

June 21, 2022
North Charleston, SC

A meeting of Charleston County Council was held at 5:30 pm on the 21st day of June 2022, 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.

The following Councilmembers were present: Teddie E. Pryor, Sr., Chairman, who presided; Henry Darby, Jenny Costa Honeycutt, Anna Johnson, Kylon Jerome Middleton, Brantley Moody, Herb Sass, Dickie Schweers, and Robert L. Wehrman.

County Administrator Bill Tuten and County Attorney Natalie Ham were also present.

Mr. Moody gave the invocation and Deputy County Administrator for Finance Corine Altenhein led the pledge.

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

The Chairman announced the next item on the agenda was approval of minutes of June 7, 2022. Mr. Moody moved approval of the minutes, seconded by Mr. Sass, and carried.

The Chairman announced the next item on the agenda was a resolution honoring Chaplain Eva Smalls Smith.

Mr. Middleton moved approval of the resolution, seconded by Ms. Johnson, and carried.

The resolution is as follows:

**A RESOLUTION
OF CHARLESTON COUNTY COUNCIL
*Honoring Chaplain Eva Smalls Smith***

WHEREAS, Charleston County Council recognizes that the foundation of our community is grounded in those who give of themselves selflessly to help others and from time to time have the privilege of recognizing an individual who exemplifies such a commitment; and,

WHEREAS, Eva Smalls Smith was born on June 12, 1937, in Charleston, SC, graduated from Bonds Wilson High School, received her Master's Degree from North Carolina School of Theology, and Doctor of Divinity Degree from the Christian Education Theological Seminary; and,

WHEREAS, Eva Smalls Smith married Roger Smith and together they traveled to many states and countries and have three children, eight grandchildren, four great-grandchildren, and one great-great-grandchild; and,

WHEREAS, Eva Smalls Smith is the pastor of EL-SHADDAI Trumpet Tower Networking Ministry; and,

Resolution
Honoring
Chaplain Eva
Smalls
Smith

Request to
Adopt

WHEREAS, Eva Smalls Smith began ministering at the Sheriff Al Cannon Detention Center approximately twenty-five years ago, beginning first as a volunteer and then becoming a full time employee in 2010. Her responsibilities include ministering all denominations to residents of the Detention Center, 465 staff members, and 50 Chaplain Aides, arranging and providing worship services in the Detention Center, recruiting and arranging training and volunteers, requesting donations from churches and organizations on behalf of the Detention Center, providing death and serious illness notifications, and being available at all times for any situations requiring her assistance; and,

WHEREAS, Eva Smalls Smith is a member of the Union Heights Counsel Board, Interdenominational Ministerial Alliance, UNCC Council Committee, Homeless Coalition Program, and Christian International Apostolic Network and has been twice awarded the Carroll B. Gordon Award, which is given to a Charleston County Sheriff’s Office employee who puts others first and exemplifies high standards personally and professionally as well as the Charleston County Sheriff’s Office Civilian of the Quarter four times; and,

NOW THEREFORE, BE IT RESOLVED by Charleston County Council, that Chaplain Eva Smalls Smith be commended for outstanding and professional service to her community and that the genuine appreciation of Charleston County Council be extended to her on behalf of all the citizens of this County.

CHARLESTON COUNTY COUNCIL
Teddie E. Pryor, Sr. Chairman
June 21, 2022

Chairman Pryor thanked Chaplain Eva Smalls Smith for hard work at the Sheriff Al Cannon Detention Center and in the community.

Mr. Middleton presented the resolution to Chaplain Eva Smalls Smith.

Chaplain Eva Smalls Smith thanked Council and Sheriff Kristin Graziano for this recognition. She stated that she gave all glory to the Lord and Savior Jesus Christ.

The Chairman announced the next item on the agenda was third reading of an ordinance regarding ZREZ-03-22-00131, 3347 Ladson Road.

ZREZ-03-22-00131, 3347 Ladson Road

Ordinance 3rd Reading

Prior to discussion of this matter, Mr. Darby stated his need to recuse himself on this item citing a conflict of interest due to his association with the Charleston County School District and furnished the Clerk of Council with a written statement regarding his conflict of interest.

The ordinance was given third reading by title only.

AN ORDINANCE
REZONING THE REAL PROPERTY LOCATED AT 3347 LADSON RD, PARCEL IDENTIFICATION NUMBER 390-00-00-076 FROM THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT TO THE GENERAL OFFICE (GO) ZONING DISTRICT.

WHEREAS, the property located at 3347 Ladson Road, identified as Parcel Identification Number 390-00-00-076 is currently zoned Community Commercial (CC) Zoning District; and

WHEREAS, the current owner or agent thereof requests a rezoning of the property, and a complete application for rezoning the property was submitted to the Charleston County Zoning and Planning Department requesting, among other things, that this parcel be rezoned to the General Office (GO) District, pursuant to Article 3.4 of the *Charleston County Zoning and Land Development Regulations* (ZLDR); and

WHEREAS, the Charleston County Planning Commission reviewed the application for rezoning and adopted a resolution, by majority vote of the entire membership, recommending that Charleston County Council (County Council) approve the application for rezoning based on the procedures established in South Carolina law and the Approval Criteria of Article 3.4 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 has determined the rezoning meets the following criteria of Section 3.4.6 of Article 3.4 of the ZLDR:

- A. The proposed amendment is consistent with the *Comprehensive Plan* and the stated purposes of this Ordinance;
- B. The proposed amendment will allow development that is compatible with existing uses, recommended density, established dimensional standards, and zoning of nearby properties that will benefit the public good while avoiding an arbitrary change that primarily benefits a singular or solitary interest;
- C. The proposed amendment corrects a zoning map error or inconsistency;

NOW, THEREFORE, be ordained it by the 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 PROPERTY

The property identified as Parcel Identification Number 390-00-00-076 is hereby rezoned from the Community Commercial (CC) Zoning District to the General Office (GO) Zoning District. The zoning map of Charleston County is hereby amended to conform to this change. Any development on the sites must conform to all requirements of the *Charleston County Zoning and Land Development Regulations* and other applicable laws, rules and regulations.

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 following third reading by County Council.

ADOPTED and APPROVED in meeting duly assembled this 21st day of June 2022.

CHARLESTON COUNTY COUNCIL

By: _____

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

ATTEST:

By: _____

Kristen Salisbury
Clerk of Charleston County Council

First Reading: May 24, 2022
Second Reading: June 7, 2022
Third Reading: June 21, 2022

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

Darby	- abstain
Honeycutt	- aye
Johnson	- aye
Middleton	- aye
Moody	- aye
Sass	- aye
Schweers	- aye
Wehrman	- aye
Pryor	- aye

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

The Chairman announced the next item on the agenda was third reading of an ordinance regarding the ZREZ-12-21-00129 Kiawah River Planned Development.

The ordinance was given third reading by title only.

ZREZ-12-21-00129 Kiawah River Planned Development

Ordinance 3rd Reading

AN ORDINANCE

AMENDING THE KIAWAH RIVER PLANNED DEVELOPMENT ZONING DISTRICT (PD-143B), OF THE KIAWAH RIVER DEVELOPMENT AGREEMENT, JOHNS ISLAND, SOUTH CAROLINA BY AND AMONG KIAWAH RIVER INVESTMENT, LLC AND CHARLESTON COUNTY, SOUTH CAROLINA.

WHEREAS, the properties included in the Kiawah River Development Agreement are zoned PD, Planned Development Zoning District ("PD-143B"); and

WHEREAS, the applicant seeks to amend PD-143B to allow for Limited and Extended Short-Term Rentals on designated properties and clarify Common Open Space highland acreage in conjunction with amendments to the Kiawah River Development Agreement, Johns Island, South Carolina Development Agreement, as amended by and

among Kiawah River Investment, LLC and Charleston County, South Carolina (the “Development Agreement”); and WHEREAS, the applicant submitted a complete application for PD Development Plan amendment pursuant to Article 4.25 of the Charleston County Zoning and Land Development Regulations Ordinance (“ZLDR”); and

WHEREAS, the Charleston County Planning Commission (“Planning Commission”) reviewed the proposed PD Development Plan amendments and adopted a resolution, by majority vote of the entire membership, recommending that the Charleston County Council (“County Council”) approve with conditions the proposed development plan based on the Approval Criteria of Section 4.25.8.J of the ZLDR; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least two public hearings, and after close of the public hearings, County Council approved the proposed PD Development Plan amendments with conditions based on the Approval Criteria of Section 4.25.8.J of Article 4.25 of the ZLDR; and

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

- A. The PD Development Plan complies with the standards contained in Article 4.25 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 PROPERTY

A. Charleston County Council approves the amendments to the Kiawah River Planned Development Zoning District (PD-143B), rezoning the subject properties to the Kiawah River Planned Development Zoning District (PD-143C);

B. The PD Development Plan amendments submitted by the applicant and identified as “The Kiawah River Planned Development”, submitted December 6, 2021, including the changes attached thereto as Exhibit “A” and made part of this Ordinance reference, approved by the County Council as Planned Development 143C or PD-143C, is incorporated therein by reference, and shall constitute the PD Development Plan for the parcels included in PD-143C; and

C. Any and all development of PD-143C must comply with the PD Development Plan, ZLDR, and all other applicable ordinances, rules, regulations, and laws; and

D. The zoning map for the properties included in the Kiawah River Planned Development Zoning District (PD-143B) is amended to PD-143C in accordance with Section 4.25.11 of Article 4.25 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 21st day of June 2022.

CHARLESTON COUNTY, SOUTH CAROLINA

By: _____
Teddie E. Pryor, Sr.
Chairman of Charleston County Council

ATTEST:

By: _____
Kristen L. Salisbury
Clerk to Charleston County Council

First Reading: May 24, 2022
Second Reading: June 7, 2022
Third Reading: June 21, 2022

EXHIBIT "A"
PLANNING COMMISSION RECOMMENDED CHANGES AND CONDITIONS TO
PD-143C APPROVED BY CHARLESTON COUNTY COUNCIL

1. Special Exception approval by the Board of Zoning Appeals for Extended Home Rental properties (identified on Exhibit 4.4) pursuant to the requirements of ZLDR Sec. 6.8.2.C, *Special Exception*.

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

Darby	- nay
Honeycutt	- aye
Johnson	- aye
Middleton	- nay
Moody	- aye
Sass	- aye
Schweers	- aye
Wehrman	- aye

Pryor - aye

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

The Chairman announced the next item on the agenda was third reading of an ordinance regarding the ZDA-12-21-00102 Kiawah River Development Agreement.

The ordinance was given third reading by title only.

ZDA-12-21-00102 Kiawah River Development Agreement
Ordinance 3rd Reading

**AN ORDINANCE
AMENDING THE KIAWAH RIVER DEVELOPMENT AGREEMENT, JOHNS ISLAND, SOUTH CAROLINA, BY AND AMONG KIAWAH RIVER INVESTMENT, LLC AND CHARLESTON COUNTY, SOUTH CAROLINA.**

WHEREAS, Charleston County, South Carolina ("County"), acting by and through the Charleston County Council ("County Council"), is empowered under and pursuant to the provisions of the South Carolina Local Government Development Agreement Act, Title 6, Chapter 31, Code of Laws of South Carolina 1976, as amended ("Act"), to enter into development agreements relating to property within the County; and

WHEREAS, County Council approved the Development Agreement for Kiawah River Plantation, Johns Island, South Carolina, by and among Kiawah River Plantation, LP; Ocean Boulevard Properties, A South Carolina Limited Partnership; and Charleston County, South Carolina ("Development Agreement") on December 9, 2009 (recorded in the office of the Register of Deeds on February 4, 2010), finding it consistent with the Charleston County Comprehensive Plan ("Comprehensive Plan"), the Charleston County Zoning and Land Development Regulations ("ZLDR"), and the Act; and that it is a proper exercise of the police power and other authority granted to the County government; and benefits the general health, safety and welfare of the citizens of Charleston County for the County to enter into the Development Agreement relating to the development of the property known as Kiawah River Plantation, Johns Island, South Carolina; and

WHEREAS, County Council approved amendments to the Development Agreement on October 9, 2018 (recorded in the office of the Register of Deeds on October 22, 2018), finding the proposed amendments to change the development name to "Kiawah River" and clarify development standards consistent with the Comprehensive Plan, the ZLDR, and the Act; and

WHEREAS, County Council approved amendments to the Development Agreement on March 10, 2020 (recorded in the office of the Register of Deeds on March 25, 2020), finding the proposed amendments consistent with the Comprehensive Plan, the ZLDR, and the Act; and

WHEREAS, prior to the amendments adopted in 2020, the properties were acquired by Kiawah River Investment, LLC, and since that time, some properties have been sold to other entities and individuals; and

WHEREAS, the applicant requests the Development Agreement be amended to allow for Limited and Extended Short-Term Rentals on designated properties and to clarify Common Open Space highland acreage; and

WHEREAS, the Charleston County Planning Commission (“Planning Commission”) has reviewed the proposed amendments and adopted a resolution, by majority vote of the entire membership, recommending that County Council approve with conditions the proposed amendments; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least two public hearings and after close of the public hearings, County Council approves with conditions the proposed amendments.

NOW, THEREFORE, BE IT ORDAINED, by the County Council of Charleston County, South Carolina, in meeting duly assembled, as follows:

SECTION I. FINDINGS INCORPORATED

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance. In addition to the recitals set forth above, which the County Council hereby adopts as findings of fact, the County Council specifically finds that the Development Agreement attached hereto as Exhibit “B” complies with the Act, the Comprehensive Plan, and the ZLDR.

SECTION II. DEVELOPMENT AGREEMENT

The amendments to the Development Agreement, including the changes attached thereto as Exhibit “A” and made part of this Ordinance by reference, are hereby approved with conditions in accordance with the Act and the ZLDR. The Development Agreement shall be effective immediately upon approval of this Ordinance after third reading and execution by the parties.

SECTION III. EXECUTION

The Chairman of the County Council is authorized to execute and deliver the Development Agreement on behalf of the County, and any and all other necessary documents or instruments incidental to the approval of this Ordinance and the Development Agreement.

SECTION IV. SEVERABILITY

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

SECTION V. EFFECTIVE DATE

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

ADOPTED and APPROVED in meeting duly assembled this 21st day of June 2022.

CHARLESTON COUNTY, SOUTH CAROLINA

By:

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

ATTEST:

By: _____
Kristen L. Salisbury
Clerk to Charleston County Council

First Reading: May 24, 2022
Second Reading: June 7, 2022
Third Reading: June 21, 2022

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

Darby	- nay
Honeycutt	- aye
Johnson	- aye
Middleton	- nay
Moody	- aye
Sass	- aye
Schweers	- aye
Wehrman	- aye
Pryor	- aye

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

The Chairman announced the next item on the agenda was third reading of an ordinance regarding the HIST-03-22-00053, Ten Mile Historic District.

The ordinance was given third reading by title only.

HIST-03-22-00053, Ten Mile Historic District

Ordinance 3rd Reading

AN ORDINANCE

DESIGNATING THE TEN MILE COMMUNITY, LOCATED IN THE EAST COOPER AREA OF UNINCORPORATED CHARLESTON COUNTY, AS A HISTORIC DISTRICT ON THE CHARLESTON COUNTY HISTORIC DESIGNATION LIST.

WHEREAS, pursuant to Title 4, Chapter 9, Section 4-9-10 et seq. of the Code of Laws of South Carolina, 1976 as amended, Charleston County Council established a Historic Preservation Ordinance and Historic Preservation Commission by Ordinance No. 2028 in 2018 (as amended) to preserve the historic properties, districts, sites, buildings, structures, and objects in Charleston County; and

WHEREAS, an application has been submitted to the Charleston County Historic Preservation Commission (Historic Preservation Commission) to designate as a historic district, the area located in the East Cooper area of unincorporated Charleston County known as the Ten Mile Community; and

WHEREAS, the Historic Preservation Commission has reviewed the application and recommended that the Charleston County Council (County Council) adopt the proposed historic district designation; and

WHEREAS, upon receipt of the recommendation of the Historic Preservation Commission, County Council held at least one public hearing, and after close of the public hearing, County Council approved the proposed historic designation.

NOW, THEREFORE, BE IT ORDAINED, by the County Council of Charleston County, South Carolina, in meetings duly assembled as follows:

SECTION I. FINDINGS INCORPORATED

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

SECTION II. AMENDMENT TO THE CHARLESTON COUNTY HISTORIC DESIGNATION LIST

The Charleston County Historic Designation List is hereby amended to include the Ten Mile Community Historic District containing the parcels listed and mapped on "EXHIBIT A" attached hereto and made a part of this Ordinance by reference.

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 following third reading by County Council.

ADOPTED and APPROVED in meeting duly assembled this 21st Day of June 2022.

CHARLESTON COUNTY COUNCIL

By: _____
Teddie E. Pryor, Sr.
Chairman of Charleston County Council

ATTEST:

By: _____
Kristen L. Salisbury
Clerk to Charleston County Council

Public Hearing: May 10, 2022
First Reading: May 24, 2022
Second Reading: June 7, 2022
Third Reading: June 21, 2022

"EXHIBIT A"
Ten Mile Community Historic District Parcel List

PID	ADDRESS	ACREAGE
6140000228	3830 VICTORIA GLOVER LN	1.1
6150000112	4185 PRITCHARD GREEN RD	2.22
6140000151	0 GADSDENVILLE RD	0.75
6140000075	3873 N HIGHWAY 17	0.9

6140000091	0 SEAFOOD LN	11.12
6140000157	3768 ROBBIE GLOVER RD	3.3
6140000278	1026 BEEHIVE RD	1
6140000122	1046 BEEHIVE RD	1
6140000370	3782 ROBBIE GLOVER RD	2.16
6320000001	4031 N HIGHWAY 17	12.5
6140000269	3917 N HIGHWAY 17	0.57
6140000393	989 THEODORE RD	0.14
6140000173	1036 GADSDENVILLE RD	0.7
6140000098	3945 LUCIAN ST	1.02
6140000062	935 GADSDENVILLE RD	3.23
6140000112	986 LUCIAN ST	1
6140000395	981 THEODORE RD	0.21
6140000111	980 BELLAS LN	2
6140000612	996 THEODORE RD	1.23
6140000217	1029 BEEHIVE RD	0.79
6150000071	0 N HIGHWAY 17	1.6
6140000246	3862 WATSON VIEW DR	0.24
6150000010	0 PARADISE ISLAND RD	1.5
6150000033	4120 N HIGHWAY 17	2.3
6320000010	4079 N HIGHWAY 17	0.53
6140000119	965 BELLAS LN	0.45
6140000052	3805 GARDENHILL RD	1.1
6140000072	1090 GADSDENVILLE RD	1.12
6150000005	1132 CHANDLER RD	1
6150000039	4068 N HIGHWAY 17	3.3
6320000038	0 GOLD (OFF HWY 17N) LN	0.77
6150000086	0 U S 17 HWY	1
6140000172	0 BELLAS LN	1
6140000264	0 GADSDENVILLE RD	0.01
6140000051	3871 GARDENHILL RD	0.88
6140000115	0 BEE HIVE RD	0.25
6150000037	4088 N HIGHWAY 17	1
6150000098	1157 THOMAS GOODWATER DR	1.5
6150000029	1125 CHANDLER RD	1.03
6150000017	4112 JAMES WESTON DR	2
6140000353	3817 TIM ASCUE LN	0.14
6150000108	4149 PRITCHA GREEN RD	1.02
6150000099	0 THOMAS GOODWATER DR	2.65
6140000399	0 WILLIAMS MAYZCK LANE	1.66
6140000198	3928 NELSON VIEW DR	0.96

6140000243	0 GADSDENVILLE RD	1.32
6320000034	1060 SANCHO CAMPBELL RD	1.31
6140000120	938 LUCIAN ST	0.2
6140000270	987 BELLAS LN	0.16
6140000105	978 THEODORE RD	1
6140000260	1043 THEODORE RD	0.77
6150000101	4114 JAMES WESTON DR	1
6140000078	3903 HIGHWAY 17	0.78
6140000166	3824 DAGALLIES LN	1
6140000163	3821 N HIGHWAY 17	1
6150000040	0 N HIGHWAY 17	3.6
6150000129	0 PRITCHA GREEN RD	2.11
6140000055	987 GADSDENVILLE RD	1
6140000268	0 GADSDENVILLE RD	0.74
6320000029	4059 SANCHO CAMPBELL RD	1.05
6150000169	1404 CHANDLER RD	5.01
6150000076	0 THOMAS GOODWATER DR	1.6
6140000123	0 N HIGHWAY 17	0.76
6140000073	3863 N HIGHWAY 17	0.75
6140000038	991 GADSDENVILLE RD	0.53
6140000170	976 BELLAS LN	1
6150000106	1149 THOMAS GOODWATER DR	1.16
6140000283	3827 N HIGHWAY 17	0.98
6140000330	0 N HIGHWAY 17	0.5
6320000023	4091 N HIGHWAY 17	2.7605
6140000102	3988 LUCIAN ST	10.38
6140000222	1022 THEODORE RD	0.76
6140000340	0 LUCIAN ST	0.53
6150000117	4169 PRITCHA GREEN RD	0.86
6140000037	0 GADSDENVILLE RD	0.59
6140000175	0 SEAFOOD LN	0.83
6150000070	3762 N HIGHWAY 17	0.82
6140000605	948 BEEHIVE RD	0.47
6140000059	947 GADSDENVILLE RD	1
6140000070	0 PAUL SWINTON CT	0.61
6140000297	1039 THEODORE RD	0.74
6140000182	3840 VICTORIA GLOVER LN	0.74
6140000134	3857 N HIGHWAY 17	0.74
6320000015	4117 N HIGHWAY 17	0.23
6150000052	3848 N HIGHWAY 17	0.69
6150000095	1240 CHANDLER RD	2.4

