



Community Services Committee Meeting

Chairman
LAWRENCE MCELYNN

Vice Chairman
MICHAEL COVERT

Committee Members
GERALD DAWSON
YORK GLOVER
CHRIS HERVOCHON

Interim County Administrator
ERIC GREENWAY

Clerk to Council
SARAH W. BROCK

Staff Support
CHARLES ATKINSON
PHIL FOOT

Administration Building
Beaufort County Government
Robert Smalls Complex
100 Ribaut Road

Contact
Post Office Drawer 1228
Beaufort, South Carolina 29901-1228
(843) 255-2180
www.beaufortcountysc.gov

Community Services Committee Agenda

Monday, December 07, 2020 at 2:00 PM

[This meeting is being held virtually in accordance with Beaufort County Resolution 2020-05]

ALL OF OUR MEETINGS ARE AVAILABLE FOR VIEWING ONLINE AT WWW.BEAUFORTCOUNTYSC.GOV AND CAN ALSO BE VIEWED ON HARGRAY CHANNELS 9 AND 113, COMCAST CHANNEL 2, AND SPECTRUM CHANNEL 1304

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. *PUBLIC NOTIFICATION OF THIS MEETING HAS BEEN PUBLISHED, POSTED, AND DISTRIBUTED IN COMPLIANCE WITH THE SOUTH CAROLINA FREEDOM OF INFORMATION ACT*
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES

ACTION ITEMS

6. CONTRACT RENEWAL FOR ANNUAL BIBLIOTHECA SERVICE AND MAINTENANCE/EXTENDED WARRANTY AGREEMENT FOR BEAUFORT COUNTY LIBRARIES.
7. RESOLUTION TO COMMISSION AN ANIMAL SERVICE OFFICER TO ENFORCE BEAUFORT COUNTY ANIMAL CONTROL ORDINANCES
8. RESOLUTION TO APPLY FOR FEDERAL TRANSIT ADMINISTRATION GRANT FUNDING
9. DISCUSSION OF NOISE ORDINANCE 2020/36.

DISCUSSION ITEMS

10. STATUS OF THE DISTANCE LEARNING GRANTS
11. UPDATE ON STATUS OF THE FEDERAL COURTHOUSE BUILDING

BOARDS AND COMMISSIONS

12. CONSIDERATION OF THE REAPPOINTMENTS OF WAYNE BLANKENSHIP, JOHN B. SENO AND DONNIE PHILLIPS TO THE SHELDON FIRE DISTRICT BOARD.
13. CONSIDERATION OF THE REAPPOINTMENT OF TRACEY ROBINSON TO THE LIBRARY BOARD.

- [14.](#) CONSIDERATION OF THE REAPPOINTMENTS OF GEOFFREY BRUNNING AND GEORGE RAFFERTY TO THE DAUFUSKIE ISLAND FIRE DISTRICT.
 - [15.](#) CONSIDERATION OF THE REAPPOINTMENTS OF RONALD CAMPBELL, WILL McCULLOUGH, AND MIKE MANESIOTIS TO THE PARKS AND RECREATION BOARD.
 - [16.](#) CONSIDERATION OF THE REAPPOINTMENTS OF THOMAS PEEPLES, HERBERT BURNES, GARY BRIGHT, AND MADISON CHISUM TO THE BURTON FIRE DISTRICT COMMISSION.
 - [17.](#) CONSIDERATION OF THE APPOINTMENT OF DR.SOPHIA ALSTON FOR LCOG AS THE TCL REPRESENTATIVE
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CITIZEN COMMENTS

18. CITIZEN COMMENTS AND PUBLIC HEARING COMMENTS WILL BE ACCEPTED IN WRITING AT PO DRAWER 1228, BEAUFORT SC 29901 OR BY WAY OF OUR **PUBLIC COMMENT FORM** AVAILABLE ONLINE AT WWW.BEAUFORTCOUNTYSC.GOV
19. ADJOURNMENT



**County Council of
Beaufort County
Community Services
Committee Meeting**

Chairman
LAWRENCE MCELYNN

Vice Chairman
MICHAEL COVERT

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Community Services Committee Minutes

Monday, October 5, 2020 at 2:00 PM

[This meeting is being held virtually in accordance with Beaufort County Resolution 2020-05] THIS MEETING WILL BE CLOSED TO THE PUBLIC. CITIZEN COMMENTS AND PUBLIC HEARING COMMENTS WILL BE ACCEPTED IN WRITING VIA EMAIL TO THE CLERK TO COUNCIL AT SBROCK@BCGOV.NET OR PO DRAWER 1228, BEAUFORT SC 29901. CITIZENS MAY ALSO COMMENT DURING THE MEETING DURING FACEBOOK LIVE

CALL TO ORDER

Committee Chairman McElynn called the meeting to order at 2:00 PM.

PRESENT

Committee Chairman McElynn
Committee Vice-Chairman Covert
Council Member Passiment
Council Member Sommerville
Council Member Covert
Council Member Dawson
Council Member Lawson
Council Member Glover
Council Member Howard
Council Member McElynn

ABSENT

Council Member Rodman

CALL TO ORDER

Committee Chairman McElynn called the meeting to order at 2:00 p.m.

FOIA

Committee Chairman McElynn noted that the Public Notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act.

PLEDGE OF ALLEGIANCE

Committee Chairman McElynn led the Pledge of Allegiance.

APPROVAL OF AGENDA

Motion: It was moved by Council Member Dawson, seconded by Council Member Passiment to approve the agenda. The vote: Unanimous without objection. The motion passed. 10:0

APPROVAL OF MINUTES

Approval of minutes from August 31, 2020

Motion: It was moved by Council Member Glover, seconded by Council Member Dawson to approve the minutes from August 13, 2020. The vote: Unanimous without objection. The motion passed. 10:0

ACTION ITEMS

A Resolution to appropriate \$398,000 from the Community Services Grant Program Funds.

Discussion: Fred Leyda, Human Services Director presented the Resolution to appropriate \$398,000 from the Community Services Grant Program Funds.

The purpose of the grant program is to promote activities that improve the quality of life for all Beaufort County residents.

Mr. Leyda explained the eligibility requirements, review process and the recommendation for the grants program. Eligibility Requirements: Registered 501 (c)3 non-profit in good standing, service Beaufort County residents, an active participant in Achieving Together for Beaufort County goals and objectives, and a registered Human Services Alliance partner. Review Process: 39 applicants received, \$705,208.00 was the amount requested, 60% more applications than the previous year, it is evaluated by a diverse volunteer panel of community professionals, and applications evaluated on their own merit using a competitive process. FY20 Grant Recommendations: Access Health Lowcountry \$20,000.00, Alliance Match Funding \$25,000.00, Beaufort County Community Relations Council \$10,000.00, Beaufort County Disability Coalition \$5,000.00, Bluffton/Jasper County Volunteers in Medicine \$15,000.00, Bluffton Self Help \$10,000.00, Boys and Girls Club of the Lowcountry \$10,000.00, Child Abuse Prevention Association \$17,000.00, Clemson Extension-Beaufort County \$10,000.00, Friends of Carolina Hospice \$10,000.00, Good Neighbor Free Medical Clinic of Beaufort \$25,000.00, HELP of Beaufort \$20,000.00, Hopeful Horizons \$20,000.00, Lowcountry Legal Volunteers \$15,000.00, Lowcountry Food Bank \$5,000.00, Memory Matters \$4,000.00, Military and Veterans Service Alliance (MAVSA) \$5,000.00, Mt. Caramel Baptist Church Med-I-Assist Program \$20,000.00, National Alliance on Mental Illness (NAMI) Lowcountry \$5,000.00, Neighborhood Outreach Connection (NOC) \$15,000.00, Pregnancy Center and Clinic of the Lowcountry Inc. \$6,000.00, Programs for Exceptional People \$3,000.00, Ronald McDonald House Charities of the Coastal Empire \$19,000.00, Second Helpings \$10,000.00, T4BC Administration \$10,000.00, The Children's Center \$20,000.00, The Literacy Center \$8,000.00, Transitional Workforce Educational Assistance Collaborative (TWEAC) \$9,000.00, United Way of the Lowcountry Inc. HELP line \$20,000.00, Volunteer Tax Assistance Program \$15,000.00, Volunteers in Medicine Hilton Head \$10,000.00.

