Member of the South Carolina House of Representatives, former Lieutenant Governor of the State of South Carolina, and former Member of Charleston County Council entered into eternal rest on October 25, 2016, at age 92, **and**,

**WHEREAS, Burnet Maybank, Jr.** was born May 2, 1924, to the late Burnet Rhett Maybank, Sr. (the former Mayor of Charleston, Governor of South Carolina, and US Senator) and Elizabeth Myers Maybank in Charleston, South Carolina; **and**,

**WHEREAS, Burnet Maybank, Jr.** attended The Citadel and was a graduate of the University of South Carolina and the University of South Carolina School of Law; **and**,

**WHEREAS, Burnet Maybank, Jr.** served the United States of America as a pilot in the Army Air Corps during World War II where he flew four engine B-17s loaded with 10,000 pounds of bombs on bombing missions and was awarded the ETO Ribbon, Air Medal, and Distinguished Flying Cross; **and**,

**WHEREAS, Burnet Maybank, Jr.** was beloved husband to the late Marion Mitchell Maybank, devoted father to Marion Maybank and Burnet R. Maybank, III, and doting grandfather of four and great grandfather of one; **and**,

**WHEREAS, Burnet Maybank, Jr.** was elected to the S.C. General Assembly in 1952, serving through 1958; elected to the lieutenant governorship in 1958 and served there until 1962; and was elected to Charleston County Council in 1982 and served until 1994; **and**,

**WHEREAS, Burnet Maybank, Jr.** was active in various community organizations, including former board member and president of the South Carolina Muscular Dystrophy Association, Cerebral Palsy Association of S.C. and S.C. Mental Health Association; member of the Board of Directors of Miss Masons School, S.C. Shrimpers Association, National Audubon Society-Southeastern Region, Edisto Island Museum; a member of the St. Andrews Society, Hibernian Society, South Carolina Historical Society, the U.S. Pilots Association, and a member of the Episcopalian Churches of St. Michaels of Charleston and Trinity Episcopal of Edisto Island; **and**,

**WHEREAS, Burnet Maybank, Jr.** loved the outdoors and playing tennis and was president and member of the Charleston Tennis Association and a co-owner of the Maybank Tennis Center on James Island; **and**,

**WHEREAS, Burnet Maybank, Jr.** will be remembered by all who knew him as a funny, wonderful man, who always had the best interests of Charleston County and the State of South Carolina in his heart.

**NOW, THEREFORE, BE IT RESOLVED IN MEETING DULY ASSEMBLED**, that **Charleston County Council** memorializes the life of **BURNET RHETT MAYBANK, JR.** for his lifetime of service to the County of Charleston, the State of South Carolina and its citizens.

**CHARLESTON COUNTY COUNCIL**  
A. Victor Rawl, Chairman

Prior to third reading of the next ordinance, Mr. Pryor stated that Ms. Johnson was not in attendance at the meeting due to her mother's illness, but she had asked him to make the following motion to amend the Berkeley Electric Co-Op Planned Development, which had been agreed upon by the residents and the applicant:

Page 9, Section 12.6, Lighting Standards:

- a. Revise the second sentence to require "full cutoff" fixtures to ensure light sources are properly concealed/shielded.

- b. Add a requirement that light poles and wall mount lighting heights may not exceed 30 feet.
- c. Add a requirement that all exterior lights shall be arranged and installed to result in zero foot candles being measured at the northern property line abutting residentially zoned properties.

Mr. Darby seconded the motion, which carried unanimously.

An ordinance approving the Berkeley Electric Cooperative Johns Island District Office Planned Development was given third reading by title only.

**AN ORDINANCE  
 REZONING A 34.544-ACRE PORTION OF THE REAL PROPERTY  
 LOCATED AT 1125 MAIN ROAD (TMS 281-00-00-098) FROM THE  
 RURAL RESIDENTIAL (RR-3) ZONING DISTRICT TO PLANNED  
 DEVELOPMENT ZONING DISTRICT (PD-159 BERKELEY ELECTRIC  
 COOPERATIVE (BEC) JOHNS ISLAND DISTRICT OFFICE).**

WHEREAS, the property located at 1125 Main Road, identified as Tax Map Parcel Number 281-00-00-098, is currently zoned Rural Residential (RR-3) Zoning District; and

WHEREAS, the applicant requests the 34.544-acre portion of the parcel be rezoned to Berkeley Electric Cooperative (BEC) Johns Island District Office Planned Development (PD-159) to allow for the relocation of BEC's Johns Island facilities (office, warehouse, and storage operations) from Maybank Highway to Main Road; and

WHEREAS, the applicant has submitted a complete application for PD Development Plan approval pursuant to Article 4.23 of the Charleston County Zoning and Land Development Regulations (ZLDR); and

WHEREAS, the Charleston County Planning Commission has reviewed the proposed PD Development Plan and adopted a resolution, by majority vote of the entire membership, and recommended that Charleston County Council (County Council) approve with conditions the proposed development plan based on the Approval Criteria of Section 4.23.9.E.9 of the ZLDR; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least one public hearing, and after close of the public hearing, County Council approved with conditions the proposed PD Development Plan based on the Approval Criteria of Section 4.23.9.E.9 of Article 4.23 of the ZLDR;

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

- A. The PD Development Plan complies with the standards contained in Article 4.23 of the ZLDR;
- B. The development is consistent with the intent of the Charleston County Comprehensive Plan and other adopted policy documents; and
- C. The County and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed.

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

SECTION I. FINDINGS INCORPORATED

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

SECTION II. REZONING OF PROPERTIES

A. Charleston County Council rezones the 34.544-acre portion of property located at 1125 Main Road, identified as Tax Map Parcel Number 281-00-00-098, from Rural Residential (RR-3) Zoning District to Berkeley Electric Cooperative (BEC) Johns Island District Office Planned Development Zoning District (PD-159); and

B. The PD Development Plan submitted by the applicant and identified as the "Planned Development District Guidelines for Berkeley Electric Cooperative Johns Island District Office (PD-159), Charleston County, South Carolina," dated April 7, 2017, including the changes attached thereto as Exhibit "A" and made part of this Ordinance by reference, duly approved by County Council as Planned Development 159 or PD-159, is incorporated herein by reference and shall constitute the PD Development Plan for the parcel identified above; and

C. Any and all development of PD-159 must comply with the PD Development Plan, ZLDR, and all other applicable ordinances, rules, regulations, and laws; and

D. The zoning map for Tax Map Parcel Number 281-00-00-098 is amended to PD-159 in accordance with Section 4.23.10 of Article 4.23 of the ZLDR.

SECTION III. SEVERABILITY

If, for any reason, any part of this Ordinance is invalidated by a court of competent jurisdiction, the remaining portions of this Ordinance shall remain in full force and effect.

SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective immediately upon approval of County Council following third reading.

ADOPTED and APPROVED in meeting duly assembled this 17th day of August, 2017.

CHARLESTON COUNTY COUNCIL

By: \_\_\_\_\_  
A. Victor Rawl  
Chairman of Charleston County

Council

ATTEST:

By: \_\_\_\_\_  
Beverly T. Craven  
Clerk of Charleston County Council

First Reading: June 20, 2017  
Second Reading: July 18, 2017  
Third Reading: August 17, 2017

**EXHIBIT "A"**

**PLANNING AND PUBLIC WORKS COMMITTEE**

**RECOMMENDED CHANGES AND CONDITIONS TO PD-159**

**APPROVED BY CHARLESTON COUNTY COUNCIL**

2. Section 6, Dimensional Standards: Increase the buffer and setback along the northern property line abutting residential lots along Patton Avenue from 50 feet to 100 feet and update sketch plans accordingly.
3. Section 9, Development Schedule: Revise the second sentence to not reference the conceptual plan, as the future use expansion areas are not shown on the plans.
4. Section 14, Signs: Revise to allow only one monument style, externally lit sign on Main Road and one smaller, employee directional monument style (externally lit) sign on Patton Avenue. Revise the illumination requirements to be as follows:
  - a. Illumination shall be external only and from a steady stationary light source, shielded and directed solely at the sign. Light sources to illuminate signs shall be shielded as to not cause glare hazardous to pedestrians or vehicle drivers or so as to create a nuisance to adjacent properties. The intensity of light shall not exceed twenty (20) footcandles at any point on the sign face. The color of light sources to illuminate signs shall be white. Signs shall not have light-reflecting backgrounds or letters.
  - b. Illuminated signs located adjacent to any residential area shall be controlled so as not to create excessive glare to properties within adjacent residential areas. Footcandles shall be reduced by one-half the allowable footcandle after hours of operation.
  - c. No signs shall be internally illuminated.
5. Revise the PD guidelines and site plans to eliminate the second, eastern-most access on Patton Avenue.
6. Page 9, Section 12.6, Lighting Standards:
  - a. Revise the second sentence to require "full cutoff" fixtures to ensure light sources are properly concealed/shielded.
  - b. Add a requirement that light poles and wall mount lighting heights may not exceed 30 feet.
  - c. Add a requirement that all exterior lights shall be arranged and installed to result in zero foot candles being measured at the northern property line abutting residentially zoned properties.