6320000035	4083 N HIGHWAY 17	0.53
6140000248	910 GADSDENVILLE RD	0.68
6320000016	0 N HIGHWAY 17	0.15
6140000293	3944 LUCIAN ST	0.47
6140000244	968 GADSDENVILLE RD	1
6150000035	4096 N HIGHWAY 17	6.1
6140000097	0 LUCIAN ST	0.18
6150000057	0 N HIGHWAY 17	0.23
6140000355	3825 TIM ASCUE LN	0.14
6140000564	0 GADSDENVILLE RD	0.68
6150000116	3820 N HIGHWAY 17	1
6140000026	1244 LIEBEN RD	0.5
6140000086	0 BEEHIVE RD	1.4
6140000092	3879 ABE WHITE RD	3.21
6140000461	3802 CLARKSVILLE CT	0.48
6140000090	0 SEAFOOD LN	2.06
6140000311	0 WILLIAM MAZYCK LN	0.2
6140000296	0 LUCIAN ST	0.43
6320000007	1056 FRED RAVENEL RD	0.5
6140000143	3759 N HIGHWAY 17	2.1
6140000048	3771 GARDENHILL RD	1.1
6140000096	930 BEEHIVE RD	0.2
6140000223	0 LUCIAN ST	0.69
6150000048	3880 N HIGHWAY 17	1.1
6150000043	0 N HIGHWAY 17	9.8
6140000040	3814 GARDENHILL RD	1
6140000720	0 GADSDENVILLE RD	1.09
6140000181	1010 GADSDENVILLE RD	0.69
6140000171	3958 LUCIAN ST	1.5
6140000061	935 GADSDENVILLE RD	3.23
6140000087	929 BEEHIVE RD	0.69
6140000180	1008 GADSDENVILLE RD	1.7
6140000196	1045 BEEHIVE RD	0.83
6140000245	0 GADSDENVILLE RD	0.12
6140000242	3980 LUCIAN ST	0.43
6150000092	1218 CHANDLER RD	1.92
6140000358	3814 TIM ASCUE LN	0.14
6140000031	3753 WILLIAMS MAZYCK LN	0.91
6140000346	3809 TIM ASCUE LN	0.14
6140000256	0 GADSDENVILLE RD	1.2
6150000008	0 PARADISE ISL RD	1.5

6140000190	0 NELSON VIEW DR	1.11
6140000359	3988 LUCIAN ST	0.5
6140000611	0 THEODORE RD	0.3
6140000129	4015 N HIGHWAY 17	0.54
6140000140	1096 BEE HIVE RD	0.69
6140000125	3981 N HIGHWAY 17	0.43
6140000298	0 THEODORE RD	0.95
6140000305	1016 THEODORE RD	0.31
6140000144	0 N HIGHWAY 17	0.91
6140000076	3879 N HIGHWAY 17	1.09
6140000162	0 N HIGHWAY 17	0.88
6150000004	4174 N HIGHWAY 17	4
6140000342	0 GADSDENVILLE RD	1
6140000036	3810 DAGALLIES LN	11.27
6150000081	0 N HIGHWAY 17	1.1
6140000150	0 GADSENVILLE RD	0.77
6150000078	0 THOMAS GOODWATER DR	1.62
6150000007	1264 CHANDLER RD	0.5
6320000006	1066 FRED RAVENEL RD	0.5
6150000124	0 N HIGHWAY 17	0.36
6140000100	0 BEEHIVE RD	1.3
6150000091	1226 CHANDLER RD	3.16
6140000050	3760 GARDENHILL RD	1.1
6140000214	0 PAUL SWINTON CT	0.67
6140000136	3861 WATSON VIEW DR	1.1
6150000024	1343 CHANDLER RD	5.1
6140000356	3827 TIM ASCUE LN	0.14
6320000005	1076 FRED RAVENEL RD	1
6140000350	3811 TIM ASCUE LN	0.14
6140000148	3949 LUCIAN ST	0.92
6140000149	1013 GADSDENVILLE RD	0.7
6140000352	3815 TIM ASCUE LN	0.14
6150000009	4195 PRITCHARD GREEN RD	4.87
6140000139	3906 SEAFOOD LN	6.467
6140000174	1074 GADSDENVILLE RD	1.3
6140000225	4013 LUCIAN ST	0.32
6140000142	0 N HIGHWAY 17	1.39
6140000083	965 BEEHIVE RD	0.32
6140000138	973 BELLAS LN	0.33
6140000289	3989 N HIGHWAY 17	0.71
6320000003	4062 SANCHO CAMPBELL RD	1.31

6140000185	3921 N HIGHWAY 17	0.5
6150000128	4135 PRITCHARD GREEN RD	1.09
6150000060	4124 JAMES WESTON DR	2
6150000088	1150 CHANDLER RD	8.1
6150000022	0 CHANDLER RD	12
6140000354	3823 TIM ASCUE LN	0.14
6140000069	0 WATSON VIEW DR	3.2
6140000057	0 GADSDENVILLE RD	8.2
6140000146	1073 GADSDENVILLE RD	0.69
6140000344	3818 TIM ASCUE LN	0.14
6140000197	0 BEEHIVE RD	0.82
6140000208	3823 DAGALLIES LN	0.84
6150000026	0 CHANDLER RD	9
6140000054	3819 GARDENHILL RD	1
6140000164	3831 N HIGHWAY 17	2
6140000155	0 LIEBEN RD	2.48
6320000017	0 N HIGHWAY 17	0.25
6140000039	3820 GARDENHILL RD	1.1
6140000041	3804 GARDENHILL RD	0.96
6150000065	3816 N HIGHWAY 17	2.7
6140000206	1071 BEEHIVE RD	0.75
6320000032	4091 N HIGHWAY 17	0.94
6140000095	924 BEEHIVE RD	0.32
6140000103	4017 LUCIAN ST	0.39
6150000113	0 CHANDLER RD	5.98
6140000169	3997 N HIGHWAY 17	0.76
6140000207	3838 DAGALLIES LN	0.83
6140000249	914 GADSDENVILLE RD	0.65
6150000051	0 N HIGHWAY 17	0.6
6140000299	1023 THEODORE RD	0.77
6140000021	0 ROBBIE GLOVER RD	3.28
6140000216	0 BELLAS LN	1
6140000160	1068 THEODORE RD	0.78
6140000215	1040 BEEHIVE RD	0.8
6140000023	0 LIEBEN RD	9.96
6140000219	3927 N HIGHWAY 17	0.7
6140000267	1068 PAUL SWINTON CT	1.16
6150000131	0 PRITCHA GREEN RD	2.53
6140000279	1030 BEEHIVE RD	1
6140000266	3865 PAUL SWINTON CT	0.69
6140000093	910 BEEHIVE RD	0.49

6140000178	0 GADSDENVILLE RD	5.07
6140000191	0 NELSON VIEW DR	4.56
6150000090	1170 CHANDLER RD	9.86
6140000094	916 BEEHIVE RD	0.3
6150000100	0 THOMAS GOODWATER DR	1.15
6140000257	958 BEEHIVE RD	0.52
6150000055	3826 N HIGHWAY 17	1.75
6140000101	3957 LUCIAN ST	6.54
6140000271	977 BELLAS LN	0.29
6320000024	0 N HIGHWAY 17	1.91
6150000121	1246 CHANDLER RD	2.4
6140000137	1026 GADSDENVILLE RD	0.68
6150000107	1143 THOMAS GOODWATER DR	1.2
6150000085	0 N HIGHWAY 17	0.5
6140000282	1058 GADSDENVILLE RD	0.9
6140000231	3797 GARDENHILL RD	0.97
6150000103	3848 N HIGHWAY 17	1.2
6140000253	0 PAUL SWINTON COURT	0.68
6140000128	0 HWY 17	0.25
6140000068	3893 WATSON VIEW DR	1.35
6150000061	3736 N HIGHWAY 17	1.13
6140000227	3820 VICTORIA GLOVER LN	0.71
6150000068	0 THOMAS GOODWATER DR	5.2
6140000335	0	0.29
6150000062	3842 N HIGHWAY 17	0.98
6140000046	3782 GARDENHILL RD	0.5
6140000334	973 THEODORE RD	1
6140000045	3784 GARDENHILL RD	0.12
6140000084	953 BEEHIVE RD	0.7
6150000059	0 N HIGHWAY 17	0.25
6140000065	0 GADSDENVILLE RD	1.09
6140000254	4005 LUCIAN ST	0.69
6140000074	3869 N HIGHWAY 17	1.01
6140000291	3819 DAGALLIES LN	1
6150000097	4139 PRITCHA GREEN RD	2.72
6140000351	3813 TIM ASCUE LN	0.14
6140000369	0 ROBBIE GLOVER RD	1.08
6140000290	1089 THEODORE RD	0.59
6150000046	3888 N HIGHWAY 17	1
6150000036	0 N HIGHWAY 17	1
6140000233	0 PAUL SWINTON CT	0.55

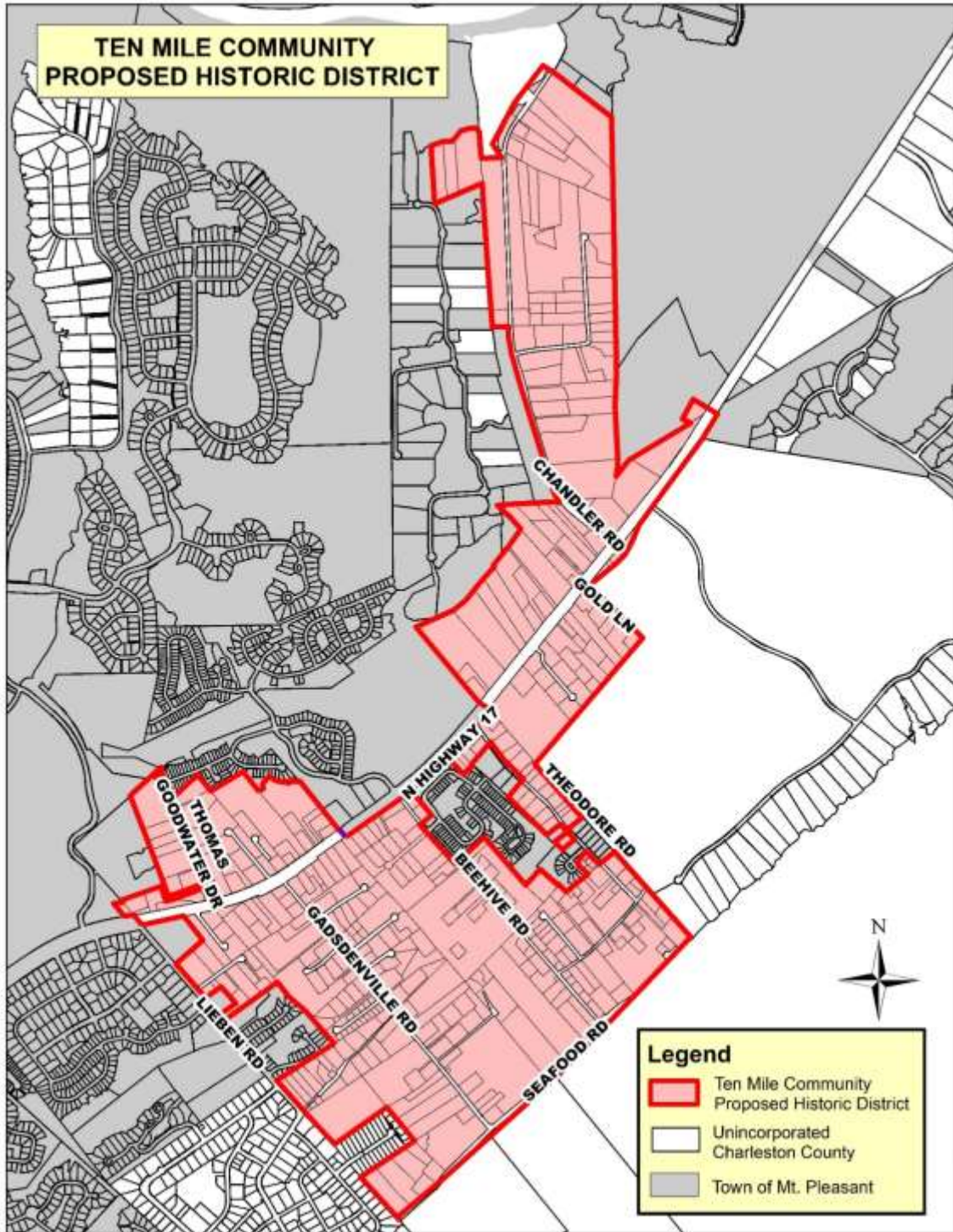
6140000357	3829 TIM ASCUE LN	0.14
6150000001	4184 N HIGHWAY 17	4.82
6150000170	0 THOMAS GOODWATER DR	1.56
6140000067	1004 GADSDENVILLE RD	1.92
6140000035	0 N HIGHWAY 17	2
6140000104	0 THEODORE RD	1.91
6140000247	1048 GADSDENVILLE RD	0.95
6140000135	3871 WATSON VIEW DR	0.98
6140000056	977 GADSDENVILLE RD	2.3
6140000721	0 GADSDENVILLE RD	1.08
6150000027	1271 CHANDLER RD	1
6150000096	0 PRITCHA GREEN RD	1.61
6140000610	0 ABE WHITE RD	0.5
6150000013	4170 PRITCHARD GREEN RD	1
6140000349	3809 TIM ASCUE LN	0.14
6150000087	4026 HWY 17 N	1
6140000189	0 NELSON VIEW DR	0.79
6150000021	0 CHANDLER RD	2.68
6150000114	0 CHANDLER RD	0.71
6150000109	4157 PRITCHA GREEN RD	0.86
6140000341	3965 LUCIAN ST	0.37
6140000053	0 GARDENHILL RD	1.1
6140000292	3961 LUCIAN ST	0.53
6140000307	1038 THEODORE RD	0.75
6320000014	0 N HIGHWAY 17	0.11
6150000371	0 CHANDLER RD	2.47
6140000234	957 GADSDENVILLE RD	1.1
6140000184	3915 N HIGHWAY 17	0.76
6320000011	0 N HIGHWAY 17	1.01
6150000125	3866 N HIGHWAY 17	0.87
6140000126	3985 N HIGHWAY 17	0.44
6140000348	3805 TIM ASCUE LN	0.14
6140000066	964 GADSDENVILLE RD	2.9
6150000064	3804 N HIGHWAY 17	0.74
6150000054	0 PETER MAGGIE GOODWTR DR	2.74
6140000200	0 WILLIAMS MAZYCK LN	0.91
6140000263	0 BEEHIVE RD	0.01
6140000194	3921 NELSON VIEW DR	0.83
6140000047	3776 GARDENHILL RD	0.89
6140000608	3894 ABE WHITE RD	0.5
6320000036	0 U S HWY 17 N GOLD LN	1

614000030	3761 WILLIAMS MAZYCK LN	1.81
6140000179	988 GADSDENVILLE RD	1
6140000372	3827 DAGALLIES LN	0.8
6140000609	0 ABE WHITE RD	0.5
6150000012	0 PARADISE ISL RD	1
6320000033	4065 HIGHWAY 17	1.14
6140000118	953 BELLAS LN	0.8
6150000075	3729 N HIGHWAY 17	1.16
6150000077	0 U S 17 N	1.5
6140000042	3798 GARDENHILL RD	1
6150000018	0 JAMES WESTON DR	4
6150000063	1117 PETER AND MAGGIE GOODWATER RD	1.12
6140000314	3875 WATSON VIEW DR	0.65
6150000042	4042 N HIGHWAY 17	7.404
6140000113	967 THEODORE RD	1.3
6140000186	1091 BEEHIVE RD	1.9
6140000121	1034 BEEHIVE RD	5.92
6150000132	1222 CHANDLER RD	1.82
6140000277	0 BEEHIVE RD	0.8
6150000111	4177 PRITCHA GREEN RD	2.6
6140000212	0 GADSDENVILLE RD	1.28
6320000008	1076 FRED RAVENEL RD	1.3
6140000082	965 BEEHIVE RD	0.5
6140000394	0 THEODORE RD	0.25
6140000204	3983 LUCIAN ST	0.7
6140000077	3883 N HIGHWAY 17	1.09
6140000300	0 THEODORE RD	0.69
6150000025	1490 OLD ROSEBUD TR	2.51
6140000085	0 BEEHIVE RD	0.55
6320000028	4057 N HIGHWAY 17	0.96
6150000056	0 N HIGHWAY 17	0.4
6140000274	1024 BEE HIVE RD	1
6140000265	0 GADSDENVILLE RD	1.38
6320000013	0 U S HWY 17 N GOLD LN	1.88
6150000163	4080 N HWY 17	3.18
6140000331	0 GADSDENVILLE RD	0.62
6140000063	0 GADSDENVILLE RD	6.87
6140000211	994 GADSDENVILLE RD	1.13
6140000567	0 THEODORE RD	0.14
6150000011	1284 CHANDLER RD	0.5
6140000345	3822 TIM ASCUE LN	0.14

615000019	1374 CHANDLER RD	1
615000003	4174 N HIGHWAY 17	5.5
6140000161	0 GADSDENVILLE RD	0.7
6140000088	0 SEAFOOD LN	1.1
6140000019	3792 ROBBIE GLOVER RD	1.08
6320000030	0 U S 17 HWY	1.05
6150000122	4143 PRITCHARD GREEN RD	0.92
6140000250	3858 ABE WHITE RD	1.12
6140000183	3909 N HIGHWAY 17	0.76
6150000120	3842 N HIGHWAY 17	1.05
6140000192	0 NELSON VIEW DR	0.77
6140000049	3764 GARDENHILL RD	1.1
6140000133	954 GADSDENVILLE RD	1
6320000037	0 GOLD (OFF HWY 17N) LN	1.9
6140000302	1003 THEODORE RD	0.61
6140000154	1069 GADSDENVILLE RD	1
6140000392	3819 N HIGHWAY 17	0.87
6150000047	0 N HIGHWAY 17	6.11
6140000252	948 GADSDENVILLE RD	0.68
6150000166	1192 CHANDLER RD	3.05
6140000159	1078 GADSDENVILLE RD	1.92
6140000116	3948 LUCIAN ST	0.47
6150000066	1136 THOMAS GOODWATER DR	0.97
6250000046	4286 N HIGHWAY 17	1.7
6140000205	0 LUCIAN ST	1
6140000308	1050 THEODORE RD	0.46
6140000107	1058 THEODORE RD	1.12
6150000045	3890 N HIGHWAY 17	0.5
6320000002	4041 HWY 17 N	1.5
6140000273	0 GADSDENVILLE RD	0.5
6140000232	1058 GADSDENVILLE RD	0.69
6140000390	913 GADSDENVILLE RD	0.7
6140000152	0 GADSDENVILLE RD	0.68
6150000038	4078 N HIGHWAY 17	1.85
6140000239	3981 LUCIAN ST	0.46
6140000114	0 COMMUNITY RD	1
6140000064	3863 ABE WHITE RD	16.05
6150000167	0 U S HIGHWAY 17 NORTH	1.25
6140000044	3790 GARDENHILL RD	0.6
6320000156	0 HWY 17	0.69
6150000260	4181 PRITCHARD GREEN RD	2.24

6140000187	0 NELSON VIEW DR	0.87
6140000221	1044 THEODORE RD	0.84
6140000241	3966 LUCIAN ST	0.42
6150000072	0 N HIGHWAY 17	3
6140000188	0 NELSON VIEW DR	0.78
6140000230	3774 GARDENHILL RD	0.98
6140000080	0 BEEHIVE RD	0.5
6150000034	4116 N HIGHWAY 17	1.9
6140000235	4021 LUCIAN ST	0.72
6150000110	4165 PRITCHA GREEN RD	0.86
6140000099	0 BEEHIVE RD	1.51
6150000016	0 JAMES WESTON DR	9
6140000060	935 GADSDENVILLE RD	2.4
6140000058	955 GADSDENVILLE RD	0.7
6140000153	0 LUCIAN ST	0.69
6140000360	3858 WATSON VIEW DR	0.24
6140000719	0 GADSDENVILLE RD	1.08
6150000073	4112 N HIGHWAY 17	1.75
6150000031	4126 N HIGHWAY 17	1
6140000177	0 N HIGHWAY 17	1
6140000226	3872 WATSON VIEW DR	0.92
6140000718	1052 THEODORE RD	0.48
6150000311	1498 OLD ROSEBUD TR	2.41
6140000202	0 WILLIAMS MAZYCK LN	0.69
6140000251	977 THEODORE RD	1
6150000015	0 JAMES WESTON DR	9
6140000368	3864 WATSON VIEW DR	0.24
6140000034	0 TUPELO FOREST DR	0.65
6320000018	4129 N HIGHWAY 17	0.62
6140000272	969 BELLAS LN	0.33
6140000193	3915 NELSON VIEW DR	0.83
6140000361	0 BEE HIVE RD	0.86
6320000012	938 TASIA LN	0.98
6140000165	1083 GADSDENVILLE RD	0.64
6140000201	0 WILLIAMS MAZYCK LN	0.69
6150000006	1270 CHANDLER RD	1
6150000020	1388 CHANDLER RD	1.8
6140000276	0 GADSDENVILLE RD	0.9
6140000029	0 LIEBEN RD	0.49
6320000031	0 SANCHO CAMPBELL RD	1.07
6150000049	3876 N HIGHWAY 17	0.72

6140000275	1021 BEEHIVE RD	0.73
6150000115	3886 N HIGHWAY 17	0.78
6150000119	0 N HIGHWAY 17	0.83
6150000053	3846 N HIGHWAY 17	0.46
6140000176	1074 THEODORE RD	1.14
6150000050	3864 N HIGHWAY 17	7.67
6150000130	4104 PRITCHA GREEN RD	1.76
6140000032	0 WILLIAMS MAZYCK LN	0.69
6140000081	0 BEEHIVE RD	1.5
6140000224	3965 LUCIAN ST	0.33
6140000209	0 GADSDENVILLE RD	0.82
6140000195	0 NELSON VIEW DR	2.2
6150000014	4182 PRITCHARD GREEN RD	1
6140000218	3921 DAISYS LN	1.05
6140000367	3856 WATSON VIEW DR	0.24
6140000347	3830 TIM ASCUE LN	0.14
6150000058	0 N HIGHWAY 17	1
6150000032	1141 CHANDLER RD	1.11
6140000147	0 BEEHIVE RD	0.75
6140000568	983 THEODORE RD	0.15
6140000145	3771 N HIGHWAY 17	0.95
6140000020	0 ROBBIE GLOVER RD	1
6150000232	1188 CHANDLER RD	2.61
6140000079	3918 DAISYS LANE	13.43
6140000203	3772 WILLIAMS MAZYCK LN	0.69



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 |
| Honeycutt | - aye |
| Johnson | - aye |

Middleton	- aye
Moody	- aye
Sass	- aye
Schweers	- aye
Wehrman	- aye
Pryor	- aye

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

Mr. Middleton commended the Ten Mile community and congratulated them for this historic moment.