Mr. Leyda presented Completed Activities for FY20 and Planned Activities for FY21. FY20 Completed: 1,921 low-income, uninsured patients receive medical assistance through AccessHealth network free clinics and partner providers, over 2,000 food-insecure individuals were served at 26 agencies across Beaufort County, 957 exiting/retiring mariens received local career transition information as part of a talent-retention program, 319 children received victim advocacy and trauma focused therapy. Planned for FY21: Implementing distance learning for both children and adult education programs, supporting the growth demand for basic needs resulting from COVID, enhancing medical services for low-income, uninsured residents, providing outreach and support services to low-income, at-risk children and families.

Motion: It was moved my Councilmember Covert, seconded by Councilmember Howard to approve the resolution to appropriate \$398,000 from the Community Services Grant Program Funds. The vote: Unanimous without objection. The motion passed. 10:0

DISCUSSION ITEMS

Discussion of DSN Department Update- Bill Love, Director of DSN.

The mission of Beaufort County Disabilities and Special Needs Department to provide quality services and support to consumers and facilitate opportunities for them to live productively and inclusively in the community.

Mr. Love explained the BCDSN workings: BCDSN serves individuals with intellectual and/or developmental delays, Autism, or related disabilities such as cerebral palsy, Spinal Bifida, down's syndrome, and fragile X syndrome from birth to death. All Services are based on assessed needs and must comply with local, state, and federal policies. BCDSN became a County Department in 1986 and provides services under the direction of the Federal Department of Health and Human Services (Medicaid), South Carolina Department of Disabilities and Special Needs (SCDDSN), and Beaufort County. BCDSN has 128 staff, this staff is trained/re-trained in specific areas to maintain professionalism and provide utmost care to consumers. SCDDSN receives funding from federal Medicaid and SC Legislature, determines the individual's eligibility for services, determines what services BCDSN can provide, contracts with Beaufort County to provide those services, sets the rate of services, and monitors BCDSN for compliance with SCDDSN and federal regulations. An individual can apply for services by calling 800-289-7012. BCDSN currently services 52 individuals in-home and 151 individuals through adult day programs and supports 34 others at qualified private providers in the county. BCDSN also provides a 4-week summer camp that services 30 campers ages 6-21.

Discussion of Alcohol and Drug Abuse Department- Steve Donaldson, BCADAD

Discussion: Steve Donaldson, with Beaufort County Alcohol and Drug, presented updates with BCADAD.

Mr. Donaldson explained that patients continue to engage in services at a 48.27% reduction from last year. There are 3 full-time counselors and 2 grant-funded positions vacant. Adolescent numbers are alarmingly low (7 in services) when schools open-up referrals are anticipated. Intensive Outpatient Programs are not active (cannot do virtual groups, except ADSAP per regulatory bodies). Groups are high revenue producers. The absences is noticed, but the departmental fund balance is balancing the bottom line. Communications with referral sources have increased to alert to virtual care options and to dispel the myth that we are closed. Continue to communicate interest with Drug Court continuation with the solicitor's office. The department has communicated with an attorney hired by the solicitor to target the DUI's and dispositions in Beaufort County. Public Service Announcements are being disseminated regarding the Opioid Crisis and the promotion of drop boxes and other safe disposals of medications.

Mr. Donaldson updated the Committee on how services are being provided during COVID. All services are done virtually except for urine drug screens. Staff was converted to mobile computers and cell phones to provide telephonic or telehealth services as a response to COVID. Patients without technology to engage in services are purchased a flip phone with month to month services provided through a grant. Medication-Assisted Treatment referrals continue. Department continues efforts to distribute overdose reversal medication to patients, support sources, and the community. BCADAD's website offers virtual counseling links, PSA's, expanded resources for citizens to gain support during COVID, and a link for satisfaction surveys and input.

Mr. Donaldson mentioned that prevention Services are being provided by starting a monthly newsletter, through social media, curbside Narcan, and Detera Bag events.

Mr. Donaldson stated that some accomplishments and outcomes during the first quarter are, 71% of patients successfully completed services, 84% of community partners were satisfied or very satisfied with the services received. 100% of patients surveyed were satisfied/very satisfied with the services received. The Commission on Accreditation of Rehabilitation Facilities (CARF) visited on August 12-13, 2020. A 3-year accreditation award is expected.

Mr. Donaldson reviewed what is new with BCADAD. The Beaufort Memorial Hospital and the Alliance Health System are partnered with BCADAD and serves on their controlled substance task force and provides technical assistant for new emergency department services. The Department is providing the oversight of the New Paths Program, which is for women transitioning from corrections. Peer Recovery Services are developing through grants made available. The Department's Counselors are receiving capacity building opportunities through the generosity of the Horry County Alcohol and Drug Abuse Department. New Urine Drug Screening Labs are open through the assistance of SC State Infrastructure funding.

Mr. Donaldson explained what is next for BCADAD. The department is adjusting to the new virtual normal, working to expand the use of Novatime in cooperation with the Human Resources Department, development of an anti-stigma and MAT program/series for the County Channel is in discussion with leaders in the field throughout SC. The Department will seek to fill a grant-funded Adolescent Counselor position for the Right Choices Program in the Beaufort County School system with school reopens.

CITIZEN COMMENTS

No citizen comments.

ADJOURNMENT

The meeting adjourned at 3:07 pm.

Ratified by Committee:



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
Contract Renewal for Annual Bibliotheca Service and Maintenance/Extended Warranty Agreement for Beaufort County Libraries.
MEETING NAME AND DATE:
December 7, 2020
PRESENTER INFORMATION:
Dave Thomas, CPPO, Purchasing Director and Amanda Dickman, Interim Library Director
ITEM BACKGROUND:
Beaufort County Library has maintained a Service and Maintenance/Extended Warranty Agreement with Bibliotheca since 2013 to cover 64 pieces of hardware/software which is in operation at all five branch libraries.
PROJECT / ITEM NARRATIVE:
The annual contract will begin January 15, 2021 and end January 15, 2022 with a total contract award of \$57,144.00 and will provide service, maintenance, and extended warranty. Subject to County Council's approval, this one year contract will preserve the investment made by the County in this equipment. Without the contract renewal, the equipment will not be covered by warranty or repair.
FISCAL IMPACT:
The funding will be taken from account numbers (*) Maintenance Contracts and will be allocated by fiscal year according to the attached schedule: *10001621-51110-\$9,263, *10001622-51110-\$16,834, *10001623-51110-\$16,010, *10001624-51110-\$2,322 *10001625-51110-\$11,967, * 10001626-51110-\$748. The cost increase from 2020 (\$54,417.62) to 2021 (\$57,144) is due to Bibliotheca's omitting a piece of equipment on the 2020 contract quote. The omitted equipment was later charged to Beaufort County Library in a separate invoice.
STAFF RECOMMENDATIONS TO COUNCIL:
The Purchasing Department recommends that the Executive Committee approve the contract award to Bibliotheca for Annual Service and Maintenance/Extended Warranty Agreement for Beaufort County Libraries for a total amount of \$57,144.00.
OPTIONS FOR COUNCIL MOTION:
Motion to approve/deny Contract Renewal for Annual Bibliotheca Service and Maintenance/Extended Warranty Agreement for Beaufort County Libraries.

RESOLUTION 2020 /

A RESOLUTION TO COMMISSION ANIMAL SERVICE OFFICER TO ENFORCE BEAUFORT COUNTY ANIMAL ORDINANCES FOR BEAUFORT COUNTY PURSUANT TO THE AUTHORITY GRANTED IN SECTION 4-9-145 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976 AS AMENDED.