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

|         |          |
|---------|----------|
| Darby   | - aye    |
| Johnson | - absent |
| Moody   | - aye    |
| Pryor   | - aye    |

|          |       |
|----------|-------|
| Qualey   | - aye |
| Sass     | - aye |
| Schweers | - aye |
| Summey   | - aye |
| Rawl     | - aye |

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

An ordinance approving financial incentives for Knapheide (Project Herman) was given third reading.

**AN ORDINANCE**

PROVIDING FOR INFRASTRUCTURE OR SPECIAL SOURCE REVENUE CREDITS TO AN INDUSTRY CURRENTLY KNOWN TO THE COUNTY AS "PROJECT HERMAN;" AUTHORIZING AN INFRASTRUCTURE CREDIT AGREEMENT BETWEEN CHARLESTON COUNTY AND PROJECT HERMAN; PROVIDING FOR THE ALLOCATION OF FEES-IN-LIEU OF TAXES PAYABLE UNDER THE AGREEMENT FOR DEVELOPMENT FOR A JOINT COUNTY INDUSTRIAL PARK WITH COLLETON COUNTY; AND OTHER MATTERS RELATING THERETO.

WHEREAS, Charleston County, South Carolina (the "County"), acting by and through its County Council (the "County Council"), is authorized and empowered under and pursuant to the provisions of Title 4, Chapter 1 (the "MCIP Act") of the Code of Laws of South Carolina 1976, as amended (the "Code") to provide for payments in lieu of taxes ("PILOT Payments") with respect to property located in a multi-county business or industrial park created under the MCIP Act and pursuant to Sections 12-44-70, 4-1-175, and 4-29-68 of the Code (the "SSRC Act") to permit investors to claim infrastructure or special source revenue credits against their PILOT Payments to reimburse such investors for expenditures for infrastructure serving Charleston County and improved or unimproved real estate and personal property, including machinery and equipment, used or to be used in the operation of a manufacturing or commercial enterprise in order to enhance the economic development of Charleston County ("Infrastructure Improvements"); and to create, in conjunction with one or more other counties, a multi-county park in order to afford certain enhanced tax credits to such investors and facilitate the grant of infrastructure or special source revenue credits; and

WHEREAS, in order to promote the economic welfare of the citizens of the County and Colleton County ("the Partner County" and collectively with the County, the "Counties") by providing employment and other benefits to the citizens of the Counties, the Counties entered into an Agreement for Development for a Joint County Industrial Park effective as of September 1, 1995 (the "Original Agreement"), to develop jointly an industrial and business park (the "Park"), as provided by Article VIII, Section 13 of the South Carolina Constitution and in accordance with the MCIP Act; and

WHEREAS, the Original Agreement was initially approved by Charleston County Council Ordinance 972, adopted September 19, 1995; was further amended from time-to-time to add or remove property to the Park; and, in particular, was substantively amended by (i) that First Modification to Agreement for Development for Joint County Industrial Park, effective December 31, 2006 (the "First Modification"), which First Modification was approved by Charleston County Council Ordinance 1475, enacted December 5, 2006; and by Colleton County Council Ordinance 06-O-20 enacted January 2, 2007; and (ii) the

Second Modification to Agreement for Development of Joint Industrial Park, dated as of December 31, 2014 (the "Second Modification"), which Second Modification was approved by Charleston County Council Ordinance 1828, enacted on September 9, 2014, and by Colleton County Ordinance 14-O-13, enacted on December 11, 2014; and

WHEREAS, the Original Agreement, as amended, is referred to herein as the "MCIP Agreement," and

WHEREAS, the MCIP Agreement contemplates the inclusion and removal of additional parcels within the Park from time to time; and

WHEREAS, the Counties desire to amend the MCIP Agreement to include certain additional parcels in order to fulfil commitments made to companies which are considering expansion or location decisions; and

WHEREAS, an industry currently known to the County as "Project Herman" (the "Company"), proposes to lease and to make improvements to real property located in the City of North Charleston, South Carolina (the "Project Site"), and install therein machinery and equipment for use as an automotive upfitting facility for Mercedes Benz vehicles (the "Project"); and

WHEREAS, the Project when completed will represent an anticipated capital investment by the Company in the aggregate not less than \$1,315,000 consisting of not less than \$225,000 in real property improvements and \$1,090,000 in new machinery and equipment to be located at the Project Site; and

WHEREAS, the County has been advised that within five (5) years of the completion of the Project, the Project is anticipated to employ approximately 63 full-time employees; and

WHEREAS, the Project is located entirely within Charleston County and within the corporate limits of the City of North Charleston (the "Municipality") and will be included in and subject to the multi-county park arrangement as described herein; and

WHEREAS, the County has made specific proposals, including proposals to offer certain economic development incentives set forth herein, for the purpose of inducing the Company to invest its funds to acquire, construct, improve, upfit, and equip the Project (the "Incentives"); and

WHEREAS, it is in the public interest, for the public benefit, and in furtherance of the public purposes of the MCIP Act and the SSRC Act that the County Council provide final approval for qualifying the Project under the MCIP Act and SSRC Act for the Incentives;

NOW, THEREFORE, BE IT ORDAINED by the County Council as follows:

Section 1. Evaluation of the Project. County Council have evaluated the Project on the following criteria based upon the advice and assistance of the South Carolina Department of Revenue and the Board of Economic Advisors:

- (a) the purposes to be accomplished by the Project are proper governmental and public purposes;
- (b) the anticipated dollar amount and nature of the investment to be made; and
- (c) the anticipated costs and benefits to the County.

Section 2. Findings by County Council. Based upon information provided by and representations of the Company, County Council's investigation of the Project, including the criteria described in Section 1 above, and the advice and assistance of the South Carolina Department of Revenue and the Board of Economic Advisors, as necessary, County Council hereby find that:

- (a) the Project will be located entirely within Charleston County and the Municipality;
- (b) the Project is anticipated to benefit the general public welfare of Charleston County by providing services, employment, recreation, or other public benefits not otherwise adequately provided locally;
- (c) the Project gives rise to neither a pecuniary liability of the County or the Municipality nor a charge against the general credit or taxing power of the County or the Municipality;
- (d) the Infrastructure Improvements to be financed or reimbursed from the SSRCs (as defined below) consist of infrastructure serving Charleston County and improved or unimproved real estate and personal property, including machinery and equipment, used or to be used in the operation of a manufacturing or commercial enterprise in order to enhance the economic development of Charleston County; and
- (e) the purposes to be accomplished by the Project are proper governmental and public purposes;
- (f) the inducement of the location of the Project is of paramount importance; and
- (g) the benefits of the Project to the public are greater than the cost to the public.

Section 3. Special Source Revenue Credits. (a) The County will provide to the Company infrastructure or special source revenue credits ("SSRCs") under the SSRC Act, on the conditions described below, as follows:

- (i) Subject to the provisions of the Infrastructure Credit Agreement between the County and the Company (the "Infrastructure Credit Agreement"), the County shall provide to the Company an annual SSRC against the PILOT Payments attributable to the Project (the "Project PILOT Payments"), equal to sixty percent (60%) of the Project PILOT Payments for three (3) years, beginning in the first property tax year in which the Project is placed in service and subject to PILOT Payments (expected to be calendar year 2017, payment for which is due on or about January 15, 2019) and continuing through the two (2) following property tax years; provided that the cumulative total of all SSRCs shall not exceed \$32,500 over the 3-year period for the SSRCs; and
  - (ii) The Company shall agree to invest at least \$1,315,000, including the tenant improvements, in the Project and to create at least sixty-three (63) new full-time jobs at the Project with five (5) years of completion of the Project;
- all as more fully set forth in the Infrastructure Credit Agreement; provided,



however, that such SSRCs shall not, in the aggregate, exceed the aggregate cost of the Infrastructure Improvements funded from time to time by the Company.