The Chairman announced the next item on the agenda was third reading of an ordinance regarding the FY23 County Budget.

**FY23 County
Budget**

**Ordinance 3rd
Reading**

Prior to the ordinance being given third reading, Mr. Sass stated that there had been an increase in the State budget for the salary supplement for selected elected officials. He moved that the FY23 general fund budget be amended as follows:

- Increase revenues by \$40,275
- Increase expenditures for the Clerk of Court, Probate Court, and the Sheriff by \$13,425 each.

The motion was seconded by Mr. Moody, and carried.

The ordinance was given third reading by title only.

AN ORDINANCE

PROVIDING FOR THE LEVY OF TAXES FOR CORPORATE PURPOSES OF CHARLESTON COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023, HEREINAFTER REFERRED TO AS FISCAL YEAR 2023; 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 MCCLELLANVILLE CONSOLIDATED FIRE PROTECTION DISTRICT, EAST COOPER FIRE DISTRICT, NORTHERN CHARLESTON COUNTY FIRE DISTRICT, WEST ST. ANDREW'S FIRE DISTRICT, AND TRIDENT TECHNICAL COLLEGE FOR FISCAL YEAR 2023; PROVIDING FOR APPROPRIATIONS FROM SUCH SPECIAL FUNDS CREATED FOR THE PURPOSES OF THE AWENDAW MCCLELLANVILLE CONSOLIDATED FIRE PROTECTION 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 MCCLELLANVILLE CONSOLIDATED FIRE PROTECTION 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 the following mills in the year 2022:

<i>Entity</i>	<i>Operating</i>	<i>Debt Service</i>
Charleston County	41.2	6.1
Awendaw McClellanville Consolidated Fire Protection District	31.4	4.0
East Cooper Fire District	16.5	-
Northern Charleston County Fire District	13.5	-
West St. Andrew's Fire District	3.8	-
Trident Technical College	1.8	0.7

Proceeds of the levy upon all taxable property in Charleston County (“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 2023, 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, 2022, and ending June 30, 2023, to wit:

Organization Units:	General	Debt Service	Special Revenue	Proprietary	TOTAL
COUNCIL AGENCIES					
County Council	\$ 2,624,857	\$ -	\$ -	\$ -	\$ 2,624,857
Accommodations Tax	-	-	19,475,451	-	19,475,451
Air Service Development	-	-	9,867,050	-	9,867,050
Internal Auditor	392,968	-	-	-	392,968
Legal	1,929,722	-	86,687	-	2,016,409
State Agencies	486,106	-	-	-	486,106
Transit Agencies	-	-	36,517,798	-	36,517,798
Trident Technical College	-	-	12,237,557	-	12,237,557
ELECTED OFFICIALS					
Auditor	3,101,870	-	-	-	3,101,870
Clerk of Court	4,700,651	-	1,233,256	-	5,933,907
Coroner	3,238,909	-	-	-	3,238,909
Legislative Delegation	461,163	-	-	-	461,163
Probate Courts	3,522,266	-	-	-	3,522,266
Register of Deeds	2,687,666	-	-	-	2,687,666
Sheriff	82,221,133	-	1,372,494	-	83,593,627
Solicitor	7,562,117	-	3,371,623	-	10,933,740
Treasurer	2,034,215	-	-	-	2,034,215
APPOINTED OFFICIALS					
Elections and Voter Registration	3,216,250	-	-	-	3,216,250
Library	31,262,997	-	-	-	31,262,997
Master-In-Equity	823,418	-	-	-	823,418
Public Defender	3,800,000	-	8,190,417	-	11,990,417
Veterans Affairs	461,334	-	-	-	461,334

ADMINISTRATOR	974,406	-	-	-	974,406
Capital Projects	257,653	-	-	-	257,653
Nondepartmental	7,572,569	47,114,970	-	-	54,687,539
DEPUTY ADMIN COMMUNITY SVCS	453,047	-	-	-	453,047
Community Development	1,669,612	-	-	-	1,669,612
Dept of Alcohol & Other Drug Abuse	-	-	-	12,061,146	12,061,146
Greenbelt Programs	37,104	-	23,429,317	-	23,466,421
Housing & Neighborhood Revitalization	213,568	-	-	-	213,568
Magistrates' Courts	5,704,386	-	74,544	-	5,778,930
DEPUTY ADMINISTRATOR FINANCE	826,152	-	-	-	826,152
Assessor	5,059,686	-	-	-	5,059,686
Budget	774,376	-	-	-	774,376
Contracts & Procurement	1,555,150	-	-	3,000,000	4,555,150
Economic Development	-	-	40,845,503	-	40,845,503
Finance	1,102,081	-	-	-	1,102,081
Human Resources	3,058,199	-	171,950	32,506,866	35,737,015
Revenue Collections	1,033,603	-	-	2,788,146	3,821,749
DEPUTY ADMIN GENERAL SERVICES	817,976	-	-	-	817,976
Building Inspections	2,974,610	-	-	-	2,974,610
Facilities Management	26,549,408	-	-	5,272,926	31,822,334
Planning & Zoning	2,415,928	-	250,000	-	2,665,928
Safety & Risk Management	3,491,301	-	-	5,943,526	9,434,827
Technology Services	16,416,528	-	-	6,195,466	22,611,994
DEPUTY ADMIN PUBLIC SAFETY	1,042,464	-	-	-	1,042,464
Aw endaw McClellanville Fire	-	-	3,275,597	-	3,275,597
Biological Science Center	-	-	-	365,208	365,208
Consolidated Dispatch	10,602,123	-	-	4,541,237	15,143,360
Emergency Management	1,487,005	-	242,315	-	1,729,320
Fire Districts	-	-	530,156	-	530,156
Emergency Medical Services	23,503,453	-	-	-	23,503,453
DEPUTY ADMIN PUBLIC SVCS	482,148	-	-	-	482,148
Environmental Management	-	-	-	43,068,239	43,068,239
Fleet Management	-	-	-	19,099,772	19,099,772
Public Works	18,105,295	-	118,017,037	-	136,122,332
TOTAL	<u>\$ 292,707,473</u>	<u>\$ 47,114,970</u>	<u>\$ 279,188,752</u>	<u>\$ 134,842,532</u>	<u>\$ 753,853,727</u>

SECTION 3: Unless covered by SECTION 4 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 Charleston County Approved Operating Budget, with the detail and provisos as so stated in the document titled Charleston County Approved Budget Detail Fiscal Year 2023, 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 5: The anticipated Revenues and Transfers In accruing to all Proprietary and Special Revenue Funds are stated in this Budget Ordinance.

(a) Should actual Revenues and Transfers In for any such fund be less than projected, the County Administrator (the "Administrator"), or his designated representative, shall reduce budgeted disbursements attributable to the fund. Should actual Revenues or Transfers In be greater than projected in this Ordinance, the Administrator, or his designated representative, may revise budgeted disbursements.

(b) Should Charleston County experience a need for additional funds in any Proprietary or Special Revenue Fund; the County Administrator, or his designated representative, may revise budgeted disbursements up to the amount of available fund balance in any such fund.

(c) Any such actions shall be periodically reported to County Council.

SECTION 6: All monies properly encumbered as of June 30, 2022, shall be added to the applicable organizational unit's budget for Fiscal Year 2023. 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.

SECTION 7: All monies designated by County Council as of June 30, 2022, shall be added to the applicable organizational unit's budget for Fiscal Year 2023. 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 8: For the purpose of paying in cash for the foregoing and all other general ordinary County expenses for Fiscal Year 2023 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 her 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 McClellanville Consolidated Fire Protection 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 McClellanville Consolidated Fire Protection District shall constitute a valid and prior claim only against the taxes levied herein for the use of the Awendaw McClellanville Consolidated Fire Protection District; provided further that the Treasurer shall be authorized in her discretion to make any such loans from special fund or funds, including sinking funds, in her 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 9: Organization units are bound to the appropriated disbursements as defined in SECTION 2 and delineated in the Fiscal Year 2023 Approved Budget Detail document.

(a) For contributions, the organizational budgets are bound by "object code."

(b) 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.

(c) County Council may by resolution effect transfers from Council's Contingency to organizational units.

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

SECTION 10: In order that County Council may be assured that monies appropriated for contributions 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.

SECTION 11:

(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 12: A Rainy Day Fund in the General 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. For Fiscal Year 2023, the Rainy Day Fund is established at \$11,707,000.

SECTION 13: A Two Month Reserve of fund balance in the General Fund is established to mitigate current and future risks (e.g. revenue shortfalls and unanticipated expenditures) and to ensure stable tax rates. This reserve will be maintained at exactly 2/12 of General Fund disbursements. For Fiscal Year 2023, the Two Month Reserve is established at \$48,778,000.

SECTION 14: Contracts necessary to expend monies appropriated for contributions in the budget are hereby authorized.

SECTION 15:

(a) The salaries or compensation shall be determined and paid in accordance with the provisions of the Personnel Policies and Procedures adopted by County Council.

(b) Merit Pay is established for Fiscal Year 2023 at

- (1) 1.0% for Meets Standards performance outcome
- (2) 2.0% for Exceeds Standards performance outcome
- (3) 3.0% for Outstanding performance outcome

(c) Pursuant to Chapter 9, Title 4 of the South Carolina Code of Laws, salaries for the following Elected Offices, exclusive of any Cost of Living Adjustment or Merit increases pertaining to the incumbent officials, and exclusive of any State supplement, are set at:

Auditor	\$122,553.60
Clerk of Court	148,241.60
Coroner	125,507.20

Probate Judge	170,643.20
Register of Deeds	129,230.40
Sheriff	174,907.20
Treasurer	139,859.20

(d) Travel and expense allowances shall be paid only upon proper documentation as prescribed by the Administrator. The per diem rates adopted by the General Services Administration (GSA) and the mileage reimbursement rates adopted by the Internal Revenue Service shall apply. The Administrator may allow for a special exception to use the United States Department of State per diem rates.

SECTION 16: 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 17: The Administrator, or his designated representative, is hereby authorized to transfer positions (Full Time Equivalents - FTEs) among organizational units and fund types.

SECTION 18: 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 19: This Ordinance shall become effective upon approval of County Council following third reading.

ADOPTED and APPROVED in meeting duly assembled this 21st day of June 2022.

CHARLESTON COUNTY, SOUTH CAROLINA
By: _____
Teddie E. Pryor, Sr.
Chairman of Charleston County Council

ATTEST:
By: _____
Kristen Salisbury
Clerk to Charleston County Council

First Reading: June 2, 2022
Second Reading: June 7, 2022
Third Reading: June 21, 2022

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
Honeycutt	- aye
Johnson	- aye
Middleton	- aye
Moody	- aye

Sass	- aye
Schweers	- aye
Wehrman	- aye
Pryor	- aye

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

The Chairman announced the next item on the agenda was third reading of an ordinance regarding the Solid Waste Recycling & Disposal Fee.

The ordinance was given third reading by title only.

FY 23 Solid
Waste
Recycling &
Disposal Fee

Ordinance 3rd
Reading

**AN ORDINANCE
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, June 19, 2012, June 18, 2013, June 17, 2014, June 16, 2015, June 21, 2016, June 20, 2017, June 19, 2018, June 18, 2019, and June 18, 2020. June 22, 2021. 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, the 2012 Ordinance, the 2013 Ordinance, the 2014 Ordinance, the 2015 Ordinance, the 2016 Ordinance, the 2017 Ordinance, the 2018 Ordinance, the 2019 Ordinance, the 2020 Ordinance, the 2021 Ordinance, and 2022 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. 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, 2022. 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 18, 2022 and May 25, 2022. 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 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 21st day of June 2022.

CHARLESTON COUNTY, SOUTH CAROLINA

By: _____
Teddie E. Pryor, Sr.
Chairman of Charleston County Council

ATTEST:

By: _____
Kristen Salisbury
Clerk to Charleston County Council

First Reading: June 2, 2022
Second Reading: June 7, 2022
Third Reading: June 21, 2022

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

I, the undersigned, Clerk of County Council of Charleston County, South Carolina,

DO HEREBY CERTIFY:

That the foregoing is a true, correct, and verbatim copy of an Ordinance unanimously adopted by County Council, having been read at three duly called and regularly held meetings, at which a quorum attended and remained throughout, on each of June 2, June 7 and June 21, 2022.

That the Ordinance is now in full force and effect and has not been modified amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my Hand and Seal of County Council this 21st day of June 2022.

(SEAL)

Clerk, Charleston County Council

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EXHIBIT A

Charleston County, South Carolina
Enterprise Fund
Environmental Management
Fund Statement

	FY 2020 Actual	FY 2021 Actual	FY 2022 Adjusted	FY 2022 Projected	FY 2023 Proposed
Beginning Balance, July 1	\$ 63,620,840	\$ 59,264,595	\$ 57,375,202	\$ 57,375,202	\$ 57,243,388
Revenues:					
Intergovernmental	417,658	221,370	200,000	309,000	645,000
Charges and Fees	30,795,083	32,537,333	33,043,000	35,447,000	34,776,024
Interest	836,737	77,499	100,000	50,000	200,000
Miscellaneous	813,406	815,869	3,000,000	4,188,090	300,000
Subtotal	33,034,497	33,892,071	36,403,000	40,194,090	35,921,024
Interfund Transfer In	245,000	-	-	780,000	-
Total Available	96,900,337	93,156,666	93,778,202	98,349,292	93,164,412
Expenditures:					
Personnel	7,752,981	7,581,776	7,681,276	8,008,000	5,898,426
Operating	29,391,824	27,773,063	25,118,977	25,471,799	31,695,773
Capital	-	-	747,000	1,013,700	1,411,500
Debt Service	490,937	426,625	1,262,405	1,262,405	1,262,540
Subtotal	37,635,742	35,781,464	34,809,658	35,755,904	40,268,239
Interfund Transfer Out	-	-	5,350,000	5,350,000	2,800,000
Total Disbursements	37,635,742	35,781,464	40,159,658	41,105,904	43,068,239
Nonspendable	43,688,502	55,585,435	55,585,435	55,585,435	55,585,435
Restricted: External	(8,821,567)	(18,003,559)	(18,003,559)	(18,003,559)	(18,003,559)
Restricted: Internal	18,769,934	15,166,471	11,409,813	14,937,351	7,790,136
Available	5,627,726	4,626,855	4,626,855	4,724,161	4,724,161
Ending Balance, June 30	\$ 59,264,595	\$ 57,375,202	\$ 53,618,544	\$ 57,243,388	\$ 50,096,173

EXHIBIT B

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the County Council of Charleston County, South Carolina, at its meeting on the 7th day of June 2022, at 6:30 p.m., in the Lonnie Hamilton, III, Public Services Building, 4045 Bridge View Drive, in County Council Chambers, in the City of North Charleston, South Carolina, will conduct a public hearing for the purpose of receiving comments on adoption of a budget for the operation and maintenance of the Solid Waste Disposal and Resource Recovery System and to hear testimony as to the amount of any Annual Solid Waste Recycling and Disposal Fee, which fees are contained in a Rate Ordinance establishing classifications and determining the Annual Solid Waste Recycling and Disposal Fees to be imposed upon the owners of certain property within the County or within the corporate limits of a municipality primarily located in the County.

County Council is considering an Ordinance which would impose an Annual Solid Waste Recycling and Disposal User Fee of \$99.00 on every Single Family Residence, including mobile homes, and \$70.00 on every Multi-family Unit. The Ordinance further proposes that the Annual Solid Waste Recycling and Disposal Fees for Non-Residential Properties shall be \$86.00 for all Non-Residential Properties that generate 0.5 cubic yards of non-compacted waste or less per week. The Annual Solid Waste Recycling and Disposal 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.

At the time and place fixed for said public hearing, all residents or other interested persons who appear will be given an opportunity to express their views for or against the adoption of the Ordinance. Those wishing to provide written public comments for the public hearing should email comments to public-comments@charlestoncounty.org by 12:00 p.m. on Tuesday, June 7, 2022.

Mrs. Kristen Salisbury
Clerk, County Council of Charleston County

Dates of Publication:
May 18, 2022
May 25, 2022

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
Honeycutt	- aye
Johnson	- aye
Middleton	- aye
Moody	- aye
Sass	- aye
Schweers	- aye
Wehrman	- aye
Pryor	- aye

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

The Chairman announced the next item on the agenda was third reading of an ordinance regarding the Special Purpose Districts.

The ordinance was given third reading by title only.

AN ORDINANCE

FY 23 Special
Purpose
District
Budgets

Ordinance 3rd
Reading

APPROVING THE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023; AND DIRECTING THE AUDITOR OF CHARLESTON COUNTY TO LEVY THE NECESSARY MILLAGE AND THE TREASURER TO COLLECT TAXES FOR THE CHARLESTON COUNTY PARK AND RECREATION COMMISSION, THE COOPER RIVER PARK AND PLAYGROUND COMMISSION, THE NORTH CHARLESTON DISTRICT, THE ST. ANDREW’S PARISH PARKS AND PLAYGROUND COMMISSION, THE ST. JOHN’S FIRE DISTRICT AND THE ST. PAUL’S FIRE DISTRICT; AND PROVIDING FOR THE ISSUANCE OF TAX ANTICIPATION NOTES IN AN AMOUNT UP TO \$3,000,000 FOR THE CHARLESTON COUNTY PARK AND RECREATION COMMISSION, UP TO \$1,100,000 FOR THE ST. ANDREW’S PARKS AND PLAYGROUND COMMISSION, AND UP TO \$1,500,000 FOR THE ST. JOHN’S FIRE DISTRICT.

WHEREAS, Charleston County Council has budgetary authority over The Charleston County Park and Recreation Commission, The Cooper River Park and Playground Commission, The North Charleston District, The St. Andrew’s Parish Parks and Playground Commission, The St. John’s Fire District, and the St. Paul’s Fire District (collectively the “Agencies”), and

WHEREAS, the Agencies have submitted budgets 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 budgets of the Agencies listed below are hereby approved for the corresponding amounts by Charleston County Council:

<i>Agency</i>	<i>General Fund</i>
Charleston County Park & Recreation Commission	\$40,344,302
Cooper River Park & Playground Commission	212,858
North Charleston District	1,331,266
St. Andrew’s Parish Parks & Playground Commission	3,907,457
St. John’s Fire District	16,406,341
St. Paul’s Fire District	7,477,786

SECTION 3: The Auditor of Charleston County shall levy the following mills for the Agencies in the year 2022, and the Treasurer shall collect upon all taxable property within the boundaries of the Districts during the fiscal year beginning July 1, 2022 and ending June 30, 2023.