WHEREAS, Beaufort County Council may appoint and commission as many animal service officers as may be necessary for proper security, general welfare and convenience of the County; and

WHEREAS, each candidate for appointment as a Beaufort County Animal Service Officer shall complete training and whatever certification may be necessary prior to any official action as an Animal Service Officer.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Beaufort County, South Carolina that:

1. County Council hereby appoints and commissions the following individual as Animal Service Officer for Beaufort County:

Trevor Heyward Emp # 9927, Beaufort County Animal Service Officer

2. Each Animal Service Officer shall present the appropriate certificate to the Beaufort County Magistrate’s office prior to any official action as an Animal Service Officer.

ADOPTED THIS ___ DAY OF _____, 2020.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Joseph Passiment, Chairman

ATTEST:

Sarah Brock, Clerk to Council



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
RESOLUTION TO COMMISSION AN ANIMAL SERVICE OFFICER TO ENFORCE BEAUFORT COUNTY ANIMAL CONTROL ORDINANCES
MEETING NAME AND DATE:
COMMUNITY SERVICES COMMITTEE DECEMBER 7, 2020
PRESENTER INFORMATION:
Philip A. Foot, Assistant County Administrator for Public Safety 3 Minutes
ITEM BACKGROUND:
None
PROJECT / ITEM NARRATIVE:
None
FISCAL IMPACT:
None
STAFF RECOMMENDATIONS TO COUNCIL:
The Director of Animal Services Tallulah (Trice) McGee, recommends the appointment of Trevor Heyward as an Animal Service Officer.
OPTIONS FOR COUNCIL MOTION:
Motion to forward the resolution to appoint Trevor Heyward as a Beaufort County Animal Service Officer to County Council for approval on December 14, 2020.

Not every provision of every certification will apply to every applicant or award. If a provision of a certification does not apply to the applicant or its award, FTA will not enforce that provision. Refer to FTA's accompanying Instructions document for more information.

Text in italics is guidance to the public. It does not have the force and effect of law, and is not meant to bind the public in any way. It is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

CATEGORY 1. CERTIFICATIONS AND ASSURANCES REQUIRED OF EVERY APPLICANT.

All applicants must make the certifications in this category.

1.1. Standard Assurances.

The certifications in this subcategory appear as part of the applicant's registration or annual registration renewal in the System for Award Management (SAM.gov) and on the Office of Management and Budget's standard form 424B "Assurances—Non-Construction Programs". This certification has been modified in places to include analogous certifications required by U.S. DOT statutes or regulations.

As the duly authorized representative of the applicant, you certify that the applicant:

- (a) Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
- (b) Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
- (c) Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
- (d) Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
- (e) Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728–4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).

- (f) Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to:
- (1) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin, as effectuated by U.S. DOT regulation 49 C.F.R. Part 21;
 - (2) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681–1683, and 1685–1686), which prohibits discrimination on the basis of sex, as effectuated by U.S. DOT regulation 49 C.F.R. Part 25;
 - (3) Section 5332 of the Federal Transit Law (49 U.S.C. § 5332), which prohibits any person being excluded from participating in, denied a benefit of, or discriminated against under, a project, program, or activity receiving financial assistance from FTA because of race, color, religion, national origin, sex, disability, or age.
 - (4) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps, as effectuated by U.S. DOT regulation 49 C.F.R. Part 27;
 - (5) The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101–6107), which prohibits discrimination on the basis of age;
 - (6) The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse;
 - (7) The comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91–616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
 - (8) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records;
 - (9) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental, or financing of housing;
 - (10) Any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and,
 - (11) the requirements of any other nondiscrimination statute(s) which may apply to the application.
- (g) Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (“Uniform Act”) (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases. The requirements of the Uniform Act are effectuated by U.S. DOT regulation 49 C.F.R. Part 24.

- (h) Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§ 1501–1508 and 7324–7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
- (i) Will comply, as applicable, with the provisions of the Davis–Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. § 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327–333), regarding labor standards for federally assisted construction subagreements.
- (j) Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
- (k) Will comply with environmental standards which may be prescribed pursuant to the following:
 - (1) Institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514;
 - (2) Notification of violating facilities pursuant to EO 11738;
 - (3) Protection of wetlands pursuant to EO 11990;
 - (4) Evaluation of flood hazards in floodplains in accordance with EO 11988;
 - (5) Assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.);
 - (6) Conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§ 7401 et seq.);
 - (7) Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and
 - (8) Protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93–205).
- (l) Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
- (m) Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§ 469a-1 et seq.).
- (n) Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
- (o) Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§ 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded

- animals held for research, teaching, or other activities supported by this award of assistance.
- (p) Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
 - (q) Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and 2 C.F.R. Part 200, Subpart F, “Audit Requirements”, as adopted and implemented by U.S. DOT at 2 C.F.R. Part 1201.
 - (r) Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing the program under which it is applying for assistance.
 - (s) Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. § 7104) which prohibits grant award recipients or a sub-recipient from:
 - (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect;
 - (2) Procuring a commercial sex act during the period of time that the award is in effect; or
 - (3) Using forced labor in the performance of the award or subawards under the award.

1.2. Standard Assurances: Additional Assurances for Construction Projects.

This certification appears on the Office of Management and Budget’s standard form 424D “Assurances—Construction Programs” and applies specifically to federally assisted projects for construction. This certification has been modified in places to include analogous certifications required by U.S. DOT statutes or regulations.

As the duly authorized representative of the applicant, you certify that the applicant:

- (a) Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency; will record the Federal awarding agency directives; and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project.
- (b) Will comply with the requirements of the assistance awarding agency with regard to the drafting, review, and approval of construction plans and specifications.
- (c) Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications, and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.

1.3. Procurement.

The Uniform Administrative Requirements, 2 C.F.R. 200.324, allow a recipient to self-certify that its procurement system complies with Federal requirements, in lieu of submitting to certain pre-procurement reviews.

The applicant certifies that its procurement system complies with:

- (a) U.S. DOT regulations, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 C.F.R. Part 1201, which incorporates by reference U.S. OMB regulatory guidance, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 C.F.R. Part 200, particularly 2 C.F.R. §§ 200.317–200.326 “Procurement Standards;
- (b) Federal laws, regulations, and requirements applicable to FTA procurements; and
- (c) The latest edition of FTA Circular 4220.1 and other applicable Federal guidance.

1.4. Suspension and Debarment.

Pursuant to Executive Order 12549, as implemented at 2 C.F.R. Parts 180 and 1200, prior to entering into a covered transaction with an applicant, FTA must determine whether the applicant is excluded from participating in covered non-procurement transactions. For this purpose, FTA is authorized to collect a certification from each applicant regarding the applicant’s exclusion status. 2 C.F.R. § 180.300. Additionally, each applicant must disclose any information required by 2 C.F.R. § 180.335 about the applicant and the applicant’s principals prior to entering into an award agreement with FTA. This certification serves both purposes.

The applicant certifies, to the best of its knowledge and belief, that the applicant and each of its principals:

- (a) Is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily or involuntarily excluded from covered transactions by any Federal department or agency;
- (b) Has not, within the preceding three years, been convicted of or had a civil judgment rendered against him or her for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public or private agreement or transaction; violation of Federal or State antitrust statutes, including those proscribing price fixing between competitors, allocation of customers between competitors, and bid rigging; commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice; or commission of any other offense indicating a lack of business integrity or business honesty;

- (c) Is not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any offense described in paragraph (b) of this certification;
- (d) Has not, within the preceding three years, had one or more public transactions (Federal, State, or local) terminated for cause or default.

1.5. Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment.

The applicant certifies that, consistent with Section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. 115-232 (Aug. 13, 2018), beginning on and after August 13, 2020, it will not use assistance awarded by FTA to procure or obtain, extend or renew a contract to procure or obtain, or enter into a contract (or extend or renew a contract) to procure or obtain “covered telecommunications equipment or services” (as that term is defined in Section 889 of the Act) if such equipment or services will be used as a substantial or essential component of any system or as critical technology as part of any system.