(b) The documents providing for the SSRCs shall include customary terms providing: (i) for the recovery by the County, on a pro rata basis, of certain moneys if certain thresholds are not achieved (a “clawback” provision); (ii) that the Company will pay the County’s administrative expenses associated with the approval and administration of the SSRCs; (iii) that under certain terms and conditions, the County will have access to certain information of the Company; and (iv) that the Company will indemnify and hold the County harmless for claims, losses, and damages with respect to the Project.

Section 4. Execution of the Infrastructure Credit Agreement. The form, terms, and provisions of the Infrastructure Credit Agreement presented to the meeting at which this Ordinance received third reading and filed with the Clerk of the County Council be and hereby are approved, and all of the terms, provisions, and conditions thereof are hereby incorporated herein by reference as if such Infrastructure Credit Agreement were set out in this Ordinance in its entirety. The Chairman of the County Council and the Clerk of the County Council be and they are hereby authorized and directed to execute and deliver the Infrastructure Credit Agreement in the name and on behalf of the County, and thereupon to cause the Infrastructure Credit Agreement to be delivered to the Company. The Infrastructure Credit Agreement is to be in substantially the form before the meeting of County Council at which this Ordinance received third reading and hereby approved, or with any changes therein as shall not materially adversely affect the rights of the County thereunder, upon the advice of legal counsel, by the officials of the County executing the same, their execution thereof to constitute conclusive evidence of their approval of all changes therein from the form of Infrastructure Credit Agreement presented to said meeting.

Section 5. Allocation of MCIP PILOT Revenues. (a) By separate ordinance (the “MCIP Ordinance”) of the County Council, the County, in cooperation with the Partner County, designated the site of the Project as a multi-county park pursuant to Article VIII, Section 13 of the Constitution of South Carolina, the MCIP Act, and the terms of the MCIP Agreement. In the Infrastructure Credit Agreement, the County will agree to maintain such designation for a term of at least 20 years to fund the SSRCs, subject to earlier termination as provided therein.

(b) Pursuant to the terms of the MCIP Act and the MCIP Agreement, the County hereby provides that for the term of the Infrastructure Credit Agreement, commencing with the first tax year in which the Project PILOT Payments are generated by the Project and payable to the County, Project PILOT Payments will be distributed in accordance with the terms of the MCIP Agreement as follows:

(i) After deducting any amounts distributed to the Partner County in accordance with the MCIP Agreement, to the County an amount equal to the total SSRCs to be provided in such year pursuant to Section 3 hereof; and

(ii) After making the allocations under paragraph (i) of this subsection (b), the balance is to be distributed among the taxing districts in Charleston County in accordance with the applicable provisions of Section 9 of the MCIP Agreement.

Section 6. Miscellaneous.

(a) The Chairman and all other appropriate officials of the County are hereby authorized to execute, deliver, and receive any other agreements and documents as may be required by the County in order to carry out, give effect to, and consummate the transactions authorized by this Ordinance.

(b) This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina.

(c) This Ordinance shall become effective immediately upon approval following third reading by the County Council.

(d) The provisions of this Ordinance are hereby declared to be severable and if any section, phrase, or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, that declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereunder.

(e) All ordinances, resolutions, and parts thereof in conflict herewith are, to the extent of the conflict, hereby repealed.

**CHARLESTON COUNTY, SOUTH CAROLINA**

By: \_\_\_\_\_  
Chairman, County Council of  
Charleston County, South Carolina

ATTEST:

\_\_\_\_\_  
Clerk to County Council  
Charleston County, South Carolina

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

- Darby - aye
- Johnson - absent
- Moody - aye
- Pryor - aye
- Qualey - aye
- Sass - aye
- Schweers - aye
- Summey - aye
- Rawl - aye

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

An ordinance authorizing financial incentives for Project Jason was given second reading by title only.

**AN ORDINANCE**

AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF TAX AGREEMENT BY AND AMONG A COMPANY KNOWN FOR THE TIME BEING AS "PROJECT JASON," A COMPANY KNOWN FOR THE TIME BEING AS "PROJECT JASON DEVELOPER" AND CHARLESTON COUNTY, WHEREBY CHARLESTON COUNTY WILL ENTER INTO A FEE-IN-LIEU OF TAX AGREEMENT WITH PROJECT JASON AND PROJECT JASON DEVELOPER AND PROVIDING FOR PAYMENT BY PROJECT JASON AND PROJECT JASON DEVELOPER OF CERTAIN FEES-IN-LIEU OF *AD VALOREM* TAXES; PROVIDING FOR THE ALLOCATION OF FEES-IN-LIEU OF TAXES PAYABLE UNDER THE AGREEMENT FOR THE ESTABLISHMENT OF A MULTI-COUNTY INDUSTRIAL/BUSINESS PARK; AND OTHER MATTERS RELATING THERETO.

The ordinance in its entirety shall appear in the Minutes of Charleston County Council at the time of third reading.

The Chairman called for a roll call vote on second reading of the ordinance. The roll was called and votes recorded as follows:

|          |          |
|----------|----------|
| Darby    | - aye    |
| Johnson  | - absent |
| Moody    | - aye    |
| Pryor    | - aye    |
| Qualey   | - aye    |
| Sass     | - aye    |
| Schweers | - aye    |
| Summey   | - aye    |
| Rawl     | - aye    |

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

An ordinance authorizing financial incentives for T-Mobile was given second reading by title only.

**AN ORDINANCE AUTHORIZING:**

- (1) THE EXECUTION AND DELIVERY OF (A) A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT BY AND BETWEEN THE COUNTY AND T-MOBILE, PURSUANT TO WHICH THE COUNTY SHALL COVENANT TO ACCEPT CERTAIN NEGOTIATED FEES IN LIEU OF AD VALOREM TAXES WITH RESPECT TO THE ESTABLISHMENT AND/OR EXPANSION OF CERTAIN FACILITIES IN THE COUNTY;**
- (2) THE BENEFITS OF A MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK TO BE MADE AVAILABLE TO**

**THE COMPANY IN CONNECTION THE FOREGOING FACILITIES; AND**

- (3) PROVIDING FOR THE ALLOCATION OF FEE-IN-LIEU OF TAXES PAID BY THE COMPANY UNDER THE AGREEMENT FOR ESTABLISHMENT OF MULTI-COUNTY INDUSTRIAL/BUSINESS PARK;**
- (4) OTHER MATTERS RELATING THERETO.**

The ordinance in its entirety shall appear in the Minutes of Charleston County Council at the time of third reading.

The Chairman called for a roll call vote on second reading of the ordinance. The roll was called and votes recorded as follows:

|          |          |
|----------|----------|
| Darby    | - aye    |
| Johnson  | - absent |
| Moody    | - aye    |
| Pryor    | - aye    |
| Qualey   | - aye    |
| Sass     | - aye    |
| Schweers | - aye    |
| Summey   | - aye    |
| Rawl     | - aye    |

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

A report was provided by the Planning/Public Works Committee under date of August 17, 2017, that it considered the information furnished by County Administrator Jennifer Miller and Zoning and Planning Director Joel Evans regarding a request to change the zoning for 936 and 950 Main Road, Johns Island. It was stated that the applicant was requesting to rezone a 0.45-acre portion of the property located at 936 Main Road, Johns Island (TMS 250-00-00-009) from the Agricultural/Residential (AGR) Zoning District to the Community Commercial (CC) Zoning District, and all of the property located at 950 Main Road, Johns Island (TMS 250-00-00-134) from the Industrial (I) Zoning District to the Community Commercial (CC) Zoning District. This is as a result of the submission of subdivision application 01-17-000358, proposing to combine the 0.45-acre portion of the property located at 936 Main Road with all of the property located at 950 Main Road. The subdivision plat is in an approvable state. It was also stated that the 0.45-acre portion of TMS 250-00-00-009 proposed to be rezoned is vacant and TMS 250-00-00-134 contains a self-storage facility with 3 buildings, and a cabinet maker with 1 building.

It was shown that while staff recommended disapproval of the requested zoning change, Planning Commission recommended approval.

Committee recommended that Council approve and give first reading to ordinances rezoning a 0.45-acre portion of the property located at 936 Main Road, Johns Island (TMS 250-00-00-009) from the Agricultural/Residential (AGR) Zoning District to the Community

Commercial (CC) Zoning District, and all of the property located at 950 Main Road, Johns Island (TMS 250-00-00-134) from the Industrial (I) Zoning District to the Community Commercial (CC) Zoning District.

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

An ordinance rezoning a portion of 936 Main Road was given first reading by title only.