<i>Agency</i>	<i>Operating</i>	<i>Debt Service</i>
Charleston County Park & Recreation Commission	4.0	1.8
Cooper River Park & Playground Commission	14.3	-
North Charleston District	87.6	-

St. Andrew’s Parish Parks & Playground Commission	19.0	-
St. John’s Fire District	25.3	4.1
St. Paul’s Fire District	57.1	4.7

SECTION 4: For the purpose of paying in cash for the foregoing and all other general ordinary expenditures of the said Commission for fiscal year 2023, 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, a sum or sums not exceeding \$3,000,000 in the aggregate for the use of the Charleston Parks and Recreation Commission, a sum or sums not exceeding \$1,100,000 in the aggregate for the use of the St. Andrew’s Parish Parks and Playground Commission, and a sum or sums not exceeding \$1,500,000 in the aggregate for the St. John’s Fire District; and the sum or sums so borrowed shall constitute a valid and prior claim only against the said taxes herein levied and against the aforementioned Agencies; 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 her discretion to make any such loans from special funds or funds, including sinking funds, in her 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 5: By amendment to this Ordinance, Council may adjust appropriation transactions affecting fund totals, other than those authorized in Section 6.

SECTION 6: 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 bodies of the Agencies, the necessary Special Revenue Fund or Capital Project Fund shall be created to provide a mechanism for the expenditure of these monies.

SECTION 7: All monies properly encumbered as of June 30, 2022, shall be added to the Agencies’ budgets for Fiscal Year 2023. These encumbered monies may be expended only as set forth in their encumbrance except as authorized by the Agencies’ governing bodies.

SECTION 8: All monies designated by the Agencies as of June 30, 2022, shall be added to the applicable organizational budget for Fiscal Year 2023. 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 Agencies 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 Agencies for the limited purpose of better understanding how the agency 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 21st day of June 2022.

CHARLESTON COUNTY, SOUTH CAROLINA

By: _____

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

ATTEST:

By: _____
Kristen Salisbury
Clerk to Charleston County Council

First Reading: June 2, 2022
Second Reading: June 7, 2022
Third Reading: June 21, 2022

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
Honeycutt	- aye
Johnson	- aye
Middleton	- aye
Moody	- aye
Sass	- aye
Schweers	- aye
Wehrman	- aye
Pryor	- aye

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

The Chairman announced the next item on the agenda was third reading of an ordinance regarding the Bank Loan - Awendaw Fire District Capital Equipment.

Bank Loan -
Awendaw Fire
District Capital
Equipment

The ordinance was given third reading by title only.

Ordinance 3rd
Reading

AN ORDINANCE

TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$1,200,000 FIRE PROTECTION SERVICE GENERAL OBLIGATION BONDS (AWENDAW McCLELLANVILLE CONSOLIDATED FIRE PROTECTION DISTRICT) OF CHARLESTON COUNTY, SOUTH CAROLINA, INCLUDING A COMPETITIVE BANK LOAN PROCUREMENT PROCESS; TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF; TO PROVIDE FOR THE ISSUANCE OF GENERAL OBLIGATION BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS; AND OTHER MATTERS RELATING THERETO.

BE IT ENACTED BY THE COUNTY COUNCIL OF CHARLESTON COUNTY, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED:

As an incident to the enactment of this Ordinance and the issuance of the bonds provided for herein, the County Council of Charleston County, South Carolina (the "County Council"), the governing body of Charleston County, South Carolina (the "County"), find that the facts set forth herein exist and the statements made with respect thereto are true and correct.

WHEREAS, the County Council, in Ordinance No. 1786, has previously determined to establish, operate, and maintain a system of fire protection in the northern portion of the County and known as the "Awendaw McClellanville Consolidated Fire Protection District" and, pursuant to the provisions of Title 4, Chapter 19 of the Code of Laws of South Carolina 1976, as amended, has, from time to time designated such area where fire protection service may be furnished by the County under the provisions thereof (the area designated by County Council is referred to herein as the "District"); and

WHEREAS, by virtue of Title 4, Chapter 19 of the Code of Laws of South Carolina 1976, as amended, as amended and continued by Section 11-27-40 of the Code of Laws of South Carolina 1976, as amended (collectively, the "Bond Enabling Act"), County Council is authorised to issue general obligation bonds of the County for the purpose of raising moneys to establish, maintain, and operate a fire protection system and to purchase the necessary fire-fighting equipment and to construct, acquire, and build the necessary fire stations and to acquire sites for the stations; and

WHEREAS, pursuant to the authorisations of Article X of the South Carolina Constitution and the Enabling Act, the County Council desires to obtain funds for the purpose of defraying a portion of the cost of replacing outdated and damaged fire hoses and the acquisition of a new tanker, refurbishment of a rescue truck, and acquisition of extraction equipment and equipment for a Brush Fire unit, and related items for use in the District (collectively, the "Project"); and

WHEREAS, Article X, Section 12 of the South Carolina Constitution prohibits the issuance of general obligation bonds of any county to finance fire protection facilities benefitting only a particular geographic section of the county unless a special assessment, tax, or service charge in an amount designed to provide debt service shall be imposed upon the areas or persons receiving the benefit therefrom; and

WHEREAS, County Council previously determined to provide for the levy and collection of an annual ad valorem tax within the District which will be sufficient to provide for the payment of the principal and interest on the bonds to be issued hereunder, and the respective requirements of Article X, Section 12 of the South Carolina Constitution and Section 4-19-30 of the Enabling Act with respect to the issuance of the bonds provided for herein have been met; and

WHEREAS, by virtue of Article X, Section 14(7)(b) of the South Carolina Constitution, general obligation debt incurred pursuant to and within the limitations prescribed by Article X, Section 12 of the South Carolina Constitution shall not be considered in determining the debt limitations imposed by Article X, Section 14(7)(a) of the South Carolina Constitution; and

WHEREAS, the County Council have now determined that it is in the best interest of the County, and necessary and proper for the general welfare of the County and its citizens that this Ordinance be enacted to provide for the issuance of general obligation bonds of the County to provide for payment of the costs of the Project and, until such time as bonds are issued, to provide interim financing of such costs through the issuance of general obligation bond anticipation notes;

NOW, THEREFORE, on the basis of the foregoing authorisations and for the purposes set forth above, the County Council enact this Ordinance to effect the issuance and sale of not to exceed outstanding at any time \$1,200,000 general obligation bonds and general obligation bond anticipation notes of the County.

ARTICLE I

DEFINITIONS AND INTERPRETATIONS

Section 1 **Defined Terms.**

The terms defined in this Article (except as herein otherwise expressly provided or unless the context otherwise requires) for all purposes of this Ordinance shall have the respective meanings specified in this Article.

“Authenticating Agent” shall mean the County or any officer thereof or the institution named as the authenticating agent for the Bonds and Notes designated pursuant to Section 8 of Article II hereof.

“Beneficial Owner” shall mean the person in whose name a Bond is recorded as the beneficial owner of the Bond by a Participant, if any, on the records of the Participant or such person’s subrogee.

“Bond Counsel” shall mean the firm of Howell Linkous & Nettles, LLC or another firm of attorneys of nationally recognised standing in the matters pertaining to the federal tax exemption of interest on bonds issued by states and political subdivisions, and duly admitted to practice law before the highest court of any state of the United States.

“Bond Enabling Act” shall mean Title 4, Chapter 19 of the Code of Laws of South Carolina 1976, as amended, as amended and continued by Section 11-27-40 of the Code

of Laws of South Carolina 1976, as amended.

“Bonds” shall mean the Fire Protection Services General Obligation Bonds (Awendaw McClellanville Consolidated Fire Protection District) of the County authorised to be issued hereunder from time to time in the aggregate principal amount of not to exceed \$1,200,000.

“Bond Registrar” shall mean the County or any officer thereof or the institution named as the bond registrar designated pursuant to the provisions of Section 9 of Article II hereof.

“Book-Entry Only System” shall have the meaning attributed to that term in Article II, Section 13 hereof.

“Books of Registry” shall mean the registration books maintained by the Bond Registrar in accordance with Section 9 of Article II hereof.

“Chairman” shall mean the chairman of the County Council or, in his absence, the vice chairman of the County Council.

“Chief Financial Officer” shall mean the Chief Financial Officer of the County or, in her absence, any other officer or employee of the County designated in writing by the County Administrator to perform the duties of the Chief Financial Officer under this Ordinance.

“Clerk” shall mean the clerk of the County Council or, in her absence, the acting clerk.

“Closing Date” shall mean the date upon which there is an exchange of the Bonds for the proceeds representing the purchase price of the Bonds or the initial advance of proceeds of the Bonds by the Original Purchaser.

“Continuing Disclosure Undertaking” shall mean the Disclosure Dissemination Agent Agreement hereby authorised to be executed by the Chief Financial Officer on behalf of the County, as it may be amended from time to time in accordance with the terms thereof.

“County” shall mean Charleston County, South Carolina.

“County Administrator” shall mean the County Administrator of the County.

“County Council” shall mean the County Council of Charleston County, South Carolina, the governing body of the County or any successor governing body of the County.

“Dated Date” shall mean the date of delivery of the Bonds.

“Debt Service” shall mean the scheduled amount of interest and amortisation of principal payable on the Bonds during the period of computation, excluding amounts scheduled during such period which relate to principal which has been retired before the beginning of such period.

“Defeasance Obligations” shall mean obligations of the United States or any of its agencies.

“District” shall mean the Awendaw McClellanville Consolidated Fire Protection District created pursuant to County Ordinance No. 1786.

“DTC” shall mean The Depository Trust Company, a limited purpose trust company organized under the laws of the State of New York, and its successors pursuant to Article II, Section 13 hereof.

“Financial Advisor” shall mean First Tryon Securities, LLC, the financial advisor to the County.

“Fire Protection Service Tax” shall mean the ad valorem taxes imposed by the County Council in the District pursuant to Ordinance No. 1810 in accordance with the Bond Enabling Act.

“Fiscal Agents” shall mean the Paying Agent, the Bond Registrar, the Authenticating Agent, and any escrow agent under Article VI hereof with respect to the Bonds and the Notes.

“Interest Payment Date” shall mean the dates selected for payment of interest on the Bonds as provided in Article II hereof.

“Letter of Representations” shall mean the Blanket Letter of Representations of the County to DTC dated December 15, 1995.

“Net Proceeds,” when used with reference to the Bonds, shall mean the face amount of the Bonds, plus accrued interest and premium, if any.

“Note Enabling Act” shall mean Title 11, Chapter 17 of the Code of Laws of South Carolina 1976, as amended.

“Note Purchase Contract” shall mean the Note Purchase Contract between the County and the Original Purchaser of the Notes, as described in Article IX, Section 7 hereof.

“Notes” shall mean the bond anticipation notes of the County authorized to be issued hereunder, in the aggregate principal amount of not to exceed \$1,200,000 outstanding at any one time.

“Ordinance” shall mean this Ordinance as from time to time amended and supplemented by one or more supplemental ordinances enacted in accordance with the provisions of Article VII hereof.

“Original Purchaser” shall mean the first purchaser of the Bonds from the County.

“Original Purchaser of the Notes” shall mean such investment banking firm or bank so designated by the Chairman, the initial purchaser of the Notes from the County.

“Participants” shall mean those broker-dealers, banks, and other financial institutions for which the Securities Depository holds Bonds as securities depository.

“Paying Agent” shall mean the County or any officer thereof or the institution named as the paying agent for the Bonds and the Notes, as designated pursuant to Section 1 of Article II and Section 8 of Article IX hereof, respectively.

“Project” shall mean replacing outdated and damaged fire hoses and the acquisition of a new tanker, refurbishment of a rescue truck, and acquisition of extraction equipment and equipment for a Brush Fire unit, and related items for use in the District.

“Securities Depository” means the administrator, if any, of a book-entry only system for the Bonds, as further described in Article II, Section 13 hereof and any successor appointed as provided in Article II, Section 13 hereof.

“Sinking Fund Account” shall mean the sinking fund account established and held by the Treasurer of the County designed to provide for the payment of the principal of, premium, if any, and interest on the Bonds, as the same respectively fall due.

Section 2 General Rules of Interpretation.

For purposes of this Ordinance, except as otherwise expressly provided or the context otherwise requires:

(a) Articles, Sections, and Paragraphs, mentioned by number are the respective Articles, Sections, and Paragraphs, of this Ordinance so numbered.

(b) Except as otherwise expressly provided or unless the context otherwise requires, words importing persons include firms, associations, and corporations, and the masculine includes the feminine and the neuter.

(c) Words importing the redemption or redeeming or calling for redemption of a Bond do not include or connote the payment of such Bond at its stated maturity or the purchase of such Bond.

(d) Words importing the singular number include the plural number and *vice versa*.

(e) The heading or titles of the several Articles and Sections hereof, and any table of contents appended hereto or to copies hereof, shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation, or effect of this Ordinance.

ARTICLE II

ISSUANCE OF BONDS

Section 1 Authorisation of Bonds; Approval of Maturity Dates, Principal Amounts, and Interest Rates.

(a) Pursuant to the provisions of the Bond Enabling Act and for the purposes of funding the costs of the Project and paying costs of issuance of the Bonds, there shall be issued not to exceed One Million Two Hundred Thousand and no/100 Dollars (\$1,200,000.00) of general obligation bonds of the County, which may be issued in one or more series, as approved by the Chairman. The Bonds shall be designated “Fire Protection Service General Obligation Bonds (Awendaw McClellanville Consolidated Fire Protection District)” with such series designated as approved by the Chairman. The Bonds shall be originally dated the Dated Date, shall be in fully-registered form, shall be in denominations as approved by the Chairman, with the advice of the Financial Advisor, and

may be numbered from R-1 upward.

(b) The Bonds will bear interest at such rates, payable on each Interest Payment Date, and the principal thereof will be payable or mature on the dates and in the amounts as are approved by the Chairman, upon the advice of Bond Counsel and the Financial Advisor, pursuant to the sale of the Bonds in accordance with Article IV hereof, provided that:

(i) The Bonds shall mature not later than ten (10) years from their date of issuance.

(ii) The Interest Payment Dates and principal payment dates for the Bonds shall be designated by the Chairman.

(iii) The Bonds shall be issued in the principal amount not to exceed \$1,200,000 as approved by the Chairman.

(iv) The Paying Agent, Authenticating Agent, and Bond Registrar shall be designated by the Chairman, upon the advice of the Financial Advisor, as in the best interest of the County.

(c) The Chairman is hereby expressly delegated the authority to approve the sale and issuance of the Bonds so long as they conform to all of the parameters set forth in this Ordinance, including, but not limited to, this Section 1 of Article II.

Section 2 Redemption of Bonds.

(a) General. The Bonds may not be called for redemption by the County except as provided in this Section 2.

(b) Optional or Mandatory Redemption. The Bonds shall be subject to optional or mandatory redemption upon the terms and conditions as approved by the Chairman, upon the advice of the Financial Advisor and Bond Counsel.

(c) Partial Redemption of Bonds. In the event that only part of the principal amount of a Bond shall be called for redemption or prepaid, payment of the amount to be redeemed or prepaid shall be made only upon surrender of that Bond to the Paying Agent. Upon surrender of such Bond, the County shall execute and the Authenticating Agent shall authenticate and deliver to the owner thereof, at the office of the Authenticating Agent, or send to such owner by registered mail at his request, risk, and expense, a new fully-executed Bond or Bonds, of authorized denominations equal in aggregate principal amount to, and of the same maturity and interest rate as, the unredeemed portion of the Bond surrendered.

(d) Official Notice of Redemption. (i) Unless waived by any registered owner of Bonds to be redeemed, official notice of any such redemption shall be given by the County by mailing a copy of an official redemption notice by first class mail at least ten (10) days and not more than sixty (60) days prior to the date fixed for redemption to the registered owners of the Bond or Bonds to be redeemed at the address shown on the Books of Registry. Failure to give notice by mail or any defect in any notice so mailed with respect to any Bond shall not affect the validity of the proceedings for such redemption for Bonds for which notice was properly given.

- (ii) All official notices of redemption shall be dated and shall state:
 - (A) the redemption date,
 - (B) the redemption price,
 - (C) if less than all of the outstanding principal amount of the Bonds is to be redeemed, the identification (and, in the case of partial redemption, the respective principal amounts) of the Bonds to be redeemed,
 - (D) that on the redemption date the redemption price will become due and payable upon the Bonds or portion thereof

called for redemption, and that interest thereon shall cease to accrue from and after such date, and

(E) the place where such Bonds are to be surrendered for payment of the redemption price.

(e) Conditional Notice of Redemption of Bonds Permitted. In the case of an optional redemption, the notice may state (i) that it is conditioned upon the deposit of moneys, in an amount equal to the amount necessary to effect the redemption, with the Paying Agent no later than the redemption date or (ii) that the County retains the right to rescind such notice on or prior to the scheduled redemption date (in either case, a "Conditional Redemption"), and such notice and optional redemption shall be of no effect if such moneys are not so deposited or if the notice is rescinded.

(f) Deposit of Funds. Prior to any redemption date, the County shall deposit with the Paying Agent an amount of money sufficient to pay the redemption price of all the Bonds or portions of Bonds which are to be redeemed on that date.

(g) Effect of Deposit of Funds. Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the County shall default in the payment of the redemption price) the Bonds or portions of the Bonds shall cease to bear interest. If said money shall not be available on the redemption date, such bonds or portions thereof shall continue to bear interest until paid at the same rate as they would have borne had they not been called for redemption. Upon surrender of such Bonds for redemption in accordance with such notice, such Bonds shall be paid by the Paying Agent at the redemption price. Installments of interest due on or prior to the redemption date shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Bond, there shall be prepared for the registered owner a new Bond or Bonds of the same maturity in the amount of the unpaid principal. All Bonds which have been redeemed shall be cancelled by the Paying Agent and shall not be reissued.

Section 3 Cancellation of Bonds.

All Bonds which have been redeemed shall be cancelled and either maintained or destroyed by the Paying Agent and shall not be reissued. A counterpart of the certificate of destruction evidencing such destruction shall be furnished by the Paying Agent to the County upon the request of the County Administrator.

Section 4 Purchase of Bonds.

The Paying Agent shall, if and to the extent practicable, endeavor to purchase Bonds or portions of Bonds at the written direction of the County at the time, in the manner, and at the price as may be specified by the County. The Paying Agent may so purchase the Bonds; provided, that any limitations or restrictions on such redemption or purchases contained in this Ordinance shall be complied with. The expenses of such purchase shall be deemed an expense of the Paying Agent to be paid by the County. The Paying Agent shall incur no liability for any purchase made in accordance with this Section or for its inability to effect such purchase in excess of the redemption price thereof.

Section 5 Medium of Payment.

Both the principal of and interest on the Bonds shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for

the payment of public and private debts.

Section 6 Place of Payments; Selection of Paying Agent.

Principal and premium, if any, of the Bonds, when due, shall be payable at the office of the Registered Owner of the Bonds or the Paying Agent, as approved by the Chairman upon the advice of the Financial Advisor. Interest on any Bond shall be payable on each Interest Payment Date to the person in whose name such Bond is registered.

Section 7 Execution of Bonds; Designation of Authenticating Agent.

(a) The Bonds shall be executed in the name of the County by the manual or facsimile signature of the Chairman, and attested by the manual or facsimile signature of the Clerk, and the seal of the County shall be impressed or reproduced on each Bond. Any facsimile signature appearing on the Bonds may be those of the officers who are in the office on the date of the enactment of this Ordinance. The Bonds shall be executed in respect of any manual signature by the person or persons holding office when such Bonds are ready for delivery. The execution of the Bonds in this fashion shall be valid and effective notwithstanding changes in the personnel of any of the above offices subsequent to their execution.

(b) The Bonds shall bear a certificate of authentication, substantially in the form set forth in Exhibit A, duly executed by the Authenticating Agent. The Authenticating Agent shall authenticate each Bond with the manual signature of the Authenticating Agent or its authorised officer, but it shall not be necessary for the same authorised officer to authenticate all of the Bonds. Only such authenticated Bonds shall be entitled to any right or benefit under this Ordinance. Such certificate on any Bond issued hereunder shall be conclusive evidence that the Bond has been duly issued and is secured by the provisions hereof.

Section 8 Form of Bonds; Designation of Bond Registrar.

(a) The Bonds shall be issued in fully-registered form, and all principal, interest, or other amounts due thereunder shall be payable only to the registered owner thereof. The bond registrar shall be the County or an officer thereof or such bank or trust company designated by the Chairman, and the County Council hereby direct the Bond Registrar to maintain, at the County’s expense, the Books of Registry for the registration or transfer of the Bonds.

1.1 The form of the Bonds and assignment provisions to be endorsed thereon shall be substantially as set forth in Exhibit A attached hereto and made a part of this Ordinance with any appropriate variations, legends, omissions, and insertions as permitted or required by this Ordinance.

Section 9 Registration and Transfers of Bonds; Persons Treated as Owners.

(a) Each Bond shall be fully-registered and no Bond may be transferred except by the registered owner thereof in person or by his attorney duly authorised in writing upon surrender thereof together with a written instrument of transfer satisfactory to the Bond Registrar duly executed by the registered owner or his duly authorised attorney. Upon the transfer of any such registered Bond or Bonds, the County may execute and the Authenticating Agent may authenticate and deliver, subject to the provisions of Section 13 of this Article, in the name of the transferee, a new registered Bond or Bonds of the same aggregate principal amount as the unpaid principal amount of the surrendered Bond or Bonds.

(1)2 Any registered owner requesting any transfer shall pay all taxes or other

sufficient to reimburse them, or any of them, for any tax or other governmental charge required to be paid with respect to such exchange or transfer.