CATEGORY 2. PUBLIC TRANSPORTATION AGENCY SAFETY PLANS

Beginning on July 20, 2020, this certification is required of each applicant under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), each rail operator that is subject to FTA’s state safety oversight programs, and each State that is required to draft and certify a public transportation agency safety plan on behalf of a small public transportation provider pursuant to 49 C.F.R. § 673.11(d). This certification is required by 49 C.F.R. § 673.13.

This certification does not apply to any applicant that receives financial assistance from FTA exclusively under the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C. § 5310), the Formula Grants for Rural Areas Program (49 U.S.C. § 5311), or combination of these two programs.

An applicant may make this certification only after fulfilling its safety planning requirements under 49 C.F.R. Part 673. If an applicant is making its fiscal year 2020 certifications prior to completing its requirements under 49 C.F.R. Part 673, it will make all other applicable certifications except this certification; the applicant may add this certification after it has fulfilled its requirements under 49 C.F.R. Part 673. FTA’s regional offices and headquarters Office of Transit Safety and Oversight will provide support for incorporating this certification in 2020.

On and after July 20, 2020, FTA will not process an application from an applicant required to make this certification unless the applicant has made this certification.

If the applicant is an operator, the applicant certifies that it has established a public transportation agency safety plan meeting the requirements of 49 C.F.R. Part 673.

If the applicant is a State, the applicant certifies that:

- (a) It has drafted a public transportation agency safety plan for each small public transportation provider within the State, unless the small public transportation provider provided notification to the State that it was opting-out of the State-drafted plan and drafting its own public transportation agency safety plan; and
- (b) Each small public transportation provider within the state has a public transportation agency safety plan that has been approved by the provider's Accountable Executive (as that term is defined at 49 C.F.R. § 673.5) and Board of Directors or Equivalent Authority (as that term is defined at 49 C.F.R. § 673.5).

CATEGORY 3. TAX LIABILITY AND FELONY CONVICTIONS.

If the applicant is a business association (regardless of for-profit, not for-profit, or tax exempt status), it must make this certification. Federal appropriations acts since at least 2014 have prohibited FTA from using funds to enter into an agreement with any corporation that has unpaid Federal tax liabilities or recent felony convictions without first considering the corporation for debarment. E.g., Consolidated Appropriations Act, 2020, Pub. L. 116-93, div. C, title VII, §§ 744–745. U.S. DOT Order 4200.6 defines a “corporation” as “any private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association”, and applies the restriction to all tiers of subawards. As prescribed by U.S. DOT Order 4200.6, FTA requires each business association applicant to certify as to its tax and felony status.

If the applicant is a private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association, the applicant certifies that:

- (a) It has no unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability; and
- (b) It has not been convicted of a felony criminal violation under any Federal law within the preceding 24 months.

CATEGORY 4. LOBBYING.

If the applicant will apply for a grant or cooperative agreement exceeding \$100,000, or a loan, line of credit, loan guarantee, or loan insurance exceeding \$150,000, it must make the following

certification and, if applicable, make a disclosure regarding the applicant's lobbying activities. This certification is required by 49 C.F.R. § 20.110 and app. A to that part.

This certification does not apply to an applicant that is an Indian Tribe, Indian organization, or an Indian tribal organization exempt from the requirements of 49 C.F.R. Part 20.

4.1. Certification for Contracts, Grants, Loans, and Cooperative Agreements.

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

4.2. Statement for Loan Guarantees and Loan Insurance.

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and

submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

CATEGORY 5. PRIVATE SECTOR PROTECTIONS.

If the applicant will apply for funds that it will use to acquire or operate public transportation facilities or equipment, the applicant must make the following certification regarding protections for the private sector.

5.1. Charter Service Agreement.

To enforce the provisions of 49 U.S.C. § 5323(d), FTA's charter service regulation requires each applicant seeking assistance from FTA for the purpose of acquiring or operating any public transportation equipment or facilities to make the following Charter Service Agreement. 49 C.F.R. § 604.4.

The applicant agrees that it, and each of its subrecipients, and third party contractors at any level who use FTA-funded vehicles, may provide charter service using equipment or facilities acquired with Federal assistance authorized under the Federal Transit Laws only in compliance with the regulations set out in 49 C.F.R. Part 604, the terms and conditions of which are incorporated herein by reference.

5.2. School Bus Agreement.

To enforce the provisions of 49 U.S.C. § 5323(f), FTA's school bus regulation requires each applicant seeking assistance from FTA for the purpose of acquiring or operating any public transportation equipment or facilities to make the following agreement regarding the provision of school bus services. 49 C.F.R. § 605.15.

- (a) If the applicant is not authorized by the FTA Administrator under 49 C.F.R. § 605.11 to engage in school bus operations, the applicant agrees and certifies as follows:
- (1) The applicant and any operator of project equipment agrees that it will not engage in school bus operations in competition with private school bus operators.
 - (2) The applicant agrees that it will not engage in any practice which constitutes a means of avoiding the requirements of this agreement, part 605 of the Federal Mass Transit Regulations, or section 164(b) of the Federal-Aid Highway Act of 1973 (49 U.S.C. 1602a(b)).

- (b) If the applicant is authorized or obtains authorization from the FTA Administrator to engage in school bus operations under 49 C.F.R. § 605.11, the applicant agrees as follows:
- (1) The applicant agrees that neither it nor any operator of project equipment will engage in school bus operations in competition with private school bus operators except as provided herein.
 - (2) The applicant, or any operator of project equipment, agrees to promptly notify the FTA Administrator of any changes in its operations which might jeopardize the continuation of an exemption under § 605.11.
 - (3) The applicant agrees that it will not engage in any practice which constitutes a means of avoiding the requirements of this agreement, part 605 of the Federal Transit Administration regulations or section 164(b) of the Federal-Aid Highway Act of 1973 (49 U.S.C. 1602a(b)).
 - (4) The applicant agrees that the project facilities and equipment shall be used for the provision of mass transportation services within its urban area and that any other use of project facilities and equipment will be incidental to and shall not interfere with the use of such facilities and equipment in mass transportation service to the public.

CATEGORY 6. TRANSIT ASSET MANAGEMENT PLAN.

If the applicant owns, operates, or manages capital assets used to provide public transportation, the following certification is required by 49 U.S.C. § 5326(a).

The applicant certifies that it is in compliance with 49 C.F.R. Part 625.

CATEGORY 7. ROLLING STOCK BUY AMERICA REVIEWS AND BUS TESTING.

7.1. Rolling Stock Buy America Reviews.

If the applicant will apply for an award to acquire rolling stock for use in revenue service, it must make this certification. This certification is required by 49 C.F.R. § 663.7.

The applicant certifies that it will conduct or cause to be conducted the pre-award and post-delivery audits prescribed by 49 C.F.R. Part 663 and will maintain on file the certifications required by Subparts B, C, and D of 49 C.F.R. Part 663.

7.2. Bus Testing.

If the applicant will apply for funds for the purchase or lease of any new bus model, or any bus model with a major change in configuration or components, the applicant must make this certification. This certification is required by 49 C.F.R. § 665.7.

The applicant certifies that the bus was tested at the Bus Testing Facility and that the bus received a passing test score as required by 49 C.F.R. Part 665. The applicant has received or will receive the appropriate full Bus Testing Report and any applicable partial testing reports before final acceptance of the first vehicle.

CATEGORY 8. URBANIZED AREA FORMULA GRANTS PROGRAM.