**AN ORDINANCE**

**REZONING A 0.45-ACRE PORTION OF THE REAL PROPERTY LOCATED AT 936 MAIN ROAD, PARCEL IDENTIFICATION NUMBER 250-00-00-009, FROM THE AGRICULTURAL/RESIDENTIAL (AGR) ZONING DISTRICT TO THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT.**

The ordinance in its entirety shall appear in the Minutes of Charleston County Council at the time of third reading.

An ordinance rezoning the property located at 950 Main Road was given first reading by title only.

**AN ORDINANCE**

**REZONING THE REAL PROPERTY LOCATED AT 950 MAIN ROAD, PARCEL IDENTIFICATION NUMBER 250-00-00-134, FROM THE INDUSTRIAL (I) ZONING DISTRICT TO THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT.**

The ordinance in its entirety shall appear in the Minutes of Charleston County Council at the time of third reading.

A report was provided by the Planning/Public Works Committee under date of August 17, 2017, that it considered the information furnished by County Administrator Jennifer Miller and Zoning and Planning Director Joel Evans regarding a request of the Planning Commission that the Chairman of County Council write a letter to the City of Charleston encouraging the City's participation in the Folly Road Corridor Overlay District. It was stated that Charleston County Council adopted the Folly Road Corridor Overlay District in May 2014, following a year-long planning effort that included a large amount of public input and coordination with the Town of James Island, City of Folly Beach, and City of Charleston. The Town of James Island and City of Folly Beach adopted similar zoning district regulations that same year; however, the City of Charleston did not adopt the overlay district, which has led to drastic differences in the intensity of development allowed in the City of Charleston versus the other three jurisdictions.

It was shown that at their meeting of July 24, 2017, the Charleston County Planning Commission unanimously voted to request that County Council write a letter to the Mayor of the City of Charleston to ask that the City adopt the Folly Road Corridor Overlay Zoning District, including regulations consistent with those adopted by the other three jurisdictions.

Committee recommended that Council authorize staff to draft a letter, for the Chairman's

signature, to the Mayor of the City of Charleston to ask that the City adopt the Folly Road Corridor Overlay Zoning District, including regulations consistent with those adopted by the other three jurisdictions, as quickly as possible.

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

The Chairman stated that the next item on the agenda was the Consent Agenda. Mr. Summey moved approval of the Consent Agenda. Mr. Pryor seconded the motion and carried.

Consent Agenda items are as follows:

A report was provided by the Finance Committee under date of August 17, 2017, that it considered the information furnished by County Administrator Jennifer Miller and Zoning and Planning Director Joel Evans regarding the need to appoint new Code Enforcement Officers in the Zoning and Planning Department. It was stated that the Zoning and Planning Department hired two new code enforcement officers, Pressley Gaskins and Edward Singleton. In accordance with State Law and County Ordinances, County Council must appoint and commission code enforcement officers prior to them issuing any Uniform Summonses for violation of County ordinances.

Committee recommended that Council commission Pressley Gaskins and Edward Singleton to be Charleston County Code Enforcement Officers pursuant to South Carolina Code of Laws §4-9-145 and Charleston County Ordinance 871 and permit them to issue Uniform Summonses for violation of County Ordinances, in accordance with existing County law and policy for terms to expire on December 31, 2017.

A report was provided by the Finance Committee under date of August 17, 2017, that it considered the information furnished by County Administrator Jennifer Miller and Contracts and Procurement Director Barrett Tolbert regarding the need to award a contract for the Law Enforcement Center Cooling Tower Addition project. It was stated that bids were received from qualified vendors for adding a second (redundant) cooling tower and support structure adjacent to the existing cooling tower, along with associated equipment, piping and controls at the Law Enforcement Center. The current cooling tower is 28 years old and in poor condition based on the latest report by the maintenance contractor. The existing tower foundation has failed as well and is being replaced to support both cooling towers. A new tower will be more efficient, reliable and properly sized for the new equipment that has been recently installed. The County can continue to use the old tower for redundancy.

It was shown that sealed bids were received in accordance with the terms and conditions of Invitation for Bid No. 5173-17R and that the mandatory Small Business Enterprise (SBE) requirements for the solicitation was 12.2%.

| Bidder | Total Bid Price | SBE Percentage |
|--------|-----------------|----------------|
|--------|-----------------|----------------|

|  |                     |              |
|--|---------------------|--------------|
| <b>Triad Mechanical Contractors Company</b><br><b>Charleston, South Carolina 29417</b><br><b>Principal: Ron Runyon</b> | <b>\$275,017.00</b> | <b>15.1%</b> |
| McCarter Mechanical Incorporated<br>Spartanburg, South Carolina 29303<br>Principal: Scott McCarter                     | \$388,679.00        | 100%         |

Committee recommended that Council authorize award of bid for the Law Enforcement Center Cooling Tower Addition to Triad Mechanical Contractors, Inc., the lowest responsive and responsible bidder, in the amount of \$275,017.00, with the understanding that funds are available in the Facilities budget for maintenance projects.

A report was provided by the Finance Committee under date of August 17, 2017, that it considered the information furnished by County Administrator Jennifer Miller and Contracts and Procurement Director Barrett Tolbert regarding the need to award a contract for the Sanitary Sewer Extension at Bees Ferry Landfill. It was stated that submittals were received for the sanitary sewer extension at the Bees Ferry Landfill Environmental Management. The recommendation for award is for an independent contractor to furnish all labor, supervision, materials, and equipment required to perform and complete the sanitary sewer extension at the Bees Ferry Landfill.

It was shown that submittals were received in accordance with the terms and conditions of Invitation for Bid No. 5182-17J and that the mandatory Small Business Enterprise (SSE) utilization for this project was 12.2%. The bid tabulation is as follows:

| Bidder  | Total Bid Price | SBE Percentage |
|---|-----------------|----------------|
| Triad Engineering and Contracting Company<br>Charleston, South Carolina 29492<br>Principal: Clifford J. Kassouf | \$426,600.00    | 12.3%          |
| *MJL, Incorporated<br>Moncks Corner, South Carolina 29461<br>Principal: Averil D. McCoy, III                    | \$477,447.00    | 7.7%           |
| *Anson Construction Company<br>Charleston, South Carolina 29417<br>Principal: P.F.Stutsman                      | \$528,600.00    | 1.6%           |

\*Two of the bids were found non responsive, for failure to meet SBE percentage.

Committee recommended that Council authorize award of bid for the Sanitary Sewer Extension at the Bees Ferry Landfill to Triad Engineering and Contracting Company, the lowest responsive and responsible bidder, in the amount of \$426,600.00 with the understanding that funds are available in the Environmental Management Department budget.

A report was provided by the Finance Committee under date of August 17, 2017, that it considered the information furnished by County Administrator Jennifer Miller and Budget Director Mack Gile regarding a FEMA Hazard Mitigation Grant received for the Severe

Storms and Flooding. It was stated that FEMA's Hazard Mitigation Grant Program (HMGP) provides grants to states and local governments for long-term hazard mitigation projects after a major disaster declaration. The purpose of the program is to reduce the loss of life and property in future disasters by funding mitigation measures during the recovery phase of a natural disaster. HMGP funding becomes available when a Presidential Disaster Declaration has been made.

The South Carolina Emergency Management Department (SCEMD) received HMGP funding as a result of Presidential Disaster Declaration 4241 that was issued on October 5, 2015 for the State of South Carolina as a result of severe storms and flooding. Charleston County applied for and has been awarded Phase 1 of \$4,835,002 in HMGP funding via the SCEMD for drainage improvements to Main Road.

The proposed project will protect a large portion of Main Road (State Road S-10-20) from inundation of the 100-year rain fall event (100-year event). The project will also provide protection to the local population of Seabrook Island, Kiawah Island, Johns Island, and Wadmalaw Island by ensuring access remains available for the primary evacuation route in case of an emergency situation. The purpose of this mitigation project is to protect a critical emergency evacuation route for a significant number of residents residing on the islands of South Carolina.

It was shown that Charleston County proposes the completion of two primary mitigation objectives to ensure the level of protection required to properly mitigate flood inundation of Main Road. The first objective is to replace pre-existing crossline piping with a series of 24-inch RCP piping underneath Main Road approximately 700 feet south of US Hwy 17. The newly installed box culvert system will serve to re-establish a historic connection of the marsh system on the east and west sides of Main Road that have been severely limited by the roadway's construction. This water connection would allow both tidal floodwaters from the tidal prism between Main Road and the CSX Railroad embankment moving inland and riverine floodwaters that flow westward to equalize underneath Main Road, rather than forcing the water to build up on the east side and overtop the roadway. Currently, Main Road is a county designated emergency evacuation route for citizens of the aforementioned islands (approximately 22,080 residents). This mitigation project will not only maintain the availability and functioning of Main Road to the flood hazard event but also significantly reduce the surrounding population's vulnerability to flood hazards by allowing the necessary evacuation access.