Section 13 Book-Entry Only System for the Bonds.

(a) The provisions of this section shall apply with respect to any Bond registered to Cede & Co. or any other nominee of DTC while the book-entry only system (the "Book-Entry Only System") provided for herein is in effect and shall, during the period of their application, supersede any contrary provisions of this Ordinance.

(b) The Bonds shall be issued as a single Bond for each maturity. On the date of the initial authentication and delivery of all of the Bonds, the Bonds shall be registered in the name of Cede & Co., as nominee of DTC as the registered owner of the Bonds. With respect to Bonds registered in the name of Cede & Co., as nominee of DTC, the County shall have no responsibility or obligation to any Participant (which means securities brokers and dealers, banks, trust companies, clearing corporations, and various other entities, some of whom, or their representatives, own DTC) or to any Beneficial Owner (which means, when used with reference to the Book-Entry Only System, the person who is considered the beneficial owner thereof pursuant to the arrangements for book entry determination of ownership applicable to DTC) with respect to the following: (i) the accuracy of the records of DTC, Cede & Co., or any Participant with respect to any ownership interests in the Bonds, (ii) the delivery to any Participant, any Beneficial Owner, or any other person, other than DTC, of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any Participant, or any Beneficial Owner, or any other person, other than DTC, of any amount with respect to the principal of or premium, if any, or interest on the Bonds. The Paying Agent shall pay all principal of and premium, if any, and interest on the Bonds only to or upon the order of DTC, and all such payments shall be valid and effective fully to satisfy and discharge the County's obligations with respect to the principal of and premium, if any, and interest on such Bonds to the extent of the sum so paid. No person other than DTC shall receive a Bond. Upon delivery by DTC to the County of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the words "Cede & Co." in this section shall refer to such new nominee of DTC.

(c) Upon receipt by the County of written notice from DTC to the effect that DTC is unable or unwilling to discharge its responsibilities hereunder, the County shall issue, transfer, and exchange Bonds as requested by DTC in authorized denominations, and whenever DTC requests the County to do so, the County will cooperate with DTC in taking appropriate action after reasonable notice to arrange for a substitute Securities Depository willing and able upon reasonable and customary terms to maintain custody of the Bonds registered in whatever name or names the registered owners transferring or exchanging such Bonds shall designate in accordance with this section.

(d) In the event the County determines that it is in the best interests of the Beneficial Owners that they be able to obtain Bonds registered in the name of a registered owner other than DTC, the County may so notify DTC, whereupon DTC will notify the Participants of the availability through DTC of such Bonds. In such event, upon the return by DTC of Bonds held by DTC in the name of Cede & Co., the County shall issue, transfer, and exchange Bonds in authorized denominations as requested by DTC, and whenever DTC requests the County to do so, the County will cooperate with DTC in taking appropriate action after reasonable notice to make available Bonds registered in whatever name or names the Beneficial Owners transferring or exchanging Bonds shall designate, in accordance with this section.

(e) Notwithstanding any other provision of this Ordinance to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all

payments with respect to the principal of and premium, if any, and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, to DTC as provided in the Letter of Representations delivered by the County to DTC.

(f) In the event that the Book-Entry Only System pursuant to this section is discontinued, the Bonds shall be issued, transferred, and exchanged through DTC and its Participants to the Beneficial Owners.

ARTICLE III

SECURITY FOR BONDS

Section 1 **Pledge of Full Faith, Credit, and Taxing Power.**

For the payment of the principal of and interest on the Bonds as the same respectively mature, and for the creation of such Sinking Fund Account as may be necessary therefor, the full faith, credit, and taxing power, of the County are irrevocably pledged and there shall be levied annually by the Auditor of Charleston County, and collected by the Treasurer of Charleston County, in the same manner as other County taxes are levied and collected, a tax, without limit, on all taxable property in the County, sufficient to pay the principal and interest of the Bonds as they respectively mature, and to create such Sinking Fund Account as may be necessary therefor; provided, however, that revenues from the Fire Protection Service Tax levied in the District to effect the payment of principal and interest of the Bonds must be available for the payment of debt service on the Bonds, and must be delivered to the Treasurer of Charleston County for the payment of principal and interest of the Bonds and for no other purpose, prior to the occasion when the Auditor of Charleston County fixes the annual tax levy, and the annual ad valorem tax to be levied for the payment of the principal and interest on the Bonds on all taxable property in the County may be reduced in each year by the amount of revenues derived from the Fire Protection Service Tax levied in the District which are actually in the hands of the Treasurer of Charleston County at the time the tax for the year is required to be levied; provided, further that the Bonds are primarily to be paid from the Fire Protection Service Tax and for the payment of principal and interest thereof, as the same mature, there must be levied and collected the Fire Protection Service Tax upon all taxable property in the District, and resort to the County tax levy required by the preceding provisions of the Section must be made only in the event that funds from the Fire Protection Service Tax levied in the District prove insufficient to meet the payment of the principal and interest..

Section 2 **Levy and Collection of Property Taxes.**

The Auditor and Treasurer of Charleston County, South Carolina, shall be notified of this issue of Bonds and directed to levy and collect, respectively, upon all taxable property in the County, an annual tax, without limit, sufficient to meet the payment of the principal of and interest on the Bonds, as the same respectively mature, and to create such Sinking Fund Account as may be necessary therefor, subject, however, to the availability of the revenue derived from the collection of the Fire Protection Service Tax described in Section 1 of this Article.

ARTICLE IV

SALE OF BONDS; DISPOSITION OF PROCEEDS OF SALE

Section 1 Sale of Bonds.

The Chief Financial Officer is authorized and directed, with the assistance of the Financial Advisor, to solicit proposals from banks and other financial institutions for the purchase of the Bonds in accordance with Section 11-27-40(4) of the Code of Laws of South Carolina 1976, as amended, and to select a proposal on the terms and conditions as are approved by the Chairman, upon the advice of the Financial Advisor. The Chairman is hereby expressly delegated the authority to approve the sale of the Bonds so long as they conform to all of the parameters set forth in Section 1 of Article II hereof. Notice of the sale of the Bonds in substantially the form set forth in Exhibit D hereto shall be published in accordance with said Section 11-27-40(4).

Section 2 Disposition of Proceeds of Sale of Bonds.

1.1 The proceeds derived from the sale of the Bonds issued pursuant to this Ordinance shall be made use of by the County Council as follows:

1.1 Any accrued interest shall be deposited in the Sinking Fund Account and applied to the payment of the first installment of interest to become due on the Bonds.

1.2 Any premium shall be applied to the payment of the first installment of principal coming due on the Bonds.

(iii) The remaining proceeds derived from the sale of the Bonds shall be applied as follows:

(a) Sufficient proceeds shall be used to defray the costs of issuing the Bonds.

(b) The proceeds necessary to refund all Notes issued under this Ordinance shall be deposited with the Paying Agent for such issue or issues of Notes, and applied to the payment of principal, interest, and redemption premium, if any, of the Notes.

(c) The remaining proceeds shall be applied by the County to fund costs of the Project.

(B) County Council hereby authorises reimbursement from the proceeds of the Bonds the expenditures of funds from the general fund, prior to the issuance of the Bonds, for the Project.

(C) No purchaser or registered owner of the Bonds shall be liable for the proper application of the proceeds thereof.

ARTICLE V

TAX EXEMPTION OF BONDS

Section 1 Federal Tax Provisions.

In the event the Bonds are exempt from federal taxation, the County Council hereby authorise the Chief Financial Officer to execute and deliver a tax regulatory agreement or certificate for the purpose of establishing and maintaining the excludability of interest on the Bonds from the gross income of the recipients thereof for federal and South Carolina income tax purposes.

ARTICLE VI

DEFEASANCE

Section 1 Release of Ordinance.

1. If all of the Bonds issued pursuant to this Ordinance shall have been paid and discharged, then the obligations of the County under this Ordinance, and all other rights granted thereby shall cease and determine. Bonds shall be deemed to have been paid and discharged within the meaning of this Article in each of the following circumstances:

1.1 If the Paying Agent shall hold, at the stated maturities of such Bonds, in trust and irrevocably appropriated thereto, moneys for the full payment thereof; or

1.2 If default in the payment of the principal of such Bonds or the interest thereon shall have occurred, and thereafter tender of such payment shall have been made, and the Paying Agent shall hold, in trust and irrevocably appropriated thereto, sufficient moneys for the payment thereof to the date of the tender of such payment; or

1.3 If the County shall have deposited with the Paying Agent or other escrow agent meeting the requirements of a Fiscal Agent hereunder, in an irrevocable trust, either moneys in an amount which shall be sufficient, or direct general obligations of the United States of America, which are not subject to redemption by the County prior to the date of maturity of the Bonds to be defeased, the principal of and interest on which, when due, and without reinvestment thereof, will provide moneys, which, together with the moneys, if any, so deposited at the same time, shall be sufficient to pay, when due, the principal, interest, and redemption premium or premiums, if any, due or to become due on and prior to the maturity date or dates; or

1.4 If there shall have been so deposited either moneys in an amount which shall be sufficient, or direct general obligations of the United States of America the principal of and interest on which, when due, will provide moneys which, together with the moneys, if any, so deposited at the same time, shall be sufficient to pay, when due, the principal and interest due or to become due on the Bonds on the maturity thereof.

2. In addition to the above requirements of paragraphs (i), (ii), (iii), or (iv), in order for this Ordinance to be discharged, all other fees, expenses, and charges of the Fiscal Agents, shall have been paid in full at such time.

3. Notwithstanding the satisfaction and discharge of this Ordinance, the Fiscal Agents shall continue to be obligated to hold in trust any moneys or investments then held by the Paying Agent for the payment of the principal of, premium, if any, and interest on, the Bonds, to pay to the registered owners of Bonds the funds so held by the Fiscal Agents as and when such payment becomes due.

4. Any release under this Section shall be without prejudice to the rights of the Fiscal Agents to be paid reasonable compensation for all services rendered under this Ordinance and all reasonable expenses, charges, and other disbursements and those of their respective attorneys, agents, and employees, incurred on and about the administration of trusts by this Ordinance created and the performance of the powers and duties under this Ordinance of the Fiscal Agents.

Section 2 Deposit of Moneys.

Any moneys which at any time shall be deposited with a Fiscal Agent by or on behalf of the County for the purpose of paying and discharging any Bonds shall be and are hereby assigned, transferred, and set over to the Fiscal Agent in trust for the respective

registered owners of such Bonds, and such moneys shall be and are hereby irrevocably appropriated to the payment and discharge thereof. If, through lapse of time or otherwise, the registered owners of such Bonds shall no longer be entitled to enforce payment of their obligations, then, in such event, it shall be the duty of the Fiscal Agent to transfer such funds to the County.

Section 3 Notice of Release of Ordinance.

1. In the event any of said Bonds are not to be redeemed within the sixty (60) days next succeeding the date the deposit required by Section 1(a)(iii) or (iv) of this Article is made, the County shall give the Fiscal Agent irrevocable instructions to mail, as soon as practicable by first class mail, a notice to the registered owners of such Bonds at the addresses shown on the Books of Registry that (i) the deposit required by subparagraph (a)(iii) or (a)(iv) of Section 1 of this Article has been made with the Fiscal Agent, and (ii) said Bonds are deemed to have been paid in accordance with this Article and stating such maturity or redemption dates upon which moneys are to be available for the payment of the principal of, and premium, if any, and interest on, said Bonds.

2. The County covenants and agrees that any moneys which it shall deposit with the Fiscal Agent shall be deemed to be deposited in accordance with, and subject to, the applicable provisions of this Article.

ARTICLE VII

AMENDING AND SUPPLEMENTING OF ORDINANCE

Section 1 Amending and Supplementing of Ordinance Without Consent of Registered Owners of Bonds.

1. The County Council, from time to time and at any time and without the consent or concurrence of any registered owner of any Bond, may enact an ordinance amendatory hereof or supplemental thereto, (1) if no Bonds have been issued, or (2) if the provisions of such supplemental ordinance shall not materially adversely affect the rights of the registered owners of the Bonds then outstanding, for any one or more of the following purposes:

1.1 To make any changes or corrections in this Ordinance as to which the County Council shall have been advised by counsel that the same are verbal corrections or changes or are required for the purpose of curing and correcting any ambiguity or defective or inconsistent provision or omission or mistake or manifest error contained in this Ordinance, or to insert in this Ordinance such provisions clarifying matters or questions arising under this Ordinance as are necessary or desirable;

purpose of 1.2 To add additional covenants and agreements of the County for the further securing the payment of the Bonds;

upon the 1.3 To surrender any right, power, or privilege reserved to or conferred County by the terms of this Ordinance;

1.4 To grant or confer upon the registered owners of the Bonds any additional rights, remedies, powers, authority, or security that lawfully may be granted to or conferred upon them; or

1.5 To make such additions, deletions, or modifications as may be necessary to assure compliance with section 148(f) of the Code relating to required rebate to the United States of America or otherwise as may be necessary to assure the exclusion from gross income of interest on the Bonds for purposes of federal income taxation.

2. The County Council shall not enact any supplemental ordinance authorised by the foregoing provisions of this Section unless in the opinion of counsel (which opinion may be combined with the opinion required by Section 4 hereof) the enactment of such supplemental ordinance is permitted by the foregoing provisions of this Section and the provisions of such supplemental ordinance do not adversely affect the rights of the registered owners of the Bonds then outstanding.

Section 2 Amending and Supplementing of Ordinance With Consent of Registered Owners of Bonds.

1. With the consent of the registered owners of not less than a majority in principal amount of the Bonds then outstanding the County Council from time to time and at any time may enact an ordinance amendatory hereof or supplemental hereto for the purpose of adding any provisions to, or changing in any manner or eliminating any of the provisions of, this Ordinance, or modifying or amending the rights or obligations of the County under this Ordinance, or modifying or amending in any manner the rights of the registered owners of the Bonds then outstanding; provided, however, that without the specific consent of the registered owner of each such Bond which would be affected thereby, no supplemental ordinance amending or supplementing the provisions hereof shall: (i) change the fixed maturity date of any Bond or the dates for the payment of interest thereon or the terms of the redemption thereof, or reduce the principal amount of any Bond or the rate of interest thereon or the redemption price (or the redemption premium) payable upon the redemption or prepayment thereof; (ii) reduce the aforesaid percentage of Bonds, the registered owners of which are required to consent to any supplemental ordinance amending or supplementing the provisions of this Ordinance; or (iii) give to any Bond or Bonds any preference over any other Bond or Bonds secured hereby. Nothing in this paragraph contained, however, shall be construed as making necessary the approval of the registered owners of the Bonds of the enactment of any supplemental ordinance authorised by the provisions of Section 1 of this Article.

2. It shall not be necessary that the consents of the registered owners of the Bonds approve the particular form of the wording of the proposed amendment or supplement or of the supplemental ordinance effecting such amending or supplementing hereof pursuant to this Section. The County shall mail a notice at least once, not more than thirty (30) days after the effective date of such amendment or supplement, of such amendment or supplement postage prepaid, to each registered owner of Bonds then outstanding at his address appearing upon the Books of Registry and to the Paying Agent, but failure to mail copies of such notice to any of the registered owners shall not affect the validity of the supplemental ordinance effecting such amendments or supplements or the consents thereto. Nothing in this paragraph contained, however, shall be construed as requiring the giving of notice of any amendment or supplement of this Ordinance authorised by Section 1 of this Article. No action or proceeding to set aside or invalidate such supplemental ordinance or any of the proceedings for its enactment shall be instituted or maintained unless such action or proceeding is commenced within sixty (60) days after the mailing of the notice required by this paragraph.

Section 3 Notation Upon Bonds; New Bonds Issued Upon Amendments.

Bonds delivered after the effective date of any action taken as provided in this Article may bear a notation as to such action, by endorsement or otherwise and in form approved by the County. In that case, upon demand of the registered owner of any Bond outstanding after such effective date and upon the presentation of the Bond for such purpose at the office of the Paying Agent, and at such additional offices, if any, as the

County may select and designate for that purpose, a suitable notation shall be made on such Bond. If the County shall so determine, new Bonds, so modified as in the opinion of the County upon the advice of counsel to conform to the amendments or supplements made pursuant to this Article, shall be prepared, executed, and delivered, and upon demand of the registered owner of any Bond then outstanding shall be exchanged without cost to such registered owner for Bonds then outstanding, upon surrender of such outstanding Bonds.

Section 4 Effectiveness of Supplemental Ordinance.

Upon the enactment (pursuant to this Article and applicable law) by the County Council of any supplemental ordinance amending or supplementing the provisions of this Ordinance and the delivery to the Paying Agent and the County Council of an opinion of Bond Counsel that such supplemental ordinance is in due form and has been duly enacted in accordance with the provisions hereof and applicable law and that the provisions thereof are valid and binding upon the County, or upon such later date as may be specified in such supplemental ordinance, (a) this Ordinance and the Bonds shall be modified and amended in accordance with such supplemental ordinance, (b) the respective rights, limitations of rights, obligations, duties, and immunities, under this Ordinance of the County, the Fiscal Agents, and the registered owners of the Bonds, shall thereafter be determined, exercised, and enforced under this Ordinance subject in all respects to such modifications and amendments, and (c) all of the terms and conditions of any such supplemental ordinance shall be a part of the terms and conditions of the Bonds and of this Ordinance for any and all purposes.

Section 5 Supplemental Ordinance Affecting Fiscal Agents.

No supplemental ordinance changing, amending, or modifying any of the rights, duties, and obligations of any Fiscal Agent appointed by or pursuant to the provisions of this Ordinance may be enacted by the County Council or be consented to by the registered owners of the Bonds without written consent of such Fiscal Agent affected thereby.

ARTICLE VIII

CONCERNING THE FISCAL AGENTS

Section 1 Fiscal Agents; Appointment and Acceptance of Duties.

Any financial institution appointed as the Paying Agent, the Bond Registrar, the Authenticating Agent, and any escrow agent with respect to the Bonds or Notes shall accept the duties and trusts imposed upon it by this Ordinance and shall agree in writing to perform such trusts but only upon the terms and conditions set forth in this Article VIII. Similarly, any financial institution appointed as a successor Paying Agent, Bond Registrar, Authenticating Agent, or escrow agent shall signify its acceptance of the duties and trusts imposed by this Ordinance by a written acceptance.

Section 2 Responsibilities of Fiscal Agents.

The recitals of fact contained herein and in the Bonds and the Notes shall be taken as the statements of the County and no Fiscal Agent shall be deemed to assume any responsibility for the correctness of the same except in respect of the authentication

certificate of the Authenticating Agent endorsed on the Bonds or the Notes. No Fiscal Agent shall be deemed to make any representations as to the validity or sufficiency of this Ordinance or of any Bonds or the Notes or as to the security afforded by this Ordinance, and no Fiscal Agent shall incur any liability in respect thereof. No Fiscal Agent shall be under any responsibility or duty with respect to the application of any moneys paid to any other Fiscal Agent. No Fiscal Agent shall be under any obligation or duty to perform any act which would involve it in expense or liability or to institute or defend any suit in respect hereof or to advance any of its own moneys, unless indemnified to its reasonable satisfaction. No Fiscal Agent shall be liable in connexion with the performance of its duties hereunder except for its own negligence or wilful misconduct.

Section 3 Evidence on Which Fiscal Agents May Act.

1. Each Fiscal Agent, upon receipt of any notice, ordinance, request, consent, order, certificate, report, opinion, bond, or other paper or document furnished to it pursuant to any provision of this Ordinance, shall examine such instrument to determine whether it conforms to the requirements of this Ordinance and shall be protected in acting upon any such instrument believed by it to be genuine and to have been signed or presented by the proper party or parties. Each Fiscal Agent may consult with counsel, who may or may not be of counsel to the County, and the opinion of such counsel shall be full and complete authorisation and protection in respect of any action taken or suffered by it under this Ordinance in good faith and in accordance therewith.

2. Whenever any Fiscal Agent shall deem it necessary or desirable that a matter be proved or established prior to taking or suffering any action under this Ordinance, such matter (unless other evidence in respect thereof be therein specifically prescribed) may be deemed to be conclusively proved and established by a certificate of the Chairman, and such certificate shall be full warrant for any action taken or suffered in good faith under the provisions of this Ordinance; but in its discretion the Fiscal Agent may in lieu thereof accept other evidence of such fact or matter or may require such further or additional evidence as it may deem reasonable.

3. Except as otherwise expressly provided in this Ordinance, any request, order, notice, or other direction required or permitted to be furnished pursuant to any provision hereof by the County to any Fiscal Agent shall be sufficiently executed if executed in the name of the County by the Chairman.

Section 4 Compensation.

The County shall pay to each Fiscal Agent from time to time reasonable compensation based on the then standard fee schedule of the Fiscal Agent for all services rendered under this Ordinance, and also all reasonable expenses, charges, counsel fees and other disbursements, including those of its attorneys, agents, and employees, incurred in and about the performance of their powers and duties under this Ordinance; provided, however, that any specific agreement between the County and a Fiscal Agent with respect to the compensation of that Fiscal Agent shall control the compensation to be paid to it.

Section 5 Certain Permitted Acts.

