

TOWN OF MOUNT PLEASANT

LEGAL DEPARTMENT  
100 Ann Edwards Lane  
Post Office Box 745  
Mount Pleasant, SC 29465



SOUTH CAROLINA

November 26, 2007

TELEPHONE  
Area Code (843)  
849-2020  
FAX  
388-1078

HAND DELIVERY

Mark A. Mason, Esquire  
THE MASON LAW FIRM, P.A.  
465 W. Coleman Blvd., Suite 302  
Mt. Pleasant, SC 29464

RE: FOI Act Request  
Purchase Order No. 200802044

Dear Mark:

I am writing in response to your FOI Act request dated November 2, 2007, pertaining to Purchase Order Number 200802044 and all documents related thereto.

Please find enclosed a Memo dated November 7, 2007 along with certain documents attached from the Town's Director of Administrative Services.

Accordingly, I trust this information is responsive. If you have any questions or desire anything further, please do not hesitate to contact me.

Most sincerely yours,

A handwritten signature in cursive script, appearing to read "R. Allen Young".

R. Allen Young  
Town Attorney

RAY/pem

Enclosures


NOV 07 2007



Town of Mount Pleasant, South Carolina

From the desk of Charlie Potts

Director: Administrative Services Department

TO: Allen Young  
FROM: Charlie Potts   
DATE: November 7, 2007  
SUBJECT: **November 2, 2007 FOIA Request**

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Allen,

I've attached copies of the documents requested by Mr. Mason. With regard to the authorization for the expenditure of funds, the funds were appropriated as part of our budget process, with the checks issued to the Charleston County Clerk of Court as part of the legal action authorized by Town Council at the October 9, 2007 Special Town Council Meeting. The budget was approved by Town Council in June 2007.

Please let me know if you need anything further.

Tuesday November 06, 2007 4:59 PM

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**Office of the Mayor****October 9, 2007 (Special Town Council)****Town Council****SPECIAL TOWN COUNCIL MEETING****TUESDAY, OCTOBER 9, 2007****Departments****Economic  
Development**

**Mayor Hallman called the meeting to order at 5:00 p.m. In attendance were Council members Kruger Smith, Paul Gawrych, Billy Swails, Gary Santos, Thomasena Stokes-Marshall, Nick Collins and Joe Bustos. Mr. Glasson arrived at 5:10 pm.**

**Visitors Center**

Staff members in attendance were Mac Burdette, Allen Young, Sally Phipps, Jan Crates, Jody Peele, Chief Herb Williams, and Joel Ford.

**Emergency****Preparedness**

Mr. Burdette indicated staff is requesting that Council add two items to the Special Town Council meeting agenda. He noted both items were to be added under executive session. The first item is for legal consideration regarding the Buist Lawsuit settlement and the second would be contractual matters regarding property acquisition for property in the vicinity of town hall.

**Photo Gallery****Jobs****Online Registration**

Mr. Swails made a motion to amend the agenda as described by the administrator; seconded by Mr. Gawrych. All present were in favor.

**Online Auction****Water Quality**

Mr. Burdette indicated the first item for consideration was approval of the TIF priorities. He stated the priority list was sent to Council some time back. He indicated the priority list came from Council's rankings. Mr. Burdette indicated staff is asking for Council to consider approving this priority list. Following the approval of the list staff will take the projects, with the estimated costs, and attempt to fit them in the nine year program of "pay as you go." Mr. Burdette stated staff will have to come back to Council with the final plan and some of the projects may have to be moved around in order to make them work, as with some of the projects, the value is greater than what the Town anticipates taking in, in any given TIF year. Mr. Burdette stated that he would like to see if Council approves the priority list so that staff can come back to Council one more time with it superimposed over the nine year election that is anticipated from the TIF program.

**CPR on the Web**

Mr. Collins made a motion to proceed as described by the Town Administrator; seconded by Mr. Smith.

Mr. Bustos asked if this would be for construction only, not maintenance.

Mr. Burdette stated that TIF funding cannot be used to fund operations or maintenance. He stated that it can be used for design and construction management.

Mr. Bustos stated in building these facilities at some point there is going to be a cost to maintain them. He asked for staff to think about this and include where staff sees the maintenance money coming from.