Committee recommended that Council authorize staff to accept a grant of \$4,835,002 from the South Carolina Emergency Management Department (SCEMD) under FEMA's Hazard Mitigation Grant Program (HMGP): Severe Storms and Flooding for the Main Road Drainage Improvement Project with the understanding that the 25% match will be provided from a combination of the Public Works General Fund budget and the disaster-related funding that was previously approved on June 2, 2016 from the Roads Program in the Transportation Sales Tax.

A report was provided by the Finance Committee under date of August 17, 2017, that it considered the information furnished by County Administrator Jennifer Miller and Budget Director Mack Gile regarding a FEMA Hazard Mitigation Grant received for Hurricane Matthew. It was stated that FEMA's Hazard Mitigation Grant Program (HMGP) provides grants to states and local governments for long-term hazard mitigation projects after a



major disaster declaration. The purpose of the program is to reduce the loss of life and property in future disasters by funding mitigation measures during the recovery phase of a natural disaster. HMGP funding becomes available when a Presidential Disaster Declaration has been made.

The South Carolina Emergency Management Department (SCEMD) received HMGP funding as a result of Presidential Disaster Declaration 4286 that was issued on October 13, 2016 for the State of South Carolina as a result of Hurricane Matthew. Charleston County applied for \$4,835,002 in HMGP funding for Hurricane Matthew for drainage improvements to Main Road.

The proposed project will protect a large portion of Main Road (State Road S-10-20) from inundation of the 100-year rain fall event (100-year event). The project will also provide protection to the local population of Seabrook Island, Kiawah Island, Johns Island, and Wadmalaw Island by ensuring access remains available for the primary evacuation route in case of an emergency situation. The purpose of this mitigation project is to protect a critical emergency evacuation route for a significant number of residents residing on the islands of South Carolina.

It was shown that Charleston County proposes the completion of two primary mitigation objectives to ensure the level of protection required to properly mitigate flood inundation of Main Road. The first objective is to replace pre-existing crossline piping with a series of 24-inch RCP piping underneath Main Road approximately 700 feet south of US Hwy 17. The newly installed box culvert system will serve to re-establish a historic connection of the marsh system on the east and west sides of Main Road that have been severely limited by the roadway's construction. This water connection would allow both tidal floodwaters from the tidal prism between Main Road and the CSX Railroad embankment moving inland and riverine floodwaters that flow westward to equalize underneath Main Road, rather than forcing the water to build up on the east side and overtop the roadway. Currently, Main Road is a county designated emergency evacuation route for citizens of the aforementioned islands (approximately 22,080 residents). This mitigation project will not only maintain the availability and functioning of Main Road to the flood hazard event but also significantly reduce the surrounding population's vulnerability to flood hazards by allowing the necessary evacuation access.

Committee recommended that Council authorize staff to accept a grant of \$4,835,002 from the South Carolina Emergency Management Department (SCEMD) under FEMA's Hazard Mitigation Grant Program (HMGP): Hurricane Matthew for the Main Road Drainage Improvement Project with the understanding that the 25% match will be provided from a combination of the Public Works General Fund budget and the disaster-related funding that was previously approved on June 2, 2016 from the Roads Program in the Transportation Sales Tax.

A report was provided by the Finance Committee under date of August 17, 2017, that it considered the information furnished by County Administrator Jennifer Miller and Budget Director Mack Gile regarding the need to approve a Public Assistance Funding Agreement for Hurricane Matthew. It was stated that during October 2016, Charleston County experienced damage from Hurricane Matthew. On October 11, 2016; President Barack H. Obama issued a major disaster declaration FEMA-4286-DR-SC for the State of South Carolina as a result of severe storms and flooding. This declaration authorized public

assistance.

On October 13, 2016; the State of South Carolina and the Federal Emergency Management Agency (FEMA) entered into an agreement that governs the use of public assistance funds. This agreement requires the State to share the costs eligible for federal financial assistance; and as a result, the State of South Carolina has undertaken the sharing of these costs with its subrecipients (i.e. local jurisdictions including Charleston County). To participate in the reimbursement of eligible costs, the State required the County to execute an agreement with the State.

It was shown that the County is currently working with FEMA on the actual costs of this event and the allowed projects that are eligible for reimbursement. The amount which may be reimbursed by FEMA for this event is 75% to 85% depending on the category and time frame. The State has included funds in the State's FY 2018 budget for the State's and local jurisdictions' match. If the State funding is not sufficient for the match for the Debris and Emergency Measures categories, the County anticipates absorbing the match from the FY 2017 General Fund or Environmental Management budgets. If the State funding is not sufficient for the match for the Permanent Work (roads and bridges, and water control facilities) categories, the County anticipates utilizing funds from the roads portion of the Transportation Sales Tax previously authorized for disaster-related costs for the Severe Storms and Flooding.

Committee recommended that Council:

- Authorize Subrecipient Public Assistance Funding Agreement with the State of South Carolina for Hurricane Matthew (FEMA-4286-DR-SC).
- Authorize Mack Gile, Budget Director, to serve as the primary designated agent and LoElla Smalls, Assistant Budget Director, to serve as the alternate agent for Charleston County in conjunction with this agreement.
- Appropriate up to \$2,000,000 from the Roads portion of the Transportation Sales Tax for the match not covered by the State for the FEMA approved Permanent Work (roads and bridges, and water control facilities).

A report was provided by the Finance Committee under date of August 17, 2017, that it considered the information furnished by County Administrator Jennifer Miller and Board of Elections and Voter Registration Executive Director Joe Debney regarding contributions received for the Vote in Honor of a Veteran Program. It was stated that "Vote in Honor of a Veteran" is a county-wide program that offers recognition of our brave veterans and will provide encouragement to our citizens to vote in greater numbers. This program is aimed at raising awareness about the importance of voting and highlighting the bond between our veterans and democracy.

The Charleston County Board of Elections will work with local and state military groups and organizations to provide speakers to schools. These veterans will share their stories of combat; where they were stationed, what they experienced and the importance of democracy and voting in the United States. The plan is to provide students, parents and those in the community with cards to fill out at the veteran's speaking engagements. These cards will serve as testimonials and a pledge for these individuals who want to vote

in honor of a veteran. The cards will be published on the County website.

Vote in Honor of a Veteran will be presented to the Charleston County School Board for consideration to implement as a county-wide curriculum. A year-long High School curriculum will be proposed. Each phase of the program will correspond with a particular month. At the end of each phase, a particular goal should be met with the overall goal of getting the student to vote.

Students who register to vote and write an essay for why they are honoring a veteran with their vote will be eligible for scholarships. These scholarships will be awarded from contributions given to the County for the "Vote in Honor of a Veteran" program. The goal is to annually receive \$25,000 in contributions.

Committee recommended that Council authorize the acceptance of contributions for scholarships related to the "Vote in Honor of a Veteran" program.

A report was provided by the Finance Committee under date of August 17, 2017, that it considered the information furnished by County Administrator Jennifer Miller and Budget Director Mack Gile regarding the FY 18 CARTA Budget. It was stated that state Regional Transportation Authority Law requires the Charleston Area Regional Transportation Authority (CARTA) Board of Directors to adopt an annual budget that has been approved by jurisdictions representing 50 percent of the population in its service area. At their June 21, 2017 meeting, the CARTA board approved the CARTA Fiscal Year 2018 Annual Budget and submitted it to each member jurisdiction for approval.

It was shown that the total requested FY2018 budget is \$42,260,821. This is a \$10,720,815 increase from their FY2017 adjusted budget which is due to capital expenses related to the Intermodal Center construction and buses (rolling stock). CARTA's FY2018 budget includes \$10,606,750 in Transportation Sales Tax funding which was previously approved by County Council as part of the County's FY2018 budget.

Committee recommended that Council approve the Fiscal Year 2018 Charleston Regional Transportation Authority Operating and Capital budget totaling \$42,260,821 in both revenues and expenses.