Any Fiscal Agent may become the owner or underwriter of any bonds, notes, or other obligations of the County, or conduct any banking activities with respect to the County, with the same rights it would have if it were not a Fiscal Agent. To the extent permitted by law, any Fiscal Agent may act as a depository for and permit any of its officers

or directors to effect or aid in any reorganisation growing out of the enforcement of the Bonds, the Notes, or this Ordinance.

Section 6 Resignation of Any Fiscal Agent.

Any Fiscal Agent may at any time resign and be discharged of the duties and obligations created by this Ordinance by giving not less than sixty (60) days' written notice to the County and not less than thirty (30) days' written notice to the registered owners of the Bonds or the Notes (as established by the Books of Registry) prior to the next succeeding Interest Payment Date, and such resignation shall take effect upon the date specified in such notice unless a successor shall have been appointed previously by the County pursuant to Section 8 of this Article VIII, in which event such resignation shall take effect immediately upon the appointment of such successor. In no event, however, shall such a resignation take effect until a successor has been appointed.

Section 7 Removal of Fiscal Agent.

Any Fiscal Agent may be removed at any time by an instrument or concurrent instruments in writing, filed with the County and such Fiscal Agent, and signed by either the Chairman or the registered owners representing a majority in principal amount of the Bonds or the Notes then outstanding or their attorneys in fact duly authorised.

Section 8 Appointment of Successor Fiscal Agents.

1. In case any Fiscal Agent hereunder shall resign or be removed, or be dissolved, or shall be in the course of dissolution or liquidation, or otherwise become incapable of acting hereunder, or in case it shall be taken under the control of any public officer or officers, or of a receiver appointed by a court, a successor shall be appointed by the County. Every such Fiscal Agent appointed pursuant to the provision of this Section 8 shall be a trust company or bank organised under state or federal laws and which is in good standing, within or outside the State of South Carolina, having a stockholders' equity of not less than \$25,000,000 if there be such institution willing, qualified, and able to accept the trust upon reasonable and customary terms.

2. If in a proper case no appointment of a successor Fiscal Agent shall be made by the County pursuant to the foregoing provisions of this Section 8 within forty-five (45) days after any Fiscal Agent shall have given to the County written notice as provided in Section 6 of this Article VIII or after a vacancy in the office of such Fiscal Agent shall have occurred by reason of its removal or inability to act, the former Fiscal Agent or any registered owner may apply to any court of competent jurisdiction to appoint a successor. Said court may thereupon, after notice, if any, as the court may deem proper, appoint a successor.

Section 9 Transfer of Rights and Property to Successor.

Any successor Fiscal Agent appointed under this Ordinance shall execute, acknowledge, and deliver to its predecessor, and also to the County, an instrument accepting such appointment, and thereupon the successor, without any further act, deed, or conveyance, shall become fully vested with all moneys, estates, properties, rights, powers, duties, and obligations of the predecessor Fiscal Agent, with like effect as if originally named in that capacity; but the Fiscal Agent ceasing to act shall nevertheless, at the request of the County or at the written request of the successor Fiscal Agent, execute, acknowledge, and deliver, all instruments of conveyance and further assurance

and do all things as may reasonably be required for more fully and certainly vesting and confirming in the successor Fiscal Agent all the right, title, and interest, of the predecessor Fiscal Agent in and to any property held by it under this Ordinance, and shall pay over, assign, and deliver, to the successor Fiscal Agent any money or other property subject to the trusts and conditions herein set forth. Should any deed, conveyance, or instrument in writing, from the County be required by such successor Fiscal Agent for more fully and certainly vesting in and confirming to such successor any such estates, rights, powers, and duties, any and all such deeds, conveyances, and instruments in writing, shall, on request, and so far as may be authorised by law, be executed, acknowledged, and delivered, by the County. Each successor Fiscal Agent shall promptly notify the other Fiscal Agents, if any, of its appointment as Fiscal Agent.

Section 10 Merger or Consolidation.

Any corporation or other organisation into which any Fiscal Agent may be merged or converted or with which it may be consolidated or any corporation or other organisation resulting from any merger, conversion, or consolidation or other organisation to which it may be party or any corporation or other organisation to which any Fiscal Agent may sell or transfer all or substantially all of its corporate trust business, provided such corporation or other organisation shall be a bank or trust company organised under state or federal laws, and shall be authorised by law to perform all the duties imposed upon it by this Ordinance, shall be the successor to such Fiscal Agent without the execution or filing of any paper or the performance of any further act.

Section 11 Adoption of Authentication.

In case any of the Bonds or Notes contemplated to be issued under this Ordinance shall have been authenticated but not delivered, any successor Authenticating Agent may adopt the certificate of authentication of any predecessor Authenticating Agent so authenticating such Bonds or Notes and deliver such Bonds or Notes so authenticated. In case any such Bonds or Notes shall not have been authenticated, any successor Authenticating Agent may authenticate such Bonds or Notes in the name of the predecessor Authenticating Agent or in the name of the successor Authenticating Agent, and in all such cases such certificate shall be of full force and effect.

ARTICLE IX

AUTHORISATION AND ISSUANCE OF NOTES

Section 1 Constitutional and Statutory Authorisation of Notes.

The County Council is authorised and empowered by Subsection 9 of Section 14 of Article X of the South Carolina Constitution and by the Note Enabling Act to borrow pursuant to the provisions thereof in anticipation of the receipt of the proceeds of the Bonds.

Section 2 Issuance of Notes.

(a) Pursuant to the constitutional and statutory authorisation cited above, in order to obtain funds to pay a portion of the costs of the Project pending the issuance of the Bonds, and costs of issuance of the Notes, the County shall borrow an amount, as determined by the Chairman from time to time, but not to exceed \$1,200,000, to be evidenced by one or more series of Notes in the aggregate principal amount outstanding

at any one time of not to exceed \$1,200,000, dated the date of their delivery, and maturing on dates designated by the Chairman to be not later than one year after their respective dates of delivery.

(b) The Notes may be renewed from time to time in the event the Bonds are not issued prior to their maturity, pursuant to authorisation of the County Council by resolution to be duly adopted.

Section 3 Form of Notes.

(a) The Notes shall be issued in the aggregate principal amount outstanding of not to exceed \$1,200,000, in denominations as approved by the Chairman, may be numbered in each series from R-1 and upward consecutively, and shall be in substantially the form attached hereto as Exhibit C, with any necessary changes or appropriate variations, omissions, and insertions as are incidental to the series, numbers, denominations, and registration and transfer provisions as are otherwise permitted or required by law or this Ordinance.

(b) The Notes shall be payable, both principal and interest, in any coin or currency of the United States of America which is, at the time of payment, legal tender for the payment of public and private debts. Principal of and interest on the Notes shall be paid when due to the Noteholders by the Paying Agent from moneys on deposit with the Paying Agent for such purpose.

Section 4 Execution of Notes.

The Notes shall be executed in the name of the County by the Chairman, and attested by the Clerk, by their manual or facsimile signatures, provided that in the event that both such signatures are facsimile signatures, the Notes shall be of no effect unless and until they are authenticated by the manual signature of an authorised officer of a bank that is named by the Chairman as authenticating agent, and the seal of the County shall be impressed or reproduced on each Note. Any facsimile signature appearing on the Notes may be those of the officers who are in office on the date of the enactment of this ordinance. The Notes shall be executed in respect of any manual signature by the person or persons holding office when such Notes are ready for delivery. The execution of the Notes in this fashion shall be valid and effectual notwithstanding changes in the personnel of any of the above offices subsequent to their execution.

Section 5 Interest Rates on Notes.

The Notes shall bear interest at such interest rate or rates as approved by the Chairman, which interest shall be payable at the maturity of the Notes and on such other interest payment dates as approved by the Chairman.

Section 6 Prepayment or Redemption of Notes.

(a) The Notes shall be subject to prepayment or prior redemption upon the terms and conditions as approved by the Chairman.

(b) Notice of redemption of Notes will be given by the County by mailing it by first class mail, not less than 30 days nor more than 60 days prior to the redemption date, to the registered owner of each Note called for redemption. Interest on the Notes or portion thereof to be redeemed shall cease to accrue from and after the redemption date, unless the County defaults in making due provision for the payment of the redemption price thereof.

Section 7 Sale of Notes.

The Notes shall be sold at a price or prices, approved by the Chairman, to the Original Purchaser of the Notes, which prices the Chairman shall have determined to be in the best interest of the County. The County Council hereby delegate to the Chairman the authority to execute and deliver to the Original Purchaser of the Notes an agreement or commitment letter, upon the advice of the Financial Advisor and Bond Counsel, for the sale of the Notes (each, a "Note Purchase Contract"). The Note Purchase Contract shall provide for a sale price as approved by the Chairman, and shall meet the other terms and conditions set forth in this Ordinance. Any persons as the Chairman shall designate may exercise the foregoing powers and duties of the Chairman in lieu thereof.

Section 8 Place of Payments; Paying Agent on Notes.

Principal of the Notes, when due (whether at maturity or prepayment), shall be payable directly by the County or by the designated corporate trust office of such institution as shall have been designated by the Chairman as Paying Agent for the Notes (the "Paying Agent" for the Notes). Interest on any Note shall be payable on each interest payment date by cheque or draught mailed to the person in whose name such Note is registered at the close of business on the fifteenth (15th) day (whether or not a business day) of the calendar month next preceding such interest payment date (the "Regular Record Date" for the Notes) by the Paying Agent.

Section 9 Registration of Transfer of Notes; Persons Treated as Owners.

(a) Any Note shall be transferable upon the books of registry, only by the noteholder or by his attorney, duly authorised in writing, upon surrender thereof, together with a written instrument of transfer satisfactory to the County, duly executed by the noteholder or his duly authorised attorney. Upon the transfer of any Note, the County shall issue in the name of the transferee, a new Note or Notes of the same aggregate principal amount as the unpaid principal amount of the surrendered Note.

(b) The provisions of Section 12 hereof shall apply with respect to any Note registered to Cede & Co. or any other nominee of DTC while the Book-Entry Only System provided for therein is in effect and shall, during the period of their application, supersede any contrary provisions of this Ordinance.

(c) Any noteholder of a Note requesting any transfer shall pay any tax or other governmental charge required to be paid with respect thereto. As to any Note in fully-registered form, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of or on account of the principal of and interest on any Note in fully-registered form shall be made only to or upon the order of the registered holder thereof, or his duly authorised attorney, and the County shall not be affected by any notice to the contrary; but the registration may be changed as herein provided. All payments made in this manner shall be valid and effectual to satisfy and discharge the liability upon the Note to the extent of the sum or sums paid.

(d) At reasonable times and under reasonable regulations established by the Paying Agent, the books of registry for the Notes may be inspected and copied by or delivered to, the County or holders of 25% or more in principal amount of the Notes then outstanding, or a designated representative thereof.

Section 10 Exchange of Notes.

The Notes issued in fully-registered form, upon surrender thereof at the office of the County or the Paying Agent, with a written instrument of transfer satisfactory to the County duly executed by the holder of the Note or his duly authorized attorney, may, at the option of the holder of the Note, and upon payment by such holder of any charges which the County may make as provided in paragraph (i), be exchanged for a principal amount of Notes of any other authorized denomination equal to the unpaid principal amount of the surrendered Notes.

Section 11 Mutilated, Lost, Stolen, or Destroyed Notes.

In the event any Note is mutilated, lost, stolen, or destroyed, the County may execute a new Note of like denomination as that mutilated, lost, stolen, or destroyed; provided that, in the case of any mutilated Note, it shall first be surrendered to the County, and in the case of any lost, stolen, or destroyed Note, there shall be first furnished to the County evidence of the loss, theft, or destruction satisfactory to the County and the Paying Agent, together with indemnity satisfactory to them; provided that, in the case of a holder which is a bank or insurance company, the agreement of the bank or insurance company to indemnify shall be sufficient. In the event any mutilated, lost, stolen or destroyed Note shall have matured, instead of issuing a duplicate Note, the County may pay it without surrender thereof. The County may charge the Noteholder of the Note with the reasonable fees and expenses of the County in this connexion.

Section 12 Book-Entry Only System.

The Provisions of Article II, Section 13 of this Ordinance shall apply to the Notes in the same manner as to the Bonds.

Section 13 Registrar and Paying Agent; Designation and Responsibilities.

The Paying Agent shall, provided that sufficient funds are on deposit for such purpose with the Paying Agent as provided in Section 3 hereof, pay to the owners or holders of the Notes the principal of, redemption premium, if any, and interest on each Note in accordance with the terms of the Notes and any corresponding Note resolutions or ordinances.

Section 14 Defeasance of Notes.

If the County deposits with the Paying Agent or other escrow agent moneys or Defeasance Obligations which, together with the earnings thereon, are sufficient to pay the principal of and redemption premium on any particular Note becoming due, either at maturity or by call for optional redemption or otherwise, together with all interest accruing thereon to the due date or redemption date, and pays or makes provision for payment of all fees, costs, and expenses of the County and the Paying Agent (or other escrow agent) due or to become due with respect to such Note, all liability of the County with respect to such Note shall cease, such Note shall be deemed not to be outstanding hereunder, and the holder or holders of such Note shall be restricted exclusively to the moneys or Defeasance Obligations so deposited, together with any earnings thereon, for any claim of whatsoever nature with respect to such Note, and the Paying Agent (or other escrow agent) shall hold such moneys, Defeasance Obligations, and earnings in trust for such holder or holders. In determining the sufficiency of the moneys and Defeasance Obligations deposited pursuant to this Section, the Paying Agent shall receive, and may

rely upon: (a) a verification report of a firm of nationally recognised independent certified public accountants or other qualified firm acceptable to the County and the Paying Agent; and (b) an opinion of Bond Counsel to the effect that (1) all conditions set forth in this Section have been satisfied and (2) that defeasance of such Notes will not cause interest on the Notes to be includable in gross income for federal income tax purposes. Upon such defeasance all rights of the County, including its right to provide for optional redemption of the Note on dates other than planned pursuant to such defeasance, shall cease unless specifically retained by filing a written notification thereof with the Paying Agent at the time the Defeasance Obligations are deposited with the Paying Agent (or other escrow agent).

ARTICLE X
APPLICATION OF NOTE PROCEEDS

Section 1 **Application of Note Proceeds.**

All proceeds of the Notes shall be applied as directed by the Chairman to pay costs of the Project and issuance costs of the Notes. Proceeds of any renewal or refunding Notes shall be applied to refund outstanding Notes or as otherwise provided in the resolution of County Council authorising their issuance.

Section 2 **Purchaser of Notes Not Liable for Proper Application of Proceeds.**

No purchaser or holder of the Notes shall be liable for the proper application of the proceeds thereof.

ARTICLE XI
SECURITY FOR THE NOTES

Section 1 **Agreement to Issue Bonds or Refunding Notes.**

The County Council covenant and agree, pursuant to Section 11-17-20 of the Note Enabling Act to issue and sell the Bonds, in the manner prescribed by the Bond Enabling Act in an amount sufficient to retire the Notes, prior to the maturity of the Notes or to issue refunding Notes in such a sufficient amount.

Section 2 **Security for the Notes.**

For the payment of the Notes, there are hereby pledged the proceeds to be derived from the sale of the Bonds to be issued by the County or, if the Bonds are not issued prior to the maturity of the Notes, from the sale of an issue of renewal or refunding bond anticipation notes, together with the full faith, credit, and taxing power of the County.

Section 3 **No Additional Amount of Notes Except Junior Notes.**

The County agrees with the holders of the Notes that the County will not issue additional bond anticipation notes in an amount such that the outstanding principal amount of all Notes Outstanding are in excess of \$1,200,000 in anticipation of the issuance of the Bonds unless the same are expressly made junior to the Notes authorised by this Ordinance.

Section 4 **All Notes Equally and Ratably Secured.**

All Notes authorised by and issued pursuant to this Ordinance shall be secured

equally and ratably as provided in Section 2 of this Article.

Section 5 Performance of Covenants; Authority of the County.

The County covenants that it will faithfully perform at all times any and all covenants, undertakings, stipulations, and provisions contained in the Note Enabling Act, in this Ordinance, in the Notes executed and delivered hereunder, and in all proceedings pertaining thereto. The County covenants that it is duly authorized under the Constitution and laws of the State of South Carolina to issue the Notes authorized hereby, to enact this Ordinance, and to pledge the proceeds of the Bonds hereby pledged in the manner and to the extent herein set forth; that all action on its part for the issuance of the Notes and the enactment of this Ordinance has been duly and effectively taken; and that the Notes in the hands of the holders thereof are and will be valid and enforceable obligations of the County according to the import thereof.

ARTICLE XII

MISCELLANEOUS

Section 1 Execution of Closing Documents and Certificates.

The Chairman, the Clerk, the County Administrator of the County, the Chief Financial Officer, and all other officers and employees of the County, are fully authorized, empowered, and directed to take all further action and to execute and deliver any and all documents, instruments, and certificates and to do and to cause to be done any and all acts and things as may be necessary and proper in order to complete the issuance of the Bonds and the Notes herein authorized and the action of such officers or any one or more of them in executing and delivering any documents, in the form as he or they shall approve, or in carrying out the transactions contemplated by this ordinance is hereby fully authorized.

Section 2 Chairman Pro-tempore May Act in Chairman's Absence; Acting Clerk May Act in Clerk's Absence.

In the absence of the Chairman, the Vice Chairman is fully authorized to exercise all powers vested in the Chairman under this Ordinance. In the absence of the Clerk, the acting Clerk of the County is fully authorized to exercise all powers and take all actions vested in the Clerk under this Ordinance.

Section 3 Official Statement.

(a) The County Council hereby authorize the County Administrator to approve the form of any Preliminary Official Statements that may be used in the sale of the Bonds and the Notes, and hereby direct the distribution thereof in connexion with the sale of the Bonds and the Notes, respectively.

(b) The County Council hereby authorize any final Official Statement of the County relating to the Bonds and the Notes, with any modifications as the County Administrator of the County, upon the advice of the Financial Advisor and Bond Counsel, approves; the Chairman of the County is hereby authorized and directed to execute copies of any Official Statements and deliver them to the Original Purchasers of the Bonds and the Notes, which execution and delivery shall be conclusive evidence of the approval of any such modifications; and the County hereby authorize the use of the Official Statements and the information contained therein in connexion with the public offering and sale of the

Bonds and the Notes, respectively. The County Council hereby delegate to the Chairman authority to deem final any such documents within the meaning of S.E.C. Rule 15c2-12.

Section 4 Benefits of Ordinance Limited to the County and Registered Owners of the Bonds and Notes.

With the exception of rights or benefits herein expressly conferred, nothing expressed or mentioned in or to be implied from this Ordinance or the Bonds or Notes is intended or should be construed to confer upon or give to any person other than the County and the registered owners of the Bonds and Notes, respectively, any legal or equitable right, remedy, or claim under or by reason of or in respect to this Ordinance or any covenant, condition, stipulation, promise, agreement, or provision herein contained. This Ordinance and all of the covenants, conditions, stipulations, promises, agreements, and provisions hereof are intended to be and shall be for and inure to the sole and exclusive benefit of the County and the registered owners from time to time of the Bonds and the Notes as herein and therein provided.

Section 5 Ordinance Binding Upon Successors or Assigns of the County.

All the terms, provisions, conditions, covenants, warranties, and agreements contained in this Ordinance shall be binding upon the successors and assigns of the County and shall inure to the benefit of the registered owners of the Bonds and the Notes.

Section 6 No Personal Liability.

No recourse shall be had for the enforcement of any obligation, covenant, promise, or agreement of the County contained in this Ordinance or the Bonds or the Notes, against any member of the County Council, or any officer or employee of the County, as such, in his or her individual capacity, past, present, or future, either directly or through the County, whether by virtue of any constitutional provision, statute, or rule of law, or by the enforcement of any assessment or penalty or otherwise; it being expressly agreed and understood that this Ordinance and the Bonds and the Notes are solely corporate obligations, and that no personal liability whatsoever shall attach to, or be incurred by, any member, officer, or employee as such, past, present, or future, either directly or by reason of any of the obligations, covenants, promises, or agreements, entered into between the County and the registered owners of the Bonds and the Notes or to be implied therefrom as being supplemental hereto or thereto; and that all personal liability of that character against every such member, officer, and employee is, by the enactment of this Ordinance and the execution of the Bonds and the Notes, and as a condition of, and as a part of the consideration for, the enactment of this Ordinance and the execution of the Bonds and the Notes, expressly waived and released. The immunity of the members, officers, and employees, of the County under the provisions contained in this Section shall survive the termination of this Ordinance.

Section 7 Effect of Saturdays, Sundays and Legal Holidays.

Whenever this Ordinance requires any action to be taken on a Saturday, Sunday, or legal holiday or bank holiday in the State of South Carolina or in a state where the office of any Fiscal Agent is located, the action shall be taken on the first secular or business day occurring thereafter. Whenever in this Ordinance the time within which any action is required to be taken or within which any right will lapse or expire shall terminate on a

Saturday, Sunday, or legal holiday or bank holiday in the State of South Carolina or in a state where the office of any Fiscal Agent is located, the time shall continue to run until midnight on the next succeeding secular or business day.

Section 8 Partial Invalidity.