Mr. Burdette stated that is a valid consideration. He stated staff has previously discussed with Council the cost of maintaining the Waterfront Park, which is approximately \$200,000 a year in operations and maintenance. Mr. Burdette indicated for the projects that are going to be owned and operated by the Town there is going to be a cost.

(MTP-FOIA, 11-1-07) 02290

Mayor Hallman called for the vote. All present were in favor.

Mr. Burdette indicated the next item was a presentation by Charleston County School District and architects regarding the new Moultrie Middle School and Farmers Market Pavilion. Mr. Burdette stated staff requested that this group come and make a presentation to Council tonight to give them a better idea of what the new school is going to look like. He stated he feels the public is going to be incredibly excited about this new Moultrie Middle School. Mr. Burdette indicated staff has seen, since starting with the Coleman Boulevard Committee that Moultrie Middle School is going to be the anchor for the Coleman Boulevard Redevelopment Plan. Along with that the school district is working with the Town to have a permanent Farmer's Market on that site. The market area is not only going to serve the Town of Mount Pleasant for a Farmer's Market but it is also going to be an outdoor teaching laboratory for the children at Moultrie Middle. Mr. Burdette stated this is one more example of how the Town of Mount Pleasant and Charleston County School District should be considered a model for cooperation. Mr. Burdette introduced Mr. Bill Lewis of the CCSD, Mr. Rick Holt from Southern Management, Mr. Myles Glick.

Mr. Bill Lewis also introduced Andrew Wilson, Ed Strack and Larry Jordan. He thanked Council for this opportunity. Mr. Lewis stated the CCSD and Southern Management provided Council with a handout of the presentation. Mr. John Sullivan, project architect, reviewed a detailed presentation with the Council. He discussed the details of the new Moultrie Middle as well as the Farmers Market site.

Mr. Burdette stated the Town would like to try to control the entry points for the Farmers Market. He noted no matter how much parking is provided in the rear people are going to park across the street. He stated the Town would like to encourage those individuals to use the cross walks that will be put in as part of the Coleman Boulevard Redevelopment Plan. He stated the plan is to have something like a simulated rod iron fence along the front that will have certain entry points so people cannot enter where ever they would like. He added the fence can also serve when the children are using that area during breaks. Mr. Burdette stated the Town is going to be heavily involved in the entry points along the street area.

Mr. Gawrych asked when the School District intended to have children in the building.

Mr. Lewis stated the goal is for August 2009.

Mr. Gawrych asked if there were any plan for a new district office.

Mr. Lewis indicated currently there are no plans; however added that once this project is complete they will be looking at some master planning. He stated a great deal has to do with where the revenue for that will come from.

Mayor Hallman asked if there were any additional questions.

Mr. Burdette stated staff feels this is going to be a wonderful anchor for Coleman Boulevard.

Mr. Burdette indicated that the next few items on the agenda needed to be discussed in executive session. He noted those items were legal matters pertaining to the Buist lawsuit, contractual matters pertaining to property acquisition in the vicinity of Town Hall, legal and contractual matters concerning Shem Creek property, a proposed project near Six Mile Road and US 17, an economic development prospect and some personnel matters pertaining to a employee grievance and appointments to Boards and Commissions.

Ms. Stokes-Marshall made a motion to adjourn into executive session for the reasons as stated by the Administrator; seconded by Mr. Gawrych.

Mr. Young stated that by way of clarification for the record, that Item III.A.1, Shem Creek, just to clarify that it is property – Shem Creek property.

Mayor Hallman called for the vote. All present were in favor.

The meeting adjourned into executive session at 5:35 pm.

The meeting reconvened at 6:35 pm. Note: Mr. Glasson departed Executive Session at 6:25 pm.

Mayor Hallman indicated no votes or action was taken during executive session.

Mr. Swails made a motion to authorize the Town Attorney to respond to the request to reimburse legal fees to the Town as discussed in executive session; seconded by Ms. Stokes-Marshall. All present were in favor.

Mr. Gawrych made a motion to approve the letter of intent subject to legal review as discussed in executive session concerning the Thomas and Hutton building on Houston Northcutt; seconded by Mr. Swails. All present were in favor.