If the applicant will apply for an award under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), or any other program or award that is subject to the requirements of 49 U.S.C. § 5307, including the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C. § 5310); “flex funds” from infrastructure programs administered by the Federal Highways Administration (see 49 U.S.C. § 5334(i)); projects that will receive an award authorized by the Transportation Infrastructure Finance and Innovation Act (“TIFIA”) (23 U.S.C. §§ 601–609) or State Infrastructure Bank Program (23 U.S.C. § 610) (see 49 U.S.C. § 5323(o)); formula awards or competitive awards to urbanized areas under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339(a) and (b)); or low or no emission awards to any area under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339(c)), the applicant must make the following certification. This certification is required by 49 U.S.C. § 5307(c)(1).

The applicant certifies that it:

- (a) Has or will have the legal, financial, and technical capacity to carry out the program of projects (developed pursuant 49 U.S.C. § 5307(b)), including safety and security aspects of the program;
- (b) Has or will have satisfactory continuing control over the use of equipment and facilities;
- (c) Will maintain equipment and facilities in accordance with the applicant’s transit asset management plan;
- (d) Will ensure that, during non-peak hours for transportation using or involving a facility or equipment of a project financed under this section, a fare that is not more than 50 percent of the peak hour fare will be charged for any—
 - (1) Senior;
 - (2) Individual who, because of illness, injury, age, congenital malfunction, or any other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or has semi-ambulatory capability), cannot use a public transportation service or a public transportation facility effectively without special facilities, planning, or design; and
 - (3) Individual presenting a Medicare card issued to that individual under title II or XVIII of the Social Security Act (42 U.S.C. §§ 401 et seq., and 1395 et seq.);
- (e) In carrying out a procurement under 49 U.S.C. § 5307, will comply with 49 U.S.C. §§ 5323 (general provisions) and 5325 (contract requirements);

- (f) Has complied with 49 U.S.C. § 5307(b) (program of projects requirements);
- (g) Has available and will provide the required amounts as provided by 49 U.S.C. § 5307(d) (cost sharing);
- (h) Will comply with 49 U.S.C. §§ 5303 (metropolitan transportation planning) and 5304 (statewide and nonmetropolitan transportation planning);
- (i) Has a locally developed process to solicit and consider public comment before raising a fare or carrying out a major reduction of transportation;
- (j) Either—
 - (1) Will expend for each fiscal year for public transportation security projects, including increased lighting in or adjacent to a public transportation system (including bus stops, subway stations, parking lots, and garages), increased camera surveillance of an area in or adjacent to that system, providing an emergency telephone line to contact law enforcement or security personnel in an area in or adjacent to that system, and any other project intended to increase the security and safety of an existing or planned public transportation system, at least 1 percent of the amount the recipient receives for each fiscal year under 49 U.S.C. § 5336; or
 - (2) Has decided that the expenditure for security projects is not necessary;
- (k) In the case of an applicant for an urbanized area with a population of not fewer than 200,000 individuals, as determined by the Bureau of the Census, will submit an annual report listing projects carried out in the preceding fiscal year under 49 U.S.C. § 5307 for associated transit improvements as defined in 49 U.S.C. § 5302; and
- (l) Will comply with 49 U.S.C. § 5329(d) (public transportation agency safety plan).

CATEGORY 9. FORMULA GRANTS FOR RURAL AREAS.

If the applicant will apply for funds made available to it under the Formula Grants for Rural Areas Program (49 U.S.C. § 5311), it must make this certification. Paragraph (a) of this certification helps FTA make the determinations required by 49 U.S.C. § 5310(b)(2)(C). Paragraph (b) of this certification is required by 49 U.S.C. § 5311(f)(2). Paragraph (c) of this certification, which applies to funds apportioned for the Appalachian Development Public Transportation Assistance Program, is necessary to enforce the conditions of 49 U.S.C. § 5311(c)(2)(D).

- (a) The applicant certifies that its State program for public transportation service projects, including agreements with private providers for public transportation service—
 - (1) Provides a fair distribution of amounts in the State, including Indian reservations; and
 - (2) Provides the maximum feasible coordination of public transportation service assisted under 49 U.S.C. § 5311 with transportation service assisted by other Federal sources; and

- (b) If the applicant will in any fiscal year expend less than 15% of the total amount made available to it under 49 U.S.C. § 5311 to carry out a program to develop and support intercity bus transportation, the applicant certifies that it has consulted with affected intercity bus service providers, and the intercity bus service needs of the State are being met adequately.
- (c) If the applicant will use for a highway project amounts that cannot be used for operating expenses authorized under 49 U.S.C. § 5311(c)(2) (Appalachian Development Public Transportation Assistance Program), the applicant certifies that—
 - (1) It has approved the use in writing only after providing appropriate notice and an opportunity for comment and appeal to affected public transportation providers; and
 - (2) It has determined that otherwise eligible local transit needs are being addressed.

CATEGORY 10. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS AND THE EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS PILOT PROGRAM.

If the applicant will apply for an award under any subsection of the Fixed Guideway Capital Investment Program (49 U.S.C. § 5309), including an award made pursuant to the FAST Act’s Expedited Project Delivery for Capital Investment Grants Pilot Program (Pub. L. 114-94, div. A, title III, § 3005(b)), the applicant must make the following certification. This certification is required by 49 U.S.C. § 5309(c)(2) and Pub. L. 114-94, div. A, title III, § 3005(b)(3)(B).

The applicant certifies that it:

- (a) Has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award,
- (b) Has or will have satisfactory continuing control over the use of equipment and facilities acquired or improved under its Award.
- (c) Will maintain equipment and facilities acquired or improved under its Award in accordance with its transit asset management plan; and
- (d) Will comply with 49 U.S.C. §§ 5303 (metropolitan transportation planning) and 5304 (statewide and nonmetropolitan transportation planning).

CATEGORY 11. GRANTS FOR BUSES AND BUS FACILITIES AND LOW OR NO EMISSION VEHICLE DEPLOYMENT GRANT PROGRAMS.

If the applicant is in an urbanized area and will apply for an award under subsection (a) (formula grants) or subsection (b) (competitive grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the certification in Category 8 for Urbanized Area Formula Grants (49 U.S.C. § 5307). This certification is required by 49 U.S.C. § 5339(a)(3) and (b)(6), respectively.

If the applicant is in a rural area and will apply for an award under subsection (a) (formula grants) or subsection (b) (competitive grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the certification in Category 9 for Formula Grants for Rural Areas (49 U.S.C. § 5311). This certification is required by 49 U.S.C. § 5339(a)(3) and (b)(6), respectively.

If the applicant, regardless of whether it is in an urbanized or rural area, will apply for an award under subsection (c) (low or no emission vehicle grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the certification in Category 8 for Urbanized Area Formula Grants (49 U.S.C. § 5307). This certification is required by 49 U.S.C. § 5339(c)(3).

Making this certification will incorporate by reference the applicable certifications in Category 8 or Category 9.

CATEGORY 12. ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAMS.

If the applicant will apply for an award under the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program (49 U.S.C. § 5310), it must make the certification in Category 8 for Urbanized Area Formula Grants (49 U.S.C. § 5307). This certification is required by 49 U.S.C. § 5310(e)(1). Making this certification will incorporate by reference the certification in Category 8, except that FTA has determined that (d), (f), (i), (j), and (k) of Category 8 do not apply to awards made under 49 U.S.C. § 5310 and will not be enforced.

In addition to the certification in Category 8, the applicant must make the following certification that is specific to the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program. This certification is required by 49 U.S.C. § 5310(e)(2).

The applicant certifies that:

- (a) The projects selected by the applicant are included in a locally developed, coordinated public transit-human services transportation plan;
- (b) The plan described in clause (a) was developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of public, private, and nonprofit transportation and human services providers, and other members of the public;
- (c) To the maximum extent feasible, the services funded under 49 U.S.C. § 5310 will be coordinated with transportation services assisted by other Federal departments and agencies, including any transportation activities carried out by a recipient of a grant from the Department of Health and Human Services; and

- (d) If the applicant will allocate funds received under 49 U.S.C. § 5310 to subrecipients, it will do so on a fair and equitable basis.