1. If any one or more of the covenants or agreements or portions thereof provided in this Ordinance on the part of the County or any Fiscal Agent to be performed should be determined by a court of competent jurisdiction to be contrary to law, then such covenant or covenants, or such agreement or agreements, or such portions thereof, shall be deemed severable from the remaining covenants and agreements or portions thereof provided in this Ordinance and the invalidity thereof shall in no way affect the validity of the other provisions of this Ordinance or of the Bonds, but the registered owners of the Bonds and the Notes shall retain all the rights and benefits accorded to them hereunder and under any applicable provisions of law.

2. If any provisions of this Ordinance shall be held or deemed to be or shall, in fact, be inoperative or unenforceable or invalid as applied in any particular case in any jurisdiction or jurisdictions or in all jurisdictions, or in all cases because it conflicts with any constitution or statute or rule of public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable or invalid in any other case or circumstance, or of rendering any other provision or provisions herein contained inoperative or unenforceable or invalid to any extent whatever.

Section 9 Continuing Disclosure Undertaking.

1. Pursuant to Section 11-1-85 of the Code of Laws of South Carolina 1976, as amended (“Section 11-1-85”), the County Council covenant to file with a central repository for availability in the secondary bond market when requested:

- 1.1 An annual independent audit, within thirty days of the County Council’s receipt of the audit; and
- 1.2 Event specific information within 30 days of an event adversely affecting more than five percent of the aggregate of revenues of the County.

The only remedy for failure by the County Council to comply with the covenant in this Section 9 shall be an action for specific performance of this covenant. The County Council specifically reserves the right to amend this covenant to reflect any change in Section 11-1-85, without the consent of any registered owner of any Bonds or Notes.

2. In addition, the County Council hereby authorize the County Administrator to execute such Continuing Disclosure Undertakings as are necessary or useful with respect to the sale of the Bonds or the Notes.

(c) The County Council further hereby covenant and agree that they will comply with and carry out all of the provisions of each Continuing Disclosure Undertaking. Notwithstanding any other provision of this Ordinance, failure of the County Council to comply with any Continuing Disclosure Undertaking shall not be considered an event of default with respect to the Bonds or the Notes; however, any registered owner may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the County Council to comply with their obligations under this paragraph.

Section 10 Law and Place of Enforcement of the Ordinance.

This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina and all suits and actions arising out of this Ordinance shall be

instituted in a court of competent jurisdiction in said State.

Section 11 Effect of Article and Section Headings and Table of Contents.

The heading or titles of the several Articles and Sections hereof, and any table of contents appended hereto or to copies hereof, shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this Ordinance.

Section 12 Repeal of Inconsistent Ordinances and Resolutions.

All ordinances and resolutions of the County Council, and any part of any resolution or ordinance, inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency.

Section 13 Notice of Enactment of Ordinance.

Upon enactment of this Ordinance, notice, substantially in the form attached hereto as Exhibit B, of the enactment of this Ordinance shall be published in The Post & Courier, a newspaper of general circulation in the County, or another newspaper of general circulation in the County if so directed by the Chairman.

Section 14 Effective Date of this Ordinance.

This Ordinance shall become effective upon approval following third reading.
Enacted this 21 day of June 2022.

CHARLESTON COUNTY, SOUTH CAROLINA

Chairman

ATTEST:

Clerk

First Reading: June 2, 2022
Second Reading: June 7, 2022
Public Hearing: June 21, 2022
Third Reading: June 21, 2022

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
Honeycutt - aye
Johnson - aye
Middleton - aye
Moody - aye
Sass - aye
Schweers - aye
Wehrman - aye
Pryor - aye

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

Chairman Pryor recognized Charleston County Park & Recreation Commission Executive Director David Bennett in the audience, stated that Mr. Bennett would soon be retiring, and thanked him for his service.

The Chairman announced the next item on the agenda was second reading of an ordinance regarding Financial Incentives for Project PAC1 and Project PAC1 Developer.

The ordinance was given second reading by title only.

Financial
Incentives for
Project PAC1 and
Project PAC1
Developer

Ordinance 2nd
Reading

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 PAC1”, A COMPANY KNOWN FOR THE TIME BEING AS “PROJECT PAC1 DEVELOPER” AND CHARLESTON COUNTY, WHEREBY CHARLESTON COUNTY WILL ENTER INTO A FEE IN LIEU OF TAX AGREEMENT WITH THE COMPANIES AND PROVIDING FOR PAYMENT BY THE COMPANIES OF CERTAIN FEES IN LIEU OF AD VALOREM TAXES; PROVIDING FOR SPECIAL SOURCE REVENUE OR INFRASTRUCTURE IMPROVEMENT CREDITS; 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
Honeycutt	- aye
Johnson	- aye
Middleton	- aye
Moody	- nay
Sass	- aye
Schweers	- aye
Wehrman	- aye
Pryor	- aye

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

The Chairman announced the next item on the agenda was second reading of an ordinance regarding amendments to the EMS Fee Ordinance.

The ordinance was given second reading by title only.

EMS Fee
Ordinance
Amendment

Ordinance 2nd
Reading

**AN ORDINANCE
TO AMEND THAT PORTION OF CHARLESTON COUNTY CODE OF ORDINANCES
SECTION 2-137 PERTAINING TO FEES IN THE EMERGENCY MEDICAL SERVICE
DEPARTMENT, AND TO ADD A PROVISION FOR RELIEF FROM DEBT FOR THOSE
PATIENTS EXPERIENCING FINANCIAL HARDSHIP**

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
Honeycutt	- aye
Johnson	- aye
Middleton	- aye
Moody	- aye
Sass	- aye
Schweers	- aye
Wehrman	- aye
Pryor	- aye

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

The Chairman announced the next item on the agenda was second reading of an ordinance regarding the curbside collection of solid waste franchise agreement amendment.

The ordinance was given second reading by title only.

Curbside
Collection of Solid
Waste Franchise
Agreement
Amendment

Ordinance 2nd
Reading

**AN ORDINANCE
AMENDING ORDINANCE NUMBER 2008 AUTHORIZING AN EXCLUSIVE
FRANCHISE FOR THE COLLECTION OF SOLID WASTE FROM HOUSEHOLDS IN
UNINCORPORATED AREAS OF THE COUNTY AND OTHER MATTERS RELATED
THERE TO**

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
Honeycutt	- aye
Johnson	- aye
Middleton	- aye
Moody	- aye
Sass	- aye
Schweers	- aye
Wehrman	- aye

Pryor

- aye

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

The Chairman announced the next item on the agenda was the Consent Agenda.

Consent Agenda items are as follows:

**Paul Coverdell
Grant (Coroner)**

**Request to
Approve**

Item A:

A report was provided by the Finance Committee under date of June 16, 2022, that it considered the information provided by County Administrator Bill Tuten and Coroner Bobbi Jo O’Neal regarding a request to approve the Coroner’s Paul Coverdell Forensic Science Improvement Grant application to hire an epidemiologist. It was stated that the Coroner’s Office is requesting \$300,000.00 through the Bureau of Justice Assistance FY22 Paul Coverdell Forensic Science Improvement Grants Program-Competitive for a 36-month project to hire an Epidemiologist/Forensic Analyst/Forensic Anthropologist and purchase supplies/software to develop and maintain detailed statistical analysis and data regarding fatalities in Charleston County. During 2019 and 2020, due to the pandemic, the role of accurate statistics related to morbidity and mortality became paramount. The Coroner’s Office is continually approached and asked to provide detailed statistical analysis regarding death investigation data to include not only deaths related to COVID-19 but many other categories such as: opioid and other drug-related deaths, suicide, gun violence, auto-pedestrian accidents, deaths involving the homeless population, deaths in custody, child fatalities, other public health threats and more. The data requested has become more and more detailed and complex.

The Coroner’s Office is required to provide detailed information to the National Violent Death Reporting System (NVDRS), the State Unintentional Drug Overdose Reporting System (SUDORS), the SLED Child Fatality Task Force, the South Carolina Department of Public Safety regarding blood alcohol and drug screens for traffic fatality victims and U.S. Department of Justice Death in Custody Reporting system. The office also provides and inputs data into the Overdose Detection Mapping Application Program (ODMAP), the National Missing and Unidentified Persons System (NamUs) as well as respond weekly, often daily, requests for stat and statistical information from law enforcement agencies, health care facilities, the media, and social services organizations.

Currently, the responsibility to respond to the mandated and non-mandated requests for information is shared among various individuals within the office as we do not have a dedicated position to search, analyze, and respond to all of the above requests. Epidemiologists are being employed by Coroner/Medical Examiner offices around the country and this would be a program that would address an emerging forensic science issue in Charleston County, which is to provide accurate statistical data and information and create efficient mechanisms to do so.

Committee recommended that Council approve the Coroner’s Office request to apply for, and if awarded, accept the BJA FY22 Paul Coverdell Forensic Science Improvement Grants Program-Competitive. The request is for \$300,000.00 to hire an Epidemiologist/Forensic Analyst/Forensic Anthropologist and purchase equipment/supplies with the understanding that:

- The grant period is October 1, 2022, through September 30, 2025.
- There is no ongoing commitment for the County associated with this request.

Mr. Middleton moved to approve the Committee recommendation, seconded by Mrs. Honeycutt, and carried.

Item B:

**Code
Enforcement
Officer**

**Request to
Commission**

A report was provided by the Finance Committee under date of June 16, 2022, that it considered the information provided by County Administrator Bill Tuten regarding the need to commission a Code Enforcement Officer in the Zoning and Planning Department. It was stated that in 1994, Charleston County Council adopted an ordinance authorizing the issuance of a uniform ordinance summons, which is used to enforce and County ordinance. The uniform summons is enforced by code enforcement officers commissioned by County Council. The Commissions are on an annual basis and subject to renewal or rescission every year, and officers are commissioned as needed or when necessary. The Zoning and Planning Department needs to commission a new employee, William Holley, as a code enforcement officer.

Committee recommended that Council commission William Holley from the Zoning and Planning Department as a code enforcement officer with the commission effective immediately through December 31, 2022.

Mr. Middleton moved to approve the Committee recommendation, seconded by Mrs. Honeycutt, and carried.

Item C:

**Cottingham Drive
Sidewalk Project
CTC**

**Award of
Contract**

A report was provided by the Finance Committee under date of June 16, 2022, that it considered the information provided by County Administrator Bill Tuten and Procurement Director Barrett Tolbert regarding the need to award a contract for the Cottingham Drive Sidewalk CTC Project. It was stated that the Cottingham Drive Sidewalk project, located in the Town of Mount Pleasant, involves the construction of a new 5-ft concrete sidewalk. The project spans from the intersection of Johnnie Dodds Frontage Road to Pelzer Drive along the West side of Cottingham Drive. The work shall include, but not limited to, the concrete sidewalk installation, necessary sidewalk tie-in work, grading, and sediment and erosion control measures.

Bids were received in accordance with the terms and conditions of Invitation for Bid No. 5701-22C. State "C" Fund regulations do not allow Small Business Enterprise (SBE) or local preference options.

Bidder	Total Bid Price	MWDBE %
KTC Enterprises, Inc. Moncks Corner, SC Principal: Hugh Murchisen, Jr.	\$368,941.16	1.4%
First Construction Management Hanahan, SC Principal: Roger Holcombe	\$485,935.34	0%

AOS Specialty Contractors Lexington, SC Principal: Jane Plante	\$763,054.24	100%
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Committee recommended that Council authorize award of contract for the Cottingham Drive Sidewalk CTC project to the lowest responsive and responsible bidder, KTC Enterprises, Inc., in the amount of \$368,941.16 with the understanding that the funds are available in the State "C" Fund for road improvements.

Mr. Middleton moved to approve the Committee recommendation, seconded by Mrs. Honeycutt, and carried.

Item D:

Camp Road (S-28) Sidewalk & Riverland Drive (S-53) Shared Use Path CTC

Award of Contract

A report was provided by the Finance Committee under date of June 16, 2022, that it considered the information provided by County Administrator Bill Tuten and Procurement Director Barrett J. Tolbert regarding the need to award a contract for the Camp Road (S-28) Sidewalk & Riverland Drive (S-53) Shared Use Path CTC project. It was stated that The Camp Road (S-28) Sidewalk & Riverland Drive (S-53) Shared Use Path CTC project, located in Charleston County, shall consist of constructing a 6' concrete sidewalk path on the south side of Camp Road and a multi-use path on the west side of Riverland Drive from Camp Road to the Lowcountry Senior Center. The work shall include, but is not limited to, traffic control, construction of sidewalk and shared-use path, pavement markings, and installing drainage infrastructure.

Council is also requested to accept funds from the Town of James Island in the amount of \$100,000.00 and funds from the BCDCOG in the amount of \$198,700.00. This project is publicly supported and will provide much needed pedestrian access from Camp Road to Riverland Drive.

Bids were received in accordance with the terms and conditions of Invitation for Bid No. 5586-22C. State "C" Fund regulations do not allow Small Business Enterprise (SBE) or local preference options.

Bidder	Total Bid Price	MWDBE %
IPW Construction Group, LLC Charleston, SC Principal: Bryan Rembert	\$1,217,178.29 TST \$ 167,158.00 CPW \$1,384,336.29 Total	32%
Banks Construction Company North Charleston, SC Principal: Jafar Moghadam	\$2,336,916.50 TST \$ 332,410.00 CPW \$2,669,326.50 Total	15%

Committee recommended that Council:

1. Authorize acceptance of funds from the Town of James Island in the amount of \$100,000.00 to help defray the cost of the Camp Rd Sidewalk & Riverland Dr Shared Use Path CTC project.

2. Authorize acceptance of funds from the BCDCOG CHATS Policy Committee in the amount of \$198,700.00 Camp Rd Sidewalk & Riverland Dr Shared Use Path CTC project.

3. Authorize award of contract for the Camp Road (S-28) Sidewalk & Riverland Drive (S-53) Shared Use Path CTC project to IPW Construction group, LLC, the lowest responsive and responsible bidder, in the amount of \$1,384,336.29. The funding sources are the State "C" Fund for road improvements, Town of James Island, and BCDCOG CHATS.

Mr. Middleton moved to approve the Committee recommendation, seconded by Mrs. Honeycutt, and carried.

Item E:

TST 2022 Asphalt Rejuvenation Plan & Town of Mount Pleasant Rejuvenation Plan

Award of Contract

A report was provided by the Finance Committee under date of June 16, 2022, that it considered the information provided by County Administrator Bill Tuten and Procurement Director Barrett J. Tolbert regarding an award of contract for the TST 2022 Asphalt Rejuvenation Plan & Town of Mount Pleasant Rejuvenation Plan. It was stated that since 2013, Charleston County has contracted with Pavement Technology, Inc. to apply Reclamite® rejuvenation treatment on many roads within the County. In cores extracted on the roads 2 & 3 years after treatment, testing has shown that the asphalt is maintaining the 30-day post treatment levels of improvement and the roads are remaining sealed from water intrusion.

Reclamite® has been used extensively by county governments, municipalities and airports throughout the nation for 60 years. Pavement Technology Inc. has successfully treated roads with Reclamite® for 40 years throughout the Eastern United States.

Pavement Technology, Inc is the only authorized applicator of Reclamite® in South Carolina and surrounding states.

In the last several years County Council has approved entering into sole source contracts with Pavement Technology Inc. Reclamite® has been applied to approximately 4,857,529 square yards of asphalt on 1,524 roads in Charleston County.

Based on 2021 bid tabs, the average cost to resurface 1 mile of road is \$233,455.77. The average cost to treat 1 mile of road with Reclamite® is \$11,088.00. Therefore, the cost of rejuvenator is only 5% of the total cost to resurface the road. In addition, the average life span of a road without pavement preservation treatments is approximately 25 years. However, with each treatment of rejuvenator, the life of the road is extended by approximately 5 years.

Charleston County Public Works Department recommends that we continue to utilize this treatment annually to keep our good roads in good condition and realize some of the benefits. These benefits include lowering our life cycle costs on roads, a higher level of customer service by keeping our roads good, and also helping to reduce environmental impacts by preserving the asphalt that is on the ground today instead of replacing the road.

Further, Charleston County Public Works completed a Titanium Dioxide Pilot project in the Spring of 2021. Core testing completed by Texas A&M found that roads treated were

not only preserving our roads, but also numerous environmental benefits. Results showed that these roads were able to reduce NOx (vehicular pollution) by 39%. Meaning that when these harmful pollutants travel across the roadway, the road is actually cleaning the air. In addition, the roads had a solar reflective index as high as 40 showing that the roads are 4 times as reflective as untreated roads helping to reduce near-roadway temperatures and combat our urban heat island impacts.

The Public Works Department requests to continue contracting with Pavement Technologies, Inc. for the application of Reclamite® and A.R.A.-1 Ti® on qualified roads throughout the County. We have negotiated a contract with Pavement Technology Inc. to treat approximately 846,895 square yards or 306 roads with Reclamite and 139,305 square yards or 31 roads with Rejuvenating Titanium Dioxide in Charleston County. Roads selected for the Titanium Dioxide treatment are receiving their first rejuvenator treatment and located along interstates or other highly traveled areas. This project includes the re-treatment of our TST 2016 & 2017 Rejuvenator project. This 5-year re-treatment will help extend the life of these roads that were originally paved 8 years ago. This plan also includes the treatment of the CTC 2018, TST 2018, and TST 2019 Resurfacing Plans. This project will begin the process of getting on a 2 year treatment cycle that will help provide additional benefit sooner.

Council is also requested to accept funds from the Town of Mount Pleasant in the amount of \$331,124.01 for their 2022 Asphalt Rejuvenation Plan. This project will treat approximately 298,244 square yards or 95 roads with Reclamite® costing \$315,356.20 and 5% CE&I cost of \$15,767.81.

Approval by County Council is required for this purchase as stated in Section 2-187 of the County Procurement Ordinance for Sole Source Procurement.

Committee recommended that Council:

1. Authorize acceptance of funds from the Town of Mount Pleasant in the amount of \$331,124.01.
2. Authorize award of a sole-source procurement to Pavement Technology, Inc. for the application of Reclamite® and A.R.A.-1 Ti® Titanium Dioxide rejuvenation treatments for:
 - 1) the TST 2022 Asphalt Rejuvenation Plan in the amount of \$1,181,049.75; and
 - 2) the TOMP 2022 Asphalt Rejuvenation Plan & CE&I cost in the amount of \$331,124.01, contingent on Council accepting funds from the Town of Mt. Pleasant.

with the understanding that funds are available in the Transportation Sales Tax fund and from the Town of Mount Pleasant.

Mr. Middleton moved to approve the Committee recommendation, seconded by Mrs. Honeycutt, and carried.

**Amend and
Extend Waste
Transfer and
Disposal
Agreements**

Item F:

A report was provided by the Finance Committee under date of June 16, 2022, that it considered the information provided by County Administrator Bill Tuten and Environment Management Deputy Director of Administration and Public Education Shawn R.

**Request to
Approve**

Smetana regarding a request to amend and extend waste transfer and disposal agreements. It was stated that in 2009, County Council adopted a Nine Point Strategy to achieve a 40% recycling goal. One of the points was to negotiate contracts for transfer and waste disposal of Municipal Solid Waste (MSW) as a result of the closure of the waste-to-energy incinerator. A portion of the County's MSW is transferred and disposed in this manner to prolong the life of Bees Ferry Landfill.

The County entered into transfer station contracts with Republic Services of South Carolina, LLC (Republic) and Carolina Processing and Recycling, LLC (Carolina Waste). The County also entered into a landfill contract with Waste Management of South Carolina (Waste Management) which owns and operates the Oakridge Landfill in Dorchester County. In 2009, the County paid approximately \$36 per ton for MSW transferred and disposed at Oakridge Landfill.

Currently, the County pays \$20.05 per ton for MSW transferred through Carolina Waste, \$18.09 per ton for MSW transferred through Republic, and \$23.50 per ton for MSW disposed at the Waste Management Landfill. In FY 2021 approximately 104,000 tons were transferred through Carolina Waste, and another 45,000 tons were transferred through Republic.

The Environmental Management Department is requesting Council's approval to amend and extend the agreements with Carolina Waste, Republic Services and Waste Management for waste transfer and disposal, outlined as follows:

1. Republic Transfer Station (Republic Services of South Carolina, LLC)
 - Extend transfer station contract for a period of three (3) years until November 30, 2024.
 - Increase the base service fee to \$19.86 per ton for waste delivered to Oakridge Landfill.
 - Allow transfer of waste to County-approved alternative disposal locations at a base service fee of \$17.80 per ton for transfer and \$25.00 per ton for disposal.
 - The Base Consumer Price Index (BCPI) used for quarterly service fee adjustments will be modified from October 2015 to October 2020.
 - All other terms of the Agreement will remain.

2. Carolina Waste Transfer Station (Carolina Processing and Recycling, LLC)
 - Extend transfer station contract for a period of three (3) years until November 30, 2024.
 - Increase the base service fee to \$23.00 per ton for waste delivered to Oakridge Landfill.
 - All other terms of the Agreement will remain.

3. Oakridge Landfill (Waste Management of South Carolina, Inc)
 - Extend landfill contract for a period of three (3) years until February 28, 2025.
 - Decrease the disposal fee to \$23.25 per ton for waste delivered to Oakridge Landfill.
 - Allow an annual fee adjustment based on the Consumer Price Index (CPI) annual average, based on the U.S. City Average, Water and sewer and trash collection services (WST) index.
 - All other terms of the Agreement will remain.