A report was provided by the Finance Committee under date of August 17, 2017, that it considered the information furnished by County Administrator Jennifer Miller and Charleston County Coroner Rae Wooten regarding an application to be submitted by the Coroner's Office to the Paul Coverdell Grant Program. It was stated that the Charleston County Coroner's Office is requesting permission to apply for the FY2017 SC Department of Public Safety, Office of Highway Safety and Justice Programs, Paul Coverdell Forensic Science Improvement Grant. This grant program provides funds to improve the quality and timeliness of forensic science and medical examiner/coroner's office services. The Coroner's Office is requesting \$50,000.00 from the SC Department of Public Safety to fund a one-year, part-time forensic laboratory assistant and related equipment.

It was shown that the forensic laboratory assistance will assist the Coroner with set-up, organization of the autopsy space in the new building. The forensic laboratory assistant will also assist with all external investigation, laboratory specimen collection, and documentation of autopsy and forensic services.

Committee recommended that Council approve the Coroner's Office request to apply to the FY2017 SC Department of Public Safety, Office of Highway Safety and Justice Programs, Paul Coverdell Forensic Science Improvement Grant Program with the understanding that the request is in the amount of \$50,000.00 to employ one one-year grant funded PTE positions, no match is associated with this grant, the Coroner's Office understands that the County is under no obligation to support the costs associated with these PTE positions at the end of the grant period, the grant period is January 1, 2018 through December 31, 2018, and there is no ongoing commitment for the County associated with this request.

The previous item was the last item on the Consent Agenda.

The Chairman announced that the next item on the agenda was appointments to boards and commissions and reminded Council of the County Council rule 2.9, which states, "Nominations for appointment to boards and commissions shall not be made from the floor at County Council meetings."

Mr. Summey moved approval of appointments to boards and commissions as recommended by the Finance Committee, seconded by Mr. Pryor, and carried.

Finance Committee recommendations for appointments to Boards and Commissions are as follows:

Committee recommended that Council reappoint Karol Hodge, Margie Hardwick, and Elizabeth Moffly to the Awendaw-McClellanville Consolidated Fire District Advisory Board for terms to expire in April 2019.

Committee recommended that Council make the following appointments to the Construction Board of Adjustment and Appeals:

| <b>NAME</b>          | <b>POSITION</b>     | <b>TERM EXPIRATION</b> |
|----------------------|---------------------|------------------------|
| Wesley Linker        | Civil Engineer      | July 2020              |
| Michael Powers       | Architect           | July 2020              |
| John P. Michel       | Plumbing Contractor | July 2021              |
| Ralph Martin         | Structural Engineer | July 2019              |
| Jeffrey Duncan Stasz | General Contractor  | July 2021              |

Committee recommended that Council recommend that the Governor reappoint Carol Etheridge and David Glover to the Saint Andrew's Parks & Playground Commission for terms to expire in July 2020.

Committee recommended that Council make the following appointments to the Weed and Trash Abatement Hearing Board:

1. appoint Gillian Nicole Mechling for a term to expire in June 2019.
2. appoint Gregory Whitaker for a term to expire in June 2020.

Committee recommended that Council recommend that the State Forester reappoint Fredrick William Kinard, Jr. to the Forestry Board for a term to expire in June 2022.

Committee recommended that Council reappoint Robert Reid and Curtis B. Inabinett, Jr. to the Tri-County Link Board of Directors for terms to expire in June 2019.

Committee recommended that Council make the following appointments to the Procurement Appeals Board:

1. reappoint Elliotte Quinn for a term to expire in June 2019.
2. appoint Paul Markowski, Paul Adams, and Andrew Connor for terms to expire in June 2020.

Committee recommended that Council reappoint Chaun Pflug and Glenn Goodwin and appoint Brian Bevon and Barry Kalinsky to the Board of Assessment Appeals for terms to expire in June 2021.

Committee recommended that Council appoint T. Dyllan Rankin to the Library Board of Trustees to fill the unexpired term of Peter McKellar due to expire in December 2018 and for a full term to expire in December 2022.

Committee recommended that Council appoint Timothy Ascue to the Berkeley-Charleston-Dorchester Council of Governments for a term to expire in January 2019.

Committee recommended that Council recommend that the Governor make the following appointments to the Charleston County Park and Recreation Commission:

1. reappoint Mattese Lecque and Andy Thomas for terms to expire in June 2019.
2. appoint Dale Aren to replace Benjy Cooke for a term to expire in June 2019.

The previous item was the last appointment to boards and commissions on this agenda.

A report was provided by the Finance Committee under date of August 17, 2017, that it considered the information furnished by County Administrator Jennifer Miller and Budget Director Mack Gile regarding the FY 2018 Community Investment Allocations. It was stated that as part of the annual budget process, a lump sum amount was appropriated in the General Fund for future allocation to agencies. Council has committed \$300,000 in the Fiscal Year 2018 budget for the Community Investment Funding.

It was shown that applications were received from 41 organizations totaling \$387,190. After applying the Community Investment policy criteria, there were 5 small organizations requesting a total of \$42,975 and 22 large organizations requesting a total of \$204,892. Although the large organizations exceed 2/3 of the \$300,000; funds could be made available to all eligible organizations because the small organizations were below 1/3 of the \$300,000.

Committee recommended that Council approve allocations for the FY 18 Community Investment Program as follows:

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| Community Investment FY18                     |                  |                      |                      |                       |                                 |          |                      |                      |
|---|------------------|----------------------|----------------------|-----------------------|---------------------------------|----------|----------------------|----------------------|
| Organization                                  | Amount Requested | Application Criteria | Other County Funding | Not Religious Purpose | Spent More than 75% on Programs | Eligible | Small Policy Maximum | Large Policy Maximum |
| American College of the Building Arts         | 10,000           |                      |                      |                       |                                 |          |                      | 10,000               |
| American Music System Charleston              | 8,500            |                      |                      |                       |                                 |          | 8,500                |                      |
| American Red Cross                            | 10,000           |                      |                      |                       |                                 |          |                      | 10,000               |
| Association for the Blind & Visually Impaired | 10,000           |                      |                      |                       |                                 |          |                      | 10,000               |
| Augusta Warrior Project                       | 10,000           |                      |                      |                       |                                 |          |                      | 10,000               |
| Barrier Islands Free Medical Clinic           | 10,000           |                      |                      |                       |                                 |          |                      | 10,000               |
| Charleston Area Senior Citizens Service       | 9,984            |                      | 10,000               |                       |                                 | No       |                      |                      |
| Charleston Jewish Federation                  | 9,000            |                      |                      |                       |                                 |          |                      | 9,000                |
| Charleston Miracle League                     | 9,475            |                      |                      |                       |                                 |          | 9,475                |                      |
| Charleston Port & Seafarers' Society, Inc.    | 5,000            |                      |                      |                       | No                              | No       |                      |                      |
| Charleston Pro Bono Legal Services            | 10,000           |                      | 20,000               |                       |                                 | No       |                      |                      |
| Charleston Promise Neighborhood               | 10,000           |                      |                      |                       |                                 |          |                      | 10,000               |
| Charleston Symphony Orchestra                 | 10,000           |                      | 5,694                |                       |                                 |          |                      | 4,306                |
| Crime Stoppers of the Lowcountry              | 4,000            |                      |                      |                       | No                              | No       |                      |                      |
| Disability Resource Center                    | 9,961            |                      |                      |                       |                                 |          |                      | 9,961                |
| Dream Center Clinic, Inc.                     | 5,000            |                      |                      |                       |                                 |          | 5,000                |                      |
| East Cooper Habitat for Humanity              | 10,000           |                      |                      |                       |                                 |          |                      | 10,000               |
| Engaging Creative Minds                       | 10,000           |                      |                      |                       | No                              | No       |                      |                      |
| Family Services, Inc.                         | 10,000           |                      |                      |                       |                                 |          |                      | 10,000               |
| Father to Father Project                      | 10,000           |                      |                      |                       |                                 |          |                      | 10,000               |
| Lowcountry Food Bank                          | 9,170            |                      |                      |                       |                                 |          |                      | 9,170                |
| One80 Place, Inc.                             | 10,000           |                      | 75,000               |                       |                                 | No       |                      |                      |
| Our Lady of Mercy Community Outreach          | 10,000           |                      |                      |                       |                                 |          |                      | 10,000               |
| Palmetto Community Action Partnership         | 10,000           |                      | 10,000               |                       |                                 | No       |                      |                      |
| Palmetto Project (Begin With Books Program)   | 10,000           |                      |                      |                       |                                 |          |                      | 10,000               |
| The Partners for a Better Community           | 10,000           | No                   |                      |                       | No                              | No       |                      |                      |
| People Against Rape                           | 10,000           |                      |                      |                       |                                 |          |                      | 10,000               |
| Pet Helpers                                   | 10,000           |                      |                      |                       | No                              | No       |                      |                      |
| Reading Partners                              | 10,000           |                      |                      |                       |                                 |          |                      | 10,000               |
| Ronald McDonald House Charities               | 9,600            |                      |                      |                       | No                              | No       |                      |                      |
| Sea Island Habitat for Humanity               | 10,000           |                      |                      |                       |                                 |          |                      | 10,000               |
| South Carolina Historical Society             | 7,500            |                      | 7,545                |                       |                                 |          |                      | 2,455                |
| South Carolina Legal Services                 | 10,000           |                      |                      |                       |                                 |          |                      | 10,000               |
| Trident Literacy Association                  | 10,000           |                      | 30,000               |                       |                                 | No       |                      |                      |
| Turning Leaf Project                          | 10,000           |                      | 85,000               |                       | No                              | No       |                      |                      |
| Veterans on Deck                              | 10,000           |                      |                      |                       |                                 |          | 10,000               |                      |
| Village Repertory Co                          | 10,000           |                      |                      |                       |                                 |          |                      | 10,000               |
| We Are Family                                 | 10,000           |                      |                      |                       | No                              | No       |                      |                      |
| Windwood Farm Home for Children, Inc.         | 10,000           |                      |                      |                       |                                 |          |                      | 10,000               |
| YWCA of Greater Charleston                    | 10,000           |                      |                      |                       | No                              | No       |                      |                      |
| Youth Empowerment Services, Inc. (Y.E.S.)     | 10,000           |                      |                      |                       |                                 |          | 10,000               |                      |
| <b>Total</b>                                  | <b>387,190</b>   |                      |                      |                       |                                 | 247,867  | 42,975               | 204,892              |
| <b>Applicants</b>                             | <b>41</b>        |                      |                      |                       |                                 | 27       | 5                    | 22                   |