Mr. Bustos made a motion with regard to the Shem Creek property to authorize the Town Attorney to make a final offer and if not accepted to pursue formal legal action as discussed in executive session; seconded by Mr. Gawrych. All present were in favor.

Mr. Gawrych made a motion to agree in concept to a property exchange in the vicinity of US Highway 17 and Laing with legal review and analysis of the value of properties in question; seconded by Mr. Swails.

Mr. Young stated that by way of clarification, this does not bind Council to anything; it is simply a process.

Mayor Hallman called for the vote. All present were in favor.

Mr. Collins made a motion to offer economic development incentives for the purpose of obtaining and encouraging a business in the Wando Business Park as discussed in executive session; seconded by Ms. Stokes-Marshall. All present were in favor.

Mr. Smith made a motion that Council sustain the recommendation for the Town Grievance hearing and the actions of the department managers and the Town Administrator as discussed in executive session; seconded by Mr. Gawrych. All present were in favor.

With no further business to be discussed the meeting adjourned at 6:40 pm.

#### More Minutes

October 23, 2007 (Special Town Council) · [More>>](#)

**OCTOBER 9, 2007** · [More>>](#)

September 11, 2007 (Special Meeting) · [More>>](#)

SEPTEMBER 11, 2007 · [More>>](#)

September 5, 2007 (Special Meeting) · [More>>](#)

August 20, 2007 · [More>>](#)

August 14, 2007 (Special Meeting) · [More>>](#)

AUGUST 14, 2007 · [More>>](#)

July 10, 2007 (Special Town Council) · [More>>](#)

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(MTP-FOIA, 11-1-07) 02292

PO # 200802044

### Requisition Form

Town Of Mount Pleasant  
100 Ann Edwards  
MT PLEASANT, SC 29464

Requisition #: 31635  
PO #: Not Assigned  
User Name: PATRICIA LINDSTROM

Date: 10/04/2007  
Approved By:  
Approved Code: Awaiting Final Approval  
Total Amount: \$2,285,000.00  
Ship To:  
Administrative Services  
100 Ann Edwards LN  
MT PLEASANT, SC 29464

CHARLESTON COUNTY CLERK OF COURT  
~~2 COURTHOUSE SQUARE~~ 100 Ann Edwards LN  
CHARLESTON, SC 29407

Vendor Instructions: GIVE CHECK TO PAT LINDSTROM-RUSH!!!!!!

Quantity	Description	Job Number	Unit Price	Extended
1	MARK MASON/OK TIRE PROPERTY/CONDEMNATION ACTION TO BE FILED RELATIVE TO PROPERTY KNOWN AS THE OK TIRE PROPERTY		\$2,285,000.00	\$2,285,000.00
<b>Sub Total</b>				\$2,285,000.00
<b>Total Tax</b>				\$0.00
<b>Total</b>				\$2,285,000.00

Account Number	Account Description	Amount
1303-41900-7100	LAND ACQUISITION	\$2,285,000.00
<b>Total</b>		\$2,285,000.00

#### Approval List

Dept Level Approval: [Signature]  
 Department Head: \_\_\_\_\_  
 PO Level Approval: [Signature]  
 Purchase Order Prep: \_\_\_\_\_

**Purchase Order**  
**Town Of Mount Pleasant**  
**100 Ann Edwards**  
**MT PLEASANT, SC 29464**

Original

PO Number: 200802044  
 Issued To: 1480

Date: 10/04/07  
 Required: 10/04/07  
 Ship Via: Best Method  
 Ship To:

CHARLESTON COUNTY CLERK OF COURT  
 100 BROAD STREET STE 106

Administrative Services  
 100 Ann Edwards LN

CHARLESTON SC 29401  
 FOB : SHIPPING POINT

MT PLEASANT SC 29464  
 Terms: Net 30

**Special Instructions:** GIVE CHECK TO PAT LINDSTROM-RUSH!!!!!!

Quantity	UOM	Asset	Item Description	Unit Price	Extended
1	EA		MARK MASON/OK TIRE PROPERTY/CONDEMNATION ACTION BE FILED RELATIVE TO PROPERTY KNOWN AS THE OK TIRE PROPERTY	\$2,285,000.0000	\$2,285,000.00
<b>Sub Total</b>					<b>\$2,285,000.00</b>
<b>Total Tax</b>					<b>\$0.00</b>
<b>Total</b>					<b>\$2,285,000.00</b>

Account Number	Type	Account Description	Amount
1303-41900-7100	E	LAND ACQUISITION	\$2,285,000.00
<b>Total</b>			<b>\$2,285,000.00</b>

(MTP-FOIA, 11-1-07) 02294

Security enhanced document. See back for details.