CATEGORY 13. STATE OF GOOD REPAIR GRANTS.

If the applicant will apply for an award under FTA’s State of Good Repair Grants Program (49 U.S.C. § 5337), it must make the following certification. Because FTA generally does not review the transit asset management plans of public transportation providers, this certification is necessary to enforce the provisions of 49 U.S.C. § 5337(a)(4).

The applicant certifies that the projects it will carry out using assistance authorized by the State of Good Repair Grants Program, 49 U.S.C. § 5337, are aligned with the applicant’s most recent transit asset management plan and are identified in the investment and prioritization section of such plan, consistent with the requirements of 49 C.F.R. Part 625.

CATEGORY 14. INFRASTRUCTURE FINANCE PROGRAMS.

If the applicant will apply for an award for a project that will include assistance under the Transportation Infrastructure Finance and Innovation Act (“TIFIA”) Program (23 U.S.C. §§ 601–609) or the State Infrastructure Banks (“SIB”) Program (23 U.S.C. § 610), it must make the certifications in Category 8 for the Urbanized Area Formula Grants Program, Category 10 for the Fixed Guideway Capital Investment Grants program, and Category 13 for the State of Good Repair Grants program. These certifications are required by 49 U.S.C. § 5323(o).

Making this certification will incorporate the certifications in Categories 8, 10, and 13 by reference.

CATEGORY 15. ALCOHOL AND CONTROLLED SUBSTANCES TESTING.

If the applicant will apply for an award under FTA’s Urbanized Area Formula Grants Program (49 U.S.C. § 5307), Fixed Guideway Capital Investment Program (49 U.S.C. § 5309), Formula Grants for Rural Areas Program (49 U.S.C. § 5311), or Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339) programs, the applicant must make the following certification. The applicant must make this certification on its own behalf and on behalf of its subrecipients and contractors. This certification is required by 49 C.F.R. § 655.83.

The applicant certifies that it, its subrecipients, and its contractors are compliant with FTA’s regulation for the Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations, 49 C.F.R. Part 655.

CATEGORY 16. RAIL SAFETY TRAINING AND OVERSIGHT.

If the applicant is a State with at least one rail fixed guideway system, or is a State Safety Oversight Agency, or operates a rail fixed guideway system, it must make the following certification. The elements of this certification are required by 49 C.F.R. §§ 659.43, 672.31, and 674.39.

The applicant certifies that the rail fixed guideway public transportation system and the State Safety Oversight Agency for the State are:

- (a) Compliant with the requirements of 49 C.F.R. part 659, “Rail Fixed Guideway Systems; State Safety Oversight”;
- (b) Compliant with the requirements of 49 C.F.R. part 672, “Public Transportation Safety Certification Training Program”; and
- (c) Compliant with the requirements of 49 C.F.R. part 674, “State Safety Oversight”.

CATEGORY 17. DEMAND RESPONSIVE SERVICE.

If the applicant operates demand responsive service and will apply for an award to purchase a non-rail vehicle that is not accessible within the meaning of 49 C.F.R. Part 37, it must make the following certification. This certification is required by 49 C.F.R. § 37.77.

The applicant certifies that the service it provides to individuals with disabilities is equivalent to that provided to other persons. A demand responsive system, when viewed in its entirety, is deemed to provide equivalent service if the service available to individuals with disabilities, including individuals who use wheelchairs, is provided in the most integrated setting appropriate to the needs of the individual and is equivalent to the service provided other individuals with respect to the following service characteristics:

- (a) Response time;
- (b) Fares;
- (c) Geographic area of service;
- (d) Hours and days of service;
- (e) Restrictions or priorities based on trip purpose;
- (f) Availability of information and reservation capability; and
- (g) Any constraints on capacity or service availability.

CATEGORY 18. INTEREST AND FINANCING COSTS.

If the applicant will pay for interest or other financing costs of a project using assistance awarded under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), the Fixed Guideway Capital Investment Grants Program (49 U.S.C. § 5309), or any program that must comply with the requirements of 49 U.S.C. § 5307, including the Formula Grants for the

Enhanced Mobility of Seniors Program (49 U.S.C. § 5310), “flex funds” from infrastructure programs administered by the Federal Highways Administration (see 49 U.S.C. § 5334(i)), or awards to urbanized areas under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the following certification. This certification is required by 49 U.S.C. §§ 5307(e)(3) and 5309(k)(2)(D).

The applicant certifies that:

- (a) Its application includes the cost of interest earned and payable on bonds issued by the applicant only to the extent proceeds of the bonds were or will be expended in carrying out the project identified in its application; and
- (b) The applicant has shown or will show reasonable diligence in seeking the most favorable financing terms available to the project at the time of borrowing.

CATEGORY 19. CONSTRUCTION HIRING PREFERENCES.

If the applicant will ask FTA to approve the use of geographic, economic, or any other hiring preference not otherwise authorized by law on any contract or construction project to be assisted with an award from FTA, it must make the following certification. This certification is required by the Further Consolidated Appropriations Act, 2020, Pub. L. 116-94, div. H, title I, § 191.

The applicant certifies the following:

- (a) That except with respect to apprentices or trainees, a pool of readily available but unemployed individuals possessing the knowledge, skill, and ability to perform the work that the contract requires resides in the jurisdiction;
- (b) That the grant recipient will include appropriate provisions in its bid document ensuring that the contractor does not displace any of its existing employees in order to satisfy such hiring preference; and
- (c) That any increase in the cost of labor, training, or delays resulting from the use of such hiring preference does not delay or displace any transportation project in the applicable Statewide Transportation Improvement Program or Transportation Improvement Program.

CATEGORY 20. CYBERSECURITY CERTIFICATION FOR RAIL ROLLING STOCK AND OPERATIONS.

If the applicant operates a rail fixed guideway public transportation system, it must make this certification. This certification is required by 49 U.S.C. § 5323(v), a new subsection added by the National Defense Authorization Act for Fiscal Year 2020, Pub. L. 116-92, § 7613 (Dec. 20, 2019). For information about standards or practices that may apply to a rail fixed guideway

public transportation system, visit <https://www.nist.gov/cyberframework> and <https://www.cisa.gov/>.

The applicant certifies that it has established a process to develop, maintain, and execute a written plan for identifying and reducing cybersecurity risks that complies with the requirements of 49 U.S.C. § 5323(v)(2).

FEDERAL FISCAL YEAR 2020 CERTIFICATIONS AND ASSURANCES FOR FTA ASSISTANCE PROGRAMS

(Signature pages alternate to providing Certifications and Assurances in TrAMS.)

Name of Applicant: _____

The Applicant certifies to the applicable provisions of categories 01–20. _____

Or,

The Applicant certifies to the applicable provisions of the categories it has selected:

Category	Certification
01 Certifications and Assurances Required of Every Applicant	_____
02 Public Transportation Agency Safety Plans	_____
03 Tax Liability and Felony Convictions	_____
04 Lobbying	_____
05 Private Sector Protections	_____
06 Transit Asset Management Plan	_____
07 Rolling Stock Buy America Reviews and Bus Testing	_____
08 Urbanized Area Formula Grants Program	_____
09 Formula Grants for Rural Areas	_____
10 Fixed Guideway Capital Investment Grants and the Expedited Project Delivery for Capital Investment Grants Pilot Program	_____
11 Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs	_____

12 Enhanced Mobility of Seniors and Individuals with Disabilities Programs

13 State of Good Repair Grants

14 Infrastructure Finance Programs

15 Alcohol and Controlled Substances Testing

16 Rail Safety Training and Oversight

17 Demand Responsive Service

18 Interest and Financing Costs

19 Construction Hiring Preferences

20 Cybersecurity Certification for Rail Rolling Stock and Operations

FEDERAL FISCAL YEAR 2020 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE

PAGE

(Required of all Applicants for federal assistance to be awarded by FTA in FY 2020)

AFFIRMATION OF APPLICANT

Name of the Applicant: _____

BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, follow applicable federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in federal fiscal year 2020, irrespective of whether the individual that acted on his or her Applicant’s behalf continues to represent it.