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

A report was provided by the Finance Committee under date of August 17, 2017, that it considered the information furnished by County Administrator Jennifer Miller and Economic Development Director Steve Dykes regarding financial incentives extended to an economic development prospect working under the code name "Project Battlefield". It was stated that in 2017, the Economic Development Director held discussions with

executives from 'Project Battlefield' in which the company outlined an interest in expanding its defense-related business in North Charleston.

'Project Battlefield' will invest \$2.9 million to construct a new building, along with the business personal property necessary to expand its current operations. The company will create 31 new jobs (average annual salary of \$120,036) with an added annual payroll of \$3.7 million.

Over the next twenty years, annual property tax revenues to the various taxing entities from the expansion should approximate \$956,000, with approximately \$119,482 of that figure coming due to Charleston County.

It was shown that to support this company relocation effort, the Economic Development Director committed to Multi-County Industrial Park (MCIP) designation, and a Special Source Revenue Credit (SSRC). The SSRC encompasses 16% of the 20-year revenues from ad valorem taxes associated with the real property and business personal property investment made by the company, not to exceed \$150,000.

*(NOTE: For competitive and timing reasons, the company has requested to have its identity remain confidential at this time. The company will make a public announcement regarding its project, or otherwise reveal its identity prior to public hearing and final reading by County Council.)*

Committee recommended that Council approve and give first reading to an ordinance authorizing the execution and delivery of a Special Source Revenue Credit (SSRC) to facilitate the \$2.9 million 31-person defense-related business expansion by 'Project Battlefield.' An SSRC will be made available, equaling to 16% of the 20-year revenues from ad valorem taxes associated with the real property and business personal property investment made by the company, not to exceed \$150,000. Charleston County also pledges to include the property in its Charleston-Colleton Multi-County Industrial Park (MCIP) by taking legislative action at a date later in 2017.

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

An ordinance approving financial incentives for Project Battlefield was given first reading by title only.

**AN ORDINANCE  
PROVIDING FOR INFRASTRUCTURE OR SPECIAL SOURCE REVENUE CREDITS  
TO MISSION SOLUTIONS GROUP, INC.; AN INFRASTRUCTURE CREDIT  
AGREEMENT BETWEEN CHARLESTON COUNTY AND MISSION SOLUTIONS  
GROUP, INC.; PROVIDING FOR THE ALLOCATION OF FEES-IN-LIEU OF TAXES  
PAYABLE UNDER THE AGREEMENT FOR DEVELOPMENT FOR A JOINT COUNTY  
INDUSTRIAL PARK WITH COLLETON COUNTY; AND OTHER MATTERS  
RELATING THERETO.**

The ordinance in its entirety shall appear in the Minutes of Charleston County Council at the time of third reading.

A report was provided by the Finance Committee under date of August 17, 2017, that it considered the information furnished by County Administrator Jennifer Miller and Economic Development Director Steve Dykes regarding financial incentives extended to an economic development prospect working under the code name "Project Polar Bear". It was stated that in 2017, the Economic Development Director held discussions with executives from 'Project Polar Bear' in which the company outlined an interest in expanding its existing automotive manufacturing operation in North Charleston.

'Project Polar Bear' will invest approximately \$36 million on a real property expansion, as well as machinery & equipment. The company will create 115 new jobs (average annual salary of \$33,083) with an added annual payroll of \$3.8 million.

Over the next twenty years, annual property tax revenues to the various taxing entities from the expansion should approximate \$4.8 million, with approximately \$791,420 of that figure coming due to Charleston County.

It was shown that to support this company relocation effort, the Economic Development Director committed to Fee-in-Lieu-of-Taxes (FILOT) and Multi-County Industrial Park (MCIP) designation. FILOT terms will include an assessment rate of 6%, with millage 'fixed' at its current level over the 20-year term.

*(NOTE: For competitive and timing reasons, the company has requested to have its identity remain confidential at this time. The company will make a public announcement regarding its project, or otherwise reveal its identity prior to public hearing and final reading by County Council.)*

Committee recommended that Council approve and give first reading to an ordinance authorizing the execution and delivery of fee-in-lieu-of-taxes (FILOT) to facilitate the \$36 million 115-person automotive manufacturing expansion by 'Project Polar Bear.' FILOT terms will include an assessment rate of 6%, with millage 'fixed' at its current level of 281 over the 20-year term. Charleston County also pledges to include the property in its Charleston-Colleton Multi-County Industrial Park (MCIP) by taking legislative action at a date later in 2017.

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

An ordinance approving financial incentives for Project Polar Bear was given first reading by title only.

#### **AN ORDINANCE**

**AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF TAX AGREEMENT BY AND BETWEEN CHARLESTON COUNTY AND AN INDUSTRY CURRENTLY KNOWN TO THE COUNTY AS "PROJECT POLAR BEAR," WHEREBY CHARLESTON COUNTY WILL ENTER INTO A FEE-IN-LIEU OF TAXES ARRANGEMENT WITH "PROJECT POLAR BEAR"; PROVIDING FOR PAYMENT BY "PROJECT POLAR BEAR" OF CERTAIN FEES IN LIEU OF AD VALOREM TAXES; AND OTHER MATTERS RELATING THERETO.**

The ordinance in its entirety shall appear in the Minutes of Charleston County Council at



the time of third reading.

A report was provided by the Finance Committee under date of August 17, 2017, that it considered the information furnished by County Administrator Jennifer Miller and Facilities Director Tim Przybylowski regarding the proposed purchase of the property located at 3681 Leeds Avenue. It was stated that the Azalea Complex is programmed for a transformative multi-year expansion and upgrade in the current FY2018-FY2022 Capital Improvement Plan. In support of the Azalea Complex Master Plan, Council recently authorized the acquisition of 4341 Dorchester Road which expanded the Complex to the northeast and added a much needed third access point along Dorchester Road.

3681 Leeds Avenue is at the corner of Headquarters Road and Leeds Avenue, west of the Azalea Complex encompassing 5 acres and a 48,725 SF building. Owners of 3681 Leeds Avenue are motivated to sell their parcel for the current appraised value which is \$3,000,000 as of May 2017 contingent on the existing tenant, Garnet Logistics Inc., continuing its operation on the premises rent free through December 31, 2019.