TOWN OF MOUNT PLEASANT  
2001 TIF  
P.O. BOX 745  
MT. PLEASANT, SC 29465

1083


67-448/539 SC  
2961

DATE 10/5/07

BY  
TO THE  
ORDER OF CHARLESTON COUNTY CLERK OF COURT

TWO MILLION TWO HUNDRED EIGHTY-FIVE THOUSAND AND 00/100\*\*\*\*

\$ 2,285,000.00

DOLLARS  Security Feature  
See Reverse  
Design of Cash

Bank of America. 

ACH R/T 053904483

*Jan B. Cates*  
Jan B. Cates

FOR PO# 200802044

⑈001083⑈ ⑆053904483⑆ 000??565560⑈

GUARANTY SAFETY

Budget Worksheet  
Other Special Revenue Funds  
FY 2007 - 2008

	CURRENT YEAR BUDGET FY 06-07	HELD IN RESERVE FY 06-07	PROPOSED BUDGET FY 07-08	BUILD IN RESERVE FY 07-08
<b>TIF FUNDS:</b>				
<b>2001 TIF Fund</b>				
Revenues:				
Town Current Taxes (Actual in FY 05-06 was \$701,975)	728,207		755,151	
County Current Taxes (Actual in FY 05-06 was \$3,342,799)	3,877,464		4,487,956	
2001 Current Interest	178,283		300,541	
2001 Reserve Interest		408,165	589,139	17,309
2001 TIF Fund Balance Reserve (Reserve held for future debt service or project appropriations)				
<b>2001 FUND TOTAL - REVENUE</b>	<b>\$4,783,954</b>	<b>7,489,966</b>	<b>8,467,041</b>	<b>953,267</b>
Expenditures:				
Replace Traffic Light & Intersection Improvements - (Project Forward) (Northcut & M Darby)	280,953		0	
Design and Construction of Waterfront Park	42,163		1,555,000	
Expansion of Municipal Complex			1,869,780	
Water Access Acquisition			3,000,000	
Widening of Bowman Road			500,000	
Construction of Vingo Way			300,000	
Johnnie Dodds Redevelopment Improvements			500,000	
Welcome Signage			75,000	
Coleman Blvd Improvement Plan			1,500,000	
Miscellaneous Bank Fees			297	
Debt Service Payments P-1,302,100 (+\$78,853) (1303-41900-8510 & 1303-41900-8522)	2,675,128		2,689,753	
Reserve for Debt			2,690,000	
<b>TOTAL 2001 TIF FUND EXPENDITURES</b>	<b>\$2,996,445</b>	<b>\$0</b>	<b>\$14,589,530</b>	<b>\$0</b>
<b>2005 TIF Fund</b>				
Revenue:				
Reserve- Interest Earnings	\$421,800	\$224,538	\$546,300	\$100,038
Current Interest Earnings		\$7,934,618	\$544,624	
2005 Bond Proceeds Reserve		\$8,159,156	\$1,091,124	\$4,997,984
<b>Total Revenue &amp; Proceed Reserves (Transfer to Capital Project Fund)</b>	<b>\$421,800</b>	<b>\$8,159,156</b>	<b>\$1,091,124</b>	<b>\$4,997,984</b>
Expenditures:				
Waterfront Park & War Memorial			\$300,000	\$3,022,442
Underpinning Utilities & Lighting Hwy 17 in front of Town Centre			\$565,618	
Portion of Municipal Comp. Renov. 670,900 +1,989,780 = \$2,540,680			\$670,900	\$330,194
Coleman Blvd Improvement Plan (Farmer's Market)			\$100,000	\$1,346,310
Johnnie Dodds Redevelopment Plan (Portion of properties in TIF)			\$20,000	
Closing Costs/Miscellaneous Bank Fees			\$224	
<b>TOTAL 2005 TIF FUND EXPENDITURES</b>	<b>\$7,934,618</b>	<b>\$0</b>	<b>\$1,091,124</b>	<b>\$4,897,946</b>
<b>2006 TIF Fund:</b>				
Revenue:				
2006 Bond Proceeds Reserve		\$4,485,000		\$4,485,000
<b>Total Revenue &amp; Proceed Reserves (Transfer to Capital Project Fund)</b>	<b>\$0</b>	<b>\$4,485,000</b>	<b>\$0</b>	<b>\$4,485,000</b>
Expenditures:				
Waterfront Park	\$3,000,000			\$3,000,000
Coleman Blvd Improvement Plan	\$1,485,000			\$1,485,000
<b>TOTAL 2006 TIF FUND EXPENDITURES</b>	<b>\$4,485,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$4,485,000</b>
<b>GRAND TOTAL ALL TIF FUND EXPENDITURES</b>	<b>\$15,419,063</b>	<b>\$0</b>	<b>\$15,880,954</b>	<b>\$0,382,946</b>