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply to each Award for which it now seeks, or may later seek federal assistance to be awarded during federal fiscal year 2020.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. § 3801 *et seq.*, and implementing U.S. DOT regulations, “Program Fraud Civil Remedies,” 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature _____ Date: _____

Name _____ Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): _____

As the undersigned Attorney for the above-named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA assisted Award.

Signature _____ Date: _____

Name _____ Attorney for Applicant

Each Applicant for federal assistance to be awarded by FTA must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its electronic signature in lieu of the Attorney's signature within TrAMS, provided the Applicant has on file and uploaded to TrAMS this hard-copy Affirmation, signed by the attorney and dated this federal fiscal year.

Office of Public Transit
Signature of Authorization Form
REQUIRED OF ALL APPLICANTS

Agency Name: County Council of Beaufort County Disabilities and Special Needs Department	Telephone: 843-255-6300 Web Address: https://www.beaufortcountysc.gov/dsn/
Primary Mailing Address/City/State/Zip: 100 Clear Water Way Beaufort SC 29906	Secondary Address/City/State/Zip:
Federal ID Number: 57-6000311	DUNS: 141608690

Contractual Agreements

Shown below are original signatures of individuals authorized to sign contractual agreements for this agency.

Type Name: Eric Greenway
Title: Interim County Administrator
Email: egreenway@bcgov.net
Phone: 843-255-2143

Original Signature and Date

Type Name: _____
Title: _____
Email: _____
Phone: _____

Original Signature and Date

Type Name: _____
Title: _____
Email: _____
Phone: _____

Original Signature and Date

Type Name: _____
Title: _____
Email: _____
Phone: _____

Original Signature and Date

Authorization to Access Electronic System

Shown below are original signatures of individuals authorized to access the Office of Public Transit electronic system(s) to initiate and approve documents for this agency.

Preparers:

Type Name: Beth Cody

Title: Fiscal Operations Manager

Email: bcody@bcgov.net

Phone: 843-255-6298

Original Signature and Date

Type Name: Ivana Reynoso

Title: Fiscal Tech II

Email: ivana.reynoso@bcgov.net

Phone: 843-255-6299

Original Signature and Date

Type Name: _____

Title: _____

Email: _____

Phone: _____

Original Signature and Date

Approvers:

Type Name: Bill Love

Title: Executive Director

Email: wlove@bcgov.net

Phone: 843-255-6290

Original Signature and Date

Type Name: Wanda Mayse

Title: Deputy Director

Email: wmayse@bcgov.net

Phone: 843-255-6295

Original Signature and Date

(Required of all Subrecipients of funding administered by SCDOT OPT)

RESOLUTION BY COUNTY COUNCIL TO APPLY FOR FUNDING

The County Council of Beaufort County

(Agency Name)

is aware of the provisions of Federal Transit Administration (FTA) program fund requirements for each application it makes to the state of South Carolina for Federal and/or State funding and hereby Eric Greenway, Interim County Administrator (*Authorized Representative) of County Council of Beaufort County (Agency) to file application with the South Carolina Department of Transportation (SCDOT) on behalf of

County Council of Beaufort County __ (Agency) for federal and/or state funding to assist in providing community and/or human services transportation services. If this application is approved:

(1) The Council resolves that the _____ County Council of Beaufort County _____ (Agency) will provide the required match for the capital, operations and administrative charges, the necessary insurance coverage as required under the agreement, and all necessary local match for operating losses; and

(2) The Council agrees to comply with all FTA and SCDOT Program statutes and regulations, directives, certifications and assurances to carry out the project as described in the application.

****Note that Authorized Representative and Witness MUST be 2 separate individuals (2 different names).***

APPROVED AND ADOPTED

This _____ day of, _____ 20_____.

* _____
Signature of Attesting Witness

Signature of Chairperson

Sarah Brock, Clerk to Council
Printed Name of Attesting Witness

Joseph Passiment, Chair
Printed Name of Chairperson

(Required of all Subrecipients of funding administered by SCDOT OPT)

ATTORNEY'S CERTIFICATION
FOR
APPLICANT TO APPLY FOR FUNDING

I have examined the (charter, articles of incorporation, enabling legislation, etc.) under which County Council of Beaufort Count (Agency) is legally eligible to apply for funding under Federal Transit Administration statutes and regulations, directives, certifications and assurances. It is my opinion _____ (Agency) can legally enter into contracts with the State of South Carolina for the purpose of carrying out the proposed program(s) and meets the eligibility requirements of funded grant programs.

Signature of Attorney

Kurt Taylor

Printed Name of Attorney

Date

**FEDERAL FISCAL YEAR 2019 CERTIFICATIONS AND ASSURANCES FOR FEDERAL
TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS**

(Required of All 5310/5311/5339 or other FTA Fund Applicants / Subrecipients)

Signature pages alternate to providing Certifications and Assurances in TrAMS.

Name of Applicant: County Council of Beaufort County

The Applicant certifies to the applicable provisions of categories 01–18. ____ (*Initial*)

Or,

The Applicant certifies to the applicable provisions of the categories it has selected:

Category	Certification
01	Certifications and Assurances Required of Every Applicant
02	Tax Liability and Felony Convictions
03	Lobbying
04	Private Sector Protections
05	Transit Asset Management Plan
06	Rolling Stock Buy America Reviews and Bus Testing
07	Urbanized Area Formula Grants Program
08	Formula Grants for Rural Areas
09	Fixed Guideway Capital Investment Grants and the Expedited Project Delivery for Capital Investment Grants Pilot Program
10	Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs
11	Enhanced Mobility of Seniors and Individuals with Disabilities Program
12	State of Good Repair Grants
13	Infrastructure Finance Programs
14	Alcohol and Controlled Substances Testing
15	Rail Safety Training and Oversight
16	Demand Responsive Service
17	Interest and Financing Costs
18	Construction Hiring Preferences

FEDERAL FISCAL YEAR 2020 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE
(Required of all Applicants for federal assistance to be awarded by FTA in FY 2020)

AFFIRMATION OF APPLICANT

Name of the Applicant: County Council of Beaufort County

BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, follow applicable federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in federal fiscal year 2020, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply to each Award for which it now seeks, or may later seek federal assistance to be awarded during federal fiscal year 2020.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. § 3801 *et seq.*, and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature _____ Date: _____

Name Eric Greenway, Interim County Administrator
Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): County Council of Beaufort County

As the undersigned Attorney for the above-named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA assisted Award.

Signature _____ Date: _____

Name Kurt Taylor
Attorney for Applicant

Each Applicant for federal assistance to be awarded by FTA must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its electronic signature in lieu of the Attorney's signature within TrAMS, provided the Applicant has on file and uploaded to TrAMS this hard-copy Affirmation, signed by the attorney and dated this federal fiscal year.

LOCAL MATCH IDENTIFICATION FOR FTA PROGRAM FUNDING

 (Legal Name of Applicant)

5310
 Program (e.g., 5311, 5339, SMTF, 5310)*

Eligible Expense	Total Amount	Federal Share	SCDOT Share	Estimated Local Share
Administration	\$ _____	\$ _____ (80%)	\$ _____	\$ _____
Operations	\$ _____	\$ _____ (50%)	\$ _____	\$ _____
Capital (Non- ADA or CAA)	\$ 283,140	\$ 50000 (80%)	\$ _____	\$ 233,140
Capital (ADA & CAA)	\$ _____	\$ _____ (85%)	\$ _____	\$ _____
Planning & Technical Assistance	\$ _____	\$ _____ (80%)	\$ _____	\$ _____
Mobility Management	\$ _____	\$ _____ (80%)	\$ _____	\$ _____
TOTAL	\$ 283,140	\$ 50000	\$ _____	\$ 233,140
	Funding Request	Federal Share	Estimated SCDOT Share	Estimated Local Share

The estimated total Local Match will be available from the following sources*:

<u>Source of Local Share</u>	<u>Amount</u>
<u>Beaufort County General Fund</u>	\$ <u>10,000</u>
<u>SCDDSN</u>	\$ <u>223,140</u>
_____	\$ _____
_____	\$ _____

*Cash fares are not considered a source of local match.