The acquisition of 3681 Leeds Ave offers both short and long term benefits to the Azalea Complex Master Plan. In the short term, 3681 Leeds Avenue provides potential swing space to mitigate continuity of operation interruptions inherent with a phased implementation plan. In the long term, 3681 Leeds Avenue provides a more appropriate public portal for certain users whose mission is citizen and service focused. Azalea Properties LLC, as owners of 3681 Leeds Avenue, has indicated their willingness to accept \$3,000,000 for the property with certain conditions. The proposed purchase price is within the approved FY18 budget earmarked for this project of \$3.5 Million, which allows continuity of service from Master Planning into Design to maintain project momentum. Staff considers the following Seller requests to be fair and reasonable:

Leaseback to Garnett Logistics Inc. from closing date through 12/31/19 for \$1 per year.

County to pay property taxes and property/building insurance.

Tenant to pay warehouse goods, content, equipment, business operation, personnel insurances and anything pertaining to its operation.

Tenant to pay all operating expenses including utilities, custodial, maintenance, repair, telephone, etc.

Committee recommended that Council:

1. Authorize the purchase of 3681 Leeds Avenue, North Charleston, South Carolina, TMS 411-13-00-006 for \$3,000,000.
2. Authorize staff to prepare a Purchase and Sales Agreement, negotiate its terms with the Seller, Azalea Properties LLC, and upon Legal Office review, have signed by the Chairman of Council.
3. Authorize reimbursement from future bonds for expenditure of \$2,000,000 for the Azalea Complex to supplement the \$1,500,000 previously authorized for reimbursement in conjunction with the FY 2018-FY2022 Debt Management Plan's approval.

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

A report was provided by the Finance Committee under date of August 17, 2017, that it considered the information furnished by County Administrator Jennifer Miller and Transportation Development Director Steve Thigpen regarding a request to send a letter to SCDOT regarding the Ashley River Bridge Bike and Pedestrian Lane Project. It was stated that on September 20, 2016, Charleston County Council directed staff to ask SCDOT to report to Council on the structural integrity of the Ashley River Bridge and to make a study to determine if, with the addition of projected growth on Folly Road, the bridge can functionally handle the increased traffic with the reduction of one lane. Based on that direction, staff worked with SCDOT and the City to answer the questions appropriately.

It was stated that the structural integrity of the bridge has been studied in depth by the County's consultant on this project and the bridge is currently being monitored and maintained by SCDOT's consultant. Based on the information provided by our consultant and the SCDOT, the bridge is structurally sound and there are no plans for it to be replaced within the next 10 years. Therefore, staff moved the focus to the traffic analysis of closing down one lane on the bridge, which lead to multiple meetings between the SCDOT and the City to determine the best manner in which to measure the level of service of the traffic. Those conversations lead staff to have our consultant use the results of the 2016 lane closure test to recalibrate the traffic simulation model so that the predicted conditions from the model matched the measured conditions of the lane closure test. Once the model was recalibrated, it could be used to predict when the approaching roads and bridge would reach an unacceptable level of service.

Based upon the updated traffic model, the level of service for the road network within the project limits during the peak hour will reach an average LOS of F and the travel times will increase by an average of 31%, (+34 secs) on the day the project is completed. By 2028, the travel times are expected to increase by 75% (+88 secs) and the LOS will continue to worsen. In particular, the travel times on Folly Road increase by 47% (+57 sec) immediately and up to 100% (+133 secs) by 2028.

The project currently has sufficient funds to complete final design and permitting, but additional funds will need to be authorized by County Council to complete the construction of the proposed bike/ped lane conversion. The cost to complete the project is currently estimated at \$2.0 million and we currently have a project balance of approximately \$600,000.

Committee recommended that Council:

1. authorize staff to send the SCDOT a letter informing them that Charleston County does not support closing a lane on the Ashley River Bridge to create a bike and pedestrian lane based upon the traffic study results indicating that the roadway network would operate at a level of service "F" after construction and due to the impacts that would impose upon Charleston County citizens during the morning rush hour.
2. hold the appropriation for this project until staff coordinates with the City of

Charleston and SCDOT regarding the possibility of a bike path on the James Island Connector.

Mr. Pryor moved approval of the committee recommendation. Mr. Moody seconded the motion.

Mr. Moody remarked that if there are plans on the shelf for safe pedestrian and bike passage over the Ashley River to dust them off and bring them forward. He wants pedestrian and bike access across the Ashley River to work while working together in good faith with bike lane advocates. He also remarked that

The Chairman called for a vote on the motion, which passed. Mr. Schweers voted against the motion.

A report was provided by the Finance Committee under date of August 17, 2017, that it considered the information furnished by County Administrator Jennifer Miller and Transportation Development Director Steve Thigpen regarding the need to approve the FY 18 Transportation Sales Tax Annual Allocation Projects. It was stated that staff has utilized the approved Objective Evaluation and Prioritization process to create a prioritized list of projects to be funded by FY 2018 Annual Allocation funds from the Transportation Sales Tax. The list includes carryover projects and new requests within each Allocation Category.

Committee recommended that Council approve the list of prioritized projects, which were developed through the use of the Objective Evaluation and Prioritization Process, to be funded by the Annual Allocation funds of the Transportation Sales Tax for Fiscal Year 2018.

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

A report was provided by the Finance Committee under date of August 17, 2017, that it considered the information furnished by County Administrator Jennifer Miller, Economic Development Director Steve Dykes, and County Attorney Joe Dawson in Executive Session regarding financial incentives extended to Mercedes Benz Vans in association with their upcoming plant expansion.

Committee recommended that Council amend the 2014 fee-in-lieu-of-taxes (FILOT) agreement with Mercedes Benz Vans to include the issuance of \$33.1 million in Special Source Revenue Bonds (SSRBs), or alternatively, to grant Special Source Revenue Credits (SSRCs) consisting of 73% of revenues in Years 1-22, not to exceed \$48 million and approve and give first reading to ordinances to effect these amendments with the right to amend up to third reading.

Mr. Summey moved approval of the committee recommendation, seconded by Mr. Pryor, and carried. Messrs. Qualey and Schweers voted against the motion.

An ordinance making the necessary amendment to the 2014 FILOT agreement was given first reading by title only.

AN ORDINANCE AUTHORIZING (1) THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT AND RESTATEMENT OF THAT CERTAIN FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT DATED AS OF MAY 19, 2015 ("ORIGINAL FEE AGREEMENT") BY AND BETWEEN CHARLESTON COUNTY, SOUTH CAROLINA (THE "COUNTY") AND MERCEDES-BENZ VANS, LLC (F/K/A DAIMLER VANS MANUFACTURING, LLC) (THE "COMPANY"); AND (2) OTHER MATTERS RELATING THERETO

The ordinance in its entirety shall appear in the Minutes of Charleston County Council at the time of third reading.

An ordinance authorizing the County to issue Special Source Revenue Bonds (SSRBs) for the Mercedes-Benz Vans project was given first reading by title only.

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF CHARLESTON COUNTY, SOUTH CAROLINA SPECIAL SOURCE REVENUE BONDS; PRESCRIBING THE FORM OF BONDS; LIMITING THE PAYMENT OF THE BONDS SOLELY FROM CERTAIN REVENUES DERIVED FROM THE PAYMENT OF FEES IN LIEU OF TAXES FROM A DESIGNATED MULTI-COUNTY PARK LOCATED IN CHARLESTON COUNTY AND PLEDGING CERTAIN REVENUES OF SUCH PAYMENT; CREATING CERTAIN FUNDS AND PROVIDING FOR PAYMENTS INTO SUCH FUNDS; AND MAKING OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH THE FOREGOING; THE ENTERING INTO OF CERTAIN COVENANTS AND AGREEMENTS; AND THE EXECUTION AND DELIVERY OF CERTAIN INSTRUMENTS RELATING TO THE ISSUANCE OF THE AFORESAID BONDS, INCLUDING A SECOND SUPPLEMENTAL TRUST INDENTURE AND CERTAIN OTHER MATTERS RELATING THERETO.

The ordinance in its entirety shall appear in the Minutes of Charleston County Council at the time of third reading.

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

Mr. Sass stated that he agreed with Mr. Moody's comments about the bike lane.

Mr. Summey noted that today was Mrs. Craven's last meeting. He stated that since the time he was 11 years old, she had been a special person in his life and claimed her as his adopted grandmother, he wished her well in her retirement.

Mr. Darby apologized to Messrs. Dawson and Smalls for personal remarks he made in Executive Session. He also remarked that Mrs. Craven had been the most honest, gentle person he had ever met in his political life.

Mr. Moody stated that the mark of a true leader is to leave a good successor behind and Mrs. Craven was doing that.

Chairman Rawl stated that he was refreshed by the overwhelming number of applications for boards and commissions and he hoped it was a new well-spring of civic involvement.

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

Kristen L. Salisbury  
Deputy Clerk of Council