Committee recommended that Council:

- Authorize/Approve the extension and amendment of the transfer station contract with Republic Services of South Carolina, LLC as outlined above.
- Authorize/Approve the extension and amendment of the transfer station contract with Carolina Processing and Recycling, LLC as outlined above.
- Authorize/Approve the extension and amendment of the landfill disposal contract with Waste Management of South Carolina, Inc as outlined above.

with the understanding that funds are available in the Environmental Management Budget.

Mr. Middleton moved to approve the Committee recommendation, seconded by Mrs. Honeycutt, and carried.

Item G:

**Chamber of
Commerce Fly-In
Reimbursement

Request to
Approve**

Prior to discussion of this matter, Councilmembers Jenny Costa Honeycutt and Brantley Moody stated their need to recuse themselves due to their request for travel reimbursement for attending the Charleston Metro Chamber of Commerce DC Fly-In on June 8-9, 2022, and furnished the Clerk of Council with a written statement regarding his conflict of interest.

A report was provided by the Finance Committee under date of June 16, 2022, that it considered the information provided by Clerk of Council Kristen Salisbury regarding a request for reimbursement received from Councilmembers Honeycutt and Moody. It was stated that on July 17, 1984, County Council adopted a policy that all expenditures by Councilmembers from County funds will require approval by County Council with the exception of travel to official NACO and SCAC events. Councilmembers Honeycutt and Moody attended the Charleston Metro Chamber of Commerce DC Fly-In on June 8-9, 2022.

Committee recommended that Council approve reimbursement for their trip expenses as follows:

Jenny Costa Honeycutt:
Hotel: \$428.19
Flight: \$339.42
Parking & Transit: \$43.94
Total: \$811.55

Brantley Moody:
Hotel: \$378.19
Flight: \$310.21
Checked luggage: \$60.00 (\$30.00 each way)
Total: \$748.40

Mr. Middleton moved to approve the Committee recommendation, seconded by Ms. Johnson, and carried.

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

The Chairman announced the next item on the agenda was FY23 Designated Funds.

Designate Funds for Use in FY23

Request to Approve

A report was provided by the Finance Committee under date of June 16, 2022, that it considered the information provided by County Administrator Bill Tuten and Budget Director Mack Gile regarding a request to approve designated funds for use in FY23. It was stated that as part of the year-end process, staff may recommend that County Council take specific action to designate (or "carry forward") certain unspent funds into the next fiscal year. Section 7 of the County budget ordinance for FY 2023 provides for the ability for Council to designate funds. All designations expire at the end of FY 2023 unless they are designated again by Council.

Committee recommended that Council approve designations from the FY 2022 budget up to \$1,200,000 for on-going Technology Services projects, up to \$50,000 for the Administrator to continue employee recognition events, and \$50,000 from FY 22 Council Contingency to FY23 Council Contingency.

Mr. Middleton moved to approve the Committee recommendation, seconded by Mr. Moody, and carried.

Community Life Enrichment Center

Chairman Pryor announced that the Community Life Enrichment Center Grant Agreement item was removed from the agenda and would be on the agenda for August 23, 2022, pending agreement from the Charleston County Park and Recreation Commission to accept the property.

The Chairman announced the next item on the agenda was allocation of US Treasury ARPA funds for critical home repairs program design.

Allocation of US Treasury ARPA funds for Critical Home Repairs-Program Design

Request to Approve

A report was provided by the Finance Committee under date of June 21, 2022, that it considered the information provided by County Administrator Bill Tuten and Community Services Director Jean Sullivan regarding a request to allocate US Treasury ARPA funds for critical home repairs program design. It was stated that at a meeting of County Council held on May 10, 2022, Council voted to allocate \$3 million from ARPA funds for emergency housing rehabilitation targeted at low-to-moderate income (LMI) senior citizens. County Council stipulated that no funds would be allocated until the project guidelines were developed and the plan presented to Council for approval.

Elderly LMI homeowners are residing in homes with faulty roofs, floors with compromised structural integrity, inadequate heating and cooling systems and bathrooms that are not designed to accommodate diminished mobility associated with the aging process. The Community Development Department has effectively administered HUD home repair grant funds for over 25 years, partnering with non-profits to address critical home repair needs of Charleston County citizens. The Community Development Department staff will manage and provide oversight of the ARPA-funded Critical Home Repair for Seniors Project. Administrative coordination of expenditure and outcomes reporting will occur in coordination with the Housing and Neighborhood Revitalization Department. Community Development has designed an Implementation Plan (Attachment A) which responds to the critical home repair needs in three PHASES:

PHASE ONE- Implementation Timeline- Upon County Council Approval of the Critical Home Repairs Plan

The goal of Phase 1 is to approve funding of contract(s) with non profits who previously requested funding but were not awarded their full amount requested through the HUD CDBG process. The proposed Grant Partners (listed below) along with balance of funds requested but not received. The single home funding cap will be limited to \$30,000 and focus on critical emergency repairs. Department Head Approval or DCA approval will be required if the cost exceeds this amount by no more than 10%.

Entitlement grant request--(reference Table 1 in the attachment):

Grant Partner	County CDBG Funding Request	Approved Allocation	CDBG Amount not Funded	Proposed ARPA Funding
Operation Home	\$176,000	\$89,607	\$86,393	\$86,393
Home Works of America	\$150,000	\$89,607	\$60,393	\$60,393
Home Dreams Foundation	\$ 61,974	*\$ 0	\$61,974	\$61,974

Total to be funded: \$208,760

* Not awarded funding due to limited staff capacity to handle Federal regulations

PHASE TWO – Implementation Timeline to run concurrently with PHASE ONE

The goals of Phase 2 are to (1) ensure that homes are adequately insulated, resulting in healthy dwellings that are energy efficient; and (2) reduce overall costs for low to moderate income citizens. This program will require a contract with the Sustainability Institute, a Sole Source Provider of the preferred Service Model. ARPA funding cap is not to exceed \$12,000 per project without Department Head Approval or DCA approval

The scope of this contract will include Inspections, Assessments and Energy Audits and Weatherization, Insulation, Sealing, Duct Repair HVAC Replacement. \$600 per home \$4,000 per home \$4,500-\$5,500 per home

PHASE THREE – Implementation Timeline - Within 30 days of County Council Approval of PHASE ONE

The goals of Phase 3 are to (1) establish the RFQ process to expand the pool of critical home repair grant partners; and (2) following the closure of the RFQ, authorize staff to contract with qualified respondents, assist with homeowner eligibility review and certification, conduct outreach, generate referrals, and respond to critical home repair needs of elderly citizens throughout Charleston County following the same thresholds as defined in Phase one.

This program will require an additional FTE to conduct/ certify household eligibility, provide outreach to identify service gaps across Charleston County, generate referrals as needed, and move elderly applicant(s) from referral status to project execution and repair as well as additional funding associated with project operations, administration, and oversight. Under the ARPA guidelines, 10% of the total allocation can be used for administrative costs.

Committee recommended that Council:

1. Approve the Critical Home Repair Plan as attached.
2. Allocate \$208,760 to the Entitlement Grant Partners as attached.
3. Approve an additional \$300,000 allocation from ARPA to fund 1 FTE and costs associated with project operations, administration, and oversight.
4. Authorize 1 FTE to administer the program with the understanding that there is no on-going commitment from the county at the conclusion of the ARPA grant.

Mr. Middleton moved to approve the Committee recommendation, seconded by Mr. Moody, and carried.

The Chairman announced the next item on the agenda was demolition of 8822 Auburn Drive and 1903 Ghana Street

**Demolition of
8822 Auburn
Drive and 1903
Ghana Street**

**Request to
Approve**

A report was provided by the Finance Committee under date of June 21, 2022, that it considered the information provided by County Administrator Bill Tuten and Community Services Director Jean Sullivan regarding demolition of 8822 Auburn Drive and 1903 Ghana Street. It was stated that on December 7, 2021, Charleston County Council authorized staff to purchase 18 residential dwellings to utilize as affordable housing units. For two of these properties, 1903 Ghana St (County jurisdiction) and 8822 Auburn Dr (City of North Charleston jurisdiction), the cost of required repairs exceeds price paid by the County. For these two cases the County only paid for the value of the land (see Attachment A). Due to these circumstances, Charleston County Building Inspections Department and City of North Charleston Building Inspections Department support staff determination to demolish the structures on these properties.

The City of North Charleston annually dedicates a portion of its Community Development Block Grant (CDBG) allotment toward demolition costs, which will be used to tear down the structure at 8822 Auburn Dr. Since the property at 1903 Ghana Street is within the County's Jurisdiction, the Community Services Directorate will utilize ARPA funding to pay for demolition (~\$15,000). Due to the approximate cost of demolition, the project will be open for bids through County procurement. The lots will be used to construct affordable dwelling units in the future.

Committee recommended that Council approve demolition of 1903 Ghana St and 8822 Auburn Dr. and authorize staff to utilize ARPA funding to pay for demolition of 1903 Ghana Street after procurement process is complete.

Mr. Middleton moved to approve the Committee recommendation, seconded by Mr. Moody, and carried.

The Chairman announced the next item on the agenda was the Charleston Home Program: Development of Scattered Site Houses.

**Charleston Home
Program:
Development of
Scattered Site
Houses**

**Request to
Approve**

A report was provided by the Finance Committee under date of June 21, 2022, that it considered the information provided by County Administrator Bill Tuten and Community Services Director Jean Sullivan regarding the Charleston Home Program: Development of Scattered Site Houses. It was stated that on February 1, 2022, Charleston County Council entered an agreement to purchase 18 homes from the Charleston County Housing and Redevelopment Authority to preserve them as affordable rather than having them be sold at market rate. This was consistent with the priorities Council established and lost revenue from ARPA was used to purchase the units. Since that time, staff have been developing the structure for a new program to be called Charleston Home. From this work, it has been determined that two homes will require demolition due to their condition. The purchase of these homes was equal to the land value as demolition was anticipated. This demolition is presented to council under a separate request. The remaining 16 homes will be developed under the County Home Program, a four-phased approach that will allow selected qualified recipients to revitalize these

homes in an innovative way that responds to the needs of the community. This plan was developed in conjunction with input from a number of non profits and small developers who work with the County in varying capacities serving this need in our community.

The phased approach to work on these 16 properties will include multiple steps as outlined below:

Assessment: A preliminary assessment was conducted for purposes of preliminary planning. The houses must now be assessed and a scope of work developed in order to estimate the total cost of repairs. This will be done by a contracted vendor. The contract is currently planned to be limited to the assessment and scope of work writes ups. The Community Services Directorate will need to hire one FTE Construction Manager to oversee the development of these phases. This individual will ensure that repairs are executed in compliance with County ZLDR and Building Code. In addition, the Construction Manager will provide much needed expertise for Urban Entitlement Programs, Emergency Housing Repair, and other housing efforts currently being developed. It is anticipated that the initial cost of this FTE can be covered with ARPA funds and ongoing costs may be maintained by HUD dollars should the projects justify this need.

Prioritization of properties: In order to allow for effective development of each property, staff have completed an analysis of the properties and broken them down into four groups. By doing it in this manner, it will allow for program assessment between phases, respond to the urgent need for affordable homes in our region and prioritize the phases where affordable housing options are more limited. This approach emphasizes the need for diverse neighborhoods with a range of income levels, as well as providing low to moderate-income households with access to resource-rich neighborhoods.

Phases are determined by ranking homes based on the following criteria:

- Census tracts with lower vacancy rates;
- Census tracts with higher median home values;
- Census tracts with higher median rent values;
- Census tracts with higher AMI;
- HUD-qualified Census Tracts; and
- Density potential of the lot.

Request for Qualifications (RFQ): Developer recipients will be selected via RFQ and staff will present a recommendation of selected applicants to Council for approval. The scoring committee will evaluate applications based on the criteria similar to the following:

- Proof applicant has necessary capacity capital to complete repairs;
- Cohesiveness with Housing Our Future Comprehensive Plan;
- Income limits of potential occupants; and
- Creativity in the project vision that aims to utilize to highest and best use of the property (i.e. subdivision, multi-family dwellings, ADUs).

In order to allow for creativity and innovation in how properties are refurbished, prior stipulations for rental vs ownership will not be made. To increase competitiveness for a diverse range of contractors, selected applicants will be connected with Charleston County's Disadvantaged Business Enterprise (DBE).

Return on Investment (ROI): A goal of the County Home Program is to prioritize the sustainability the County's initial investment in these properties. The County

acknowledges that the conversion of these dwellings will not solve the regional housing crisis and aims to identify way in which this capital can be reinvested. Community Services staff will partner with Facilities staff to conduct an in-depth analysis of appropriate ROI to be expected for each project site. Final ROI requirements will be presented to Council for approval at a later date.

Deed Restriction: In order to maintain affordability of the converted residences, the County will require a 90-year deed restriction, consistent with the City of Charleston’s affordable housing policies.

Budget: At this time, staff believes that designating \$350,000 of ARPA funding will be necessary in order to support the needs of the Charleston Home Program. This money will cover ongoing maintenance of lots leading up to development and staffing needs for property assessment and construction management.

Timeline: The approximate timeline for Phase I of the Charleston Home Program is provided below. This will allow staff to create the program, structure and accountability for the development Timelines for subsequent phases will be determined based on the success of Phase I.

Contractor hired and Scope of work complete: Thursday, July 28, 2022
RFQ Opened: Monday, August 1, 2022
RFQ Closed: Tuesday, August 30, 2022
Finance Committee: Thursday, September 15, 2022
Council Determination: Tuesday, September 20, 2022

Committee recommended that Council:

1. Approve Charleston Home Program, which plans for how to develop 16 of the 18 houses purchased by Charleston County.
2. Authorize commitment of \$350,000 from ARPA funds to cover ongoing maintenance of lots leading up to development and staffing needs for property assessment and construction management.
3. Authorize 1 FTE for Construction Management to be paid from ARPA funds with the understanding that there is no ongoing commitment from the county at the conclusion of the ARPA grant.

Mr. Middleton moved to approve the Committee recommendation, seconded by Mr. Moody, and carried.

The Chairman announced the next item on the agenda was ARPA Funding for Housing.

**ARPA
Funding for
Housing**

A report was provided by the Finance Committee under date of June 21, 2022, that it considered the information discussed by the members of the committee regarding setting ARPA funding aside for housing.

**Request to
Consider**

Committee recommended that Council allocate \$20 million of ARPA funds for use as part of a housing fund and direct staff to develop program guidelines for Council’s consideration for distribution of funds.

Mr. Middleton moved to approve the Committee recommendation.

Mr. Sass stated for the record:

I was very concerned about the plan not being completed, but I do think that the issue itself is so important that I need to vote for it, so I am going to change my vote and vote for it in this vote, and I just want to be part of making it work.

Chairman Pryor stated that once staff works everything out, he believes Council will be proud.

The Chairman called for a vote on the motion, which carried. Mr. Moody and Mrs. Honeycutt voted nay.

The Chairman announced the next item on the agenda was the FY22 Council Contingency.

FY 22 Council Contingency
Request to Consider

A report was provided by the Finance Committee under date of June 21, 2022, that it considered the information discussed by the Finance Committee of June 21, 2022, regarding the FY22 Council Contingency.

Committee recommended that Council approve the following allocations from the FY22 Council Contingency:

- \$50,000 to Facilities for Board of Elections and Voter Registration repairs and security upgrades
- \$50,000 to Community Resource Center

Mr. Middleton moved to approve the Committee recommendation, seconded by Mr. Moody, and carried.

The Chairman announced the next item on the agenda was the County Administrator and County Attorney Salaries.

County Administrator and County Attorney Salaries
Request to Consider

A report was provided by the Finance Committee under date of June 21, 2022, that it considered the information discussed by the members of the committee and the recent performance appraisals for the County Administrator and County Attorney.

Committee recommended that Council increase the salary of the County Administrator and the County Attorney by 6%.

Mr. Middleton moved to approve the Committee recommendation, seconded by Mr. Moody, and carried. Mr. Schweers voted nay.

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

Council Comments

Mr. Middleton stated that he wanted to celebrate and thank God for the work of this Council. He stated that Council did not always agree on everything, but having vigorous debates, healthy discussions, and exchange of ideas begins to move Council forward.

Mr. Darby stated for the record:

For Mrs. Honeycutt, Mr. Moody, Mr. Sass, and Mr. Schweers, I mentioned the word blacks and disadvantaged whites in terms of my passion for helping the poor, and I sincerely apologize because there is nothing racial about this Council, nothing racial whatsoever, so I do apologize for that. I also apologize for trying to give the impression that you all do not care for the poor. I was wrong for trying to insinuate that. It's just from my past experience, per se. I would also like to apologize because you all have the right to ask your questions. That's why you were elected, to ask questions, but I do think there is a class issue with the county. I do believe that, but all my life I have had an affinity with the poor and a lot of people don't understand why, and I will be very succinct. My grandmother was born in 1887 and my parents were born in 1915, and I came along very, very, very late and my dad died when I was three years old, as a matter of fact, on my birthday. When you ask your mother, what grade did your father go to, and she says second, I asked why, because that's as far as his school would take him. And I said, well, mom, what grade did you go to? Well, I could only go as far as the seventh grade because that was the law in Berkeley County. An African American could only go as far as the seventh grade in Berkeley County and she always wanted to be that teacher. And what about my grandmother? Well, she wasn't educated at all. And, when your father dies and you see your mother when she has to walk through ditches on old 52 to pick bottles to sell or she takes her 5 or 6 year old only son to dig through garbage to make ends meet, and I am not embellishing this. Not only that, she was so prideful, not to the point of going through garbage and whatnot, but when someone gave her food stamps, I am 10 years old, she takes me in the kitchen, tears up the food stamps in my face and says, "Boy, you're going to learn to stand on your own two feet." That's my experience with the poor, so I have that affinity, so when it comes down to helping, that's what I do. That's just it, so it's not that I am calling anybody anything racial, but just the idea that I have an affinity with poor people, and that's my story. I still live in the same community. A house is abandoned right next to me. I've got a trailer right to the left of me. I've got trash houses behind me. Do I have resources to move out? Yes, I do. I could live in a gated community if I wanted to. Yes, I could, but I elect not to because I am not going to be on County Council as a leader and call myself living elsewhere when the very people who I represent who sometimes can't even catch a bus, for me to call myself a leader, I am not going to do that. So, again, my apologies, never would I insinuate that because, again, there is nothing racial. You have every right to ask all the questions and I know, also, that you do have a concern for the poor, so again, a most humble apology.

Mrs. Honeycutt stated that she accepted Mr. Darby's apology.

Ms. Johnson stated that she was concerned that the name on the building is just Public Services Building, but does not include Lonnie Hamilton's name. She asked that staff look into what could be done to add Lonnie Hamilton's name on the building. Chairman Pryor stated that he was shocked when Ms. Johnson brought this to his attention and he did not believe it

Mr. Sass thanked staff, Housing and Neighborhood Revitalization Director Darrell Davis, and Deputy County Administrator for Community Services Christine Durant for their hard and rapid work regarding ARPA funding for housing. He also thanked the Finance staff for their hard work with the Budget.

Mr. Moody stated that he echoed Mr. Sass's comments. He stated that it came as news to him when he learned today that the County had a Resilience Committee comprised of 34 members, whose roster included a who's who list of anti-growth, anti-business individuals and organizations that always sue the County advising the Planning Commission and Council on what to do. Mr. Moody stated that two of the committee members work in the same organization together while real estate and homebuilding organizations had to beg and plead to fight tooth and nail to get a seat at the table. He added that he did not know how this committee came to be without Council's knowledge and that when Council appointed the Housing Steering Committee, they got it right. They decided they needed 13 seats with certain qualifications or expertise, and the way these seats hit, everybody had a spot at the table. He added that anti-growth, anti-business individuals do not deserve an 80 percent spot at the table in his opinion and that if this County has a group that is advising Council or the Planning Commission on policy issues, he would like all parties in the community with a seat at the table and that is not the case now.

Chairman Pryor stated that he did want staff to look into this because he did not understand why there were so many members of this committee and asked who appointed them. He stated that the Planning Commission did not have the authority to appoint anybody, only County Council had that authority, and asked staff to get back to Council by the next Council meeting with more information on this committee. The Chairman reiterated that County Council gets elected to represent this community. People can vote them in or vote them out, but if people who are appointed make decisions that County Council does not agree with, no one can vote them out. He stated that he wanted to know under what authority this committee had been appointed and that as long as he had been on Council, he only knew of boards and committees being appointed by this Body. He stated that he wanted this issue to be on the next agenda and if Council needed to do something to get these appointments right, because he did not want any other body appointing someone on behalf of the County.

Mr. Wehrman echoed the thanks staff for their great work. He stated that it had been a big night with a lot of great work from staff and that he was excited about some of the housing proposals Council had moved forward on, but there was a long way to go and a lot of questions to be answered.

Mrs. Ham thanked Council for their kind comments in the latest performance evaluation process.

Mr. Tuten thanked Council.

Chairman Pryor thanked staff and Council for doing a wonderful job through the budget process and preparing the County for the year ahead. He added that each year you go through this budget process you learn more. He thanked Mrs. Ham, Mr. Tuten, and Mrs. Salisbury and their staff for the hard work they do on behalf of County Council.

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

Kristen L. Salisbury
Clerk of Council