TOTAL \$ 233,140

**complete a single local match form for each project award (e.g.: one for small urban 5310 and one for rural 5310)*

I, the undersigned representing (legal name of agency) County Council of Beaufort County do hereby certify to the South Carolina Department of Transportation that the required estimated local match for the requested Federal and/or State administered program, which has a period of performance of **July 1, 2020** – **June 30, 2021**, will be available by **July 1**. In kind match must be an allowable expense under the program and value documented for audit/compliance review.

 Signature/Title of Authorized Representative

Eric Greenway, Interim County Administrator

 Printed Name/Title of Authorized Representative

 Date

PROGRAM SIGNATURE DOCUMENTS

**UNITED STATES DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION
FFY2020
MASTER AGREEMENT (22)**

(Required of All 5310/5311/5339 or other FTA Fund Applicants / Subrecipients)

PREFACE

Statutory Authorities

This is the official Federal Transit Administration (FTA) Master Agreement that applies to each Underlying Agreement (Grant Agreement, Cooperative Agreement, Loan, Loan Guarantee, or Line of Credit) for a specific Award authorized by:

- Federal transit laws, 49 U.S.C. chapter 53, as amended, by the following:
 - The Fixing America's Surface Transportation (FAST) Act, Public Law No. 114-94, December 4, 2015,
 - The Moving Ahead for Progress in the 21st Century Act (MAP-21), Public Law No. 112-141, July 6, 2012, as amended by the "Surface Transportation and Veterans Health Care Choice Improvement Act of 2015," Public Law No. 114-41, July 31, 2015, and other authorizing legislation to be enacted, and
 - The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law No. 109-59, August 10, 2005, as amended by the SAFETEA-LU Technical Corrections Act of 2008, Public Law No 110-244, June 6, 2008.
- Continuing Resolutions or Other Appropriations Resolutions or Acts funding the Department of Transportation during Fiscal Year 2016.
- Title 23, United States Code (Highways).
- Other federal legislation FTA administers, as FTA so determines.

Purpose of the Master Agreement

This FTA Master Agreement contains the standard terms and conditions governing the administration of the Project that FTA has financed with Federal assistance (funds or funding) awarded through an Underlying Agreement with the Recipient, which can take the form of any:

1. FTA Grant Agreement, including an FTA Grant Agreement for a Tribal Transit Program Project,
2. FTA Cooperative Agreement, or
3. FTA Transportation Infrastructure Finance Innovation Act (TIFIA) Loan, Loan Guarantee, or Line of Credit.

The general terms and conditions contained in Federal Transit Administration's Master Agreement shall be followed subject to any additions, revisions or modifications required by FTA, SCDOT and/or State of South Carolina. Any violation of a requirement in the Master Agreement applicable to the Subrecipient or this project may result in penalties to the violating party. Requirements that do not apply to Subrecipients or this project will not be enforced.

Acknowledgement of FTA Master Agreement:

Signature: _____
Authorized Representative of Applicant

Date: _____

Title: Eric Greenway, Interim County Administrator

SFY2020-2021
(FFY2020)
PROGRAM SIGNATURE DOCUMENTS

Item 8.

FFY2019 FTA Master Agreement (22) language is contained in a separate document

FFY2019 FTA Certifications and Assurance language is contained in a separate document

PROGRAM SIGNATURE DOCUMENTS

CERTIFICATION OF RESTRICTIONS ON LOBBYING APPLIES TO ALL APPLICANTS

Eric Greenway, Interim County Administrator

(Name and title of authorized official)

hereby certify to the South Carolina Department of Transportation, on behalf of

(Agency Name) that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of a Federal department or agency, a Member of the U.S. Congress, an officer or employee of the U.S. Congress, or an employee of a Member of the U.S. Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification thereof.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for making lobbying contacts to an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form—LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions (as amended by "Government wide Guidance for New Restrictions on Lobbying," 61 Fed. Reg. 1413 (1119/96). Note: Language in paragraph (2) herein has been modified in accordance with Section 10 of the Lobbying Disclosure Act of 1995 (P.L. 104-65, to be codified at Title 2 USC section 1601: et seq.)).

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Title 31 USC Section 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

This certification is a material representation of fact upon which reliance is placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Title 31 USC Section 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature/Title of Authorized Representative Eric Greenway, Interim County Administrator

Printed Name/Title of Authorized Representative

Date

PROGRAM SIGNATURE DOCUMENTS

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS— PRIMARY COVERED TRANSACTIONS APPLIES TO ALL APPLICANTS

The Applicant/Subrecipient under this FTA project (Name of Agency)

certifies to the best of its knowledge and belief, that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
(b) Have not, within a three-year period preceding this proposal, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery falsification or destruction of records, making false statements, or receiving stolen property;
(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and have not, within a three year period preceding this application/proposal, had one or more public transactions (Federal, State or local) terminated for cause or default;
(d) Have not, within a three year period preceding this application/proposal, had one or more public transactions (Federal, State or local) terminated for cause or default.

Subrecipient will review the U.S. GSA "System for Award Management," https://www.sam.gov, if required by U.S. DOT regulations, 2 C.F.R. part 1200, and

(a) It will include, and require each Third Party Participant to include, a similar provision in each lower tier covered transaction, ensuring that each lower tier Third Party Participant:

- 1. Will comply with Federal debarment and suspension requirements, and
2. Reviews the "System for Award Management (SAM)" at https://www.sam.gov, if necessary to comply with U.S. DOT regulations, 2 C.F.R. part 1200

(If the applicant/subrecipient is unable to certify to any of the statements in this certification, such Grantee shall attach an explanation to this certification).

THE APPLICANT/SUBRECIPIENT,

(Name of Agency)

CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENTS SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF TITLE 49 CFR PART 29 AND FTA CIRCULAR 2015.1 ARE APPLICABLE THERETO.

Signature/Title of Authorized Representative
Eric Greenway, Interim County Administrator
Printed Name/Title of Authorized Representative

Date

PROGRAM SIGNATURE DOCUMENTS

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION – LOWER-TIER COVERED TRANSACTIONS

APPLIES TO ALL APPLICANTS

The Applicant/Subrecipient under this FTA project County Council of Beaufort County (Name of Agency)

certifies to the best of its knowledge and belief, that it and its prospective lower-tier participants:

- (a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency;
(b) if the prospective lower-tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this certification.
(c) that subrecipient will review the "System for Award Management (SAM)" at https://www.sam.gov, to ensure that lower-tier participants are not debarred or suspended, if necessary to comply with U.S. DOT regulations, 2 C.F.R. part 1200

THE APPLICANT/SUBRECIPIENT,

County Council of Beaufort County (Name of Agency)

CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENTS SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF TITLE 49 CFR PART 29 AND FTA CIRCULAR 2015.1 ARE APPLICABLE THERETO.

Signature/Title of Authorized Representative Eric Greenway, Interim County Administrator

Printed Name/Title of Authorized Representative

Date

SFY2020-2021
(FFY2020)
PROGRAM SIGNATURE DOCUMENTS

TITLE VI PROGRAM REPORT

APPLIES TO ALL APPLICANTS

Reporting Period: July 1, 2019 – Present

Legal Name of Applicant: _____

I certify that to the best of my knowledge that **no complaints or lawsuits** alleging discrimination have been filed against the applicant during the reporting period.

OR

The following Title VI **complaints or lawsuits alleging discrimination have been filed with the applicant** during the reporting period:

Complainant Name/Address/Telephone Number	Date	Description	Contacted SCDOT Title VI Office? (Y/N) and Date	Status/