**Purchase Order**  
**Town Of Mount Pleasant**  
**100 Ann Edwards**  
**MT PLEASANT, SC 29464**

**Original**

**PO Number:** 200802044  
**Issued To:** 1480

**Date:** 10/04/07  
**Required:** 10/04/07  
**Ship Via:** Best Method  
**Ship To:**

CHARLESTON COUNTY CLERK OF COURT  
 100 BROAD STREET STE 106

Administrative Services  
 100 Ann Edwards LN

CHARLESTON SC 29401  
 FOB : SHIPPING POINT

MT PLEASANT SC 29464  
 Terms: Net 30

**Special Instructions:** GIVE CHECK TO PAT LINDSTROM-RUSH!!!!!!

Quantity	UOM	Asset	Item Description	Unit Price	Extended
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				<b>Sub Total</b>	<b>\$2,285,000.00</b>
				<b>Total Tax</b>	<b>\$0.00</b>
				<b>Total</b>	<b>\$2,285,000.00</b>

Account Number	Type	Account Description	Amount
1303-41900-7100	E	LAND ACQUISITION	\$2,285,000.00
<b>Total</b>			<b>\$2,285,000.00</b>

(MTP-FOIA, 11-1-07) 02297

**TOWN OF MOUNT PLEASANT**  
**2001 TIF**  
P.O. BOX 745  
MT. PLEASANT, SC 29465

1083

DATE 10/5/07

67-448/539 SC  
2961

PAY TO THE ORDER OF CHARLESTON COUNTY CLERK OF COURT

\$ 2,285,000.00

TWO MILLION TWO HUNDRED EIGHTY-FIVE THOUSAND AND 00/100\*\*\*\*

DOLLARS  Security features are visible when viewed in UV light.

**Bank of America**  
  
ACH R/T 053904483

FOR PO# 200802044

*[Signature]*  
Jan B. Cates

⑈00 1083⑈ ⑆053904483⑆ 000??5655560⑈

GUARDIAN IS SAFETY

TOWN OF MOUNT PLEASANT



SOUTH CAROLINA

MEMORANDUM

LEGAL DEPARTMENT  
100 Ann Edwards Lane  
Post Office Box 745  
Mount Pleasant, SC 29465

TELEPHONE  
Area Code (843)  
849-2020  
FAX  
388-1078

TO: CHARLIE POTTS  
DIRECTOR OF ADMINISTRATIVE SERVICES

FROM: R. ALLEN YOUNG  
TOWN ATTORNEY

DATE: OCTOBER 3, 2007

RE: REQUEST FOR FUNDS  
\$2,285,000.00  
MARK MASON / OK TIRE PROPERTY

I am hereby requesting a check in the amount of \$2,285,000.00 on or before October 10, 2007 payable to the Charleston County Clerk of Court. These funds will be posted with the Clerk as part of a condemnation action to be filed relative to property known as the OK Tire Property.

If you have any questions or concerns, please do not hesitate to contact me.

RAY/pem

A handwritten signature in black ink, appearing to be "R. Allen Young", is located in the lower right quadrant of the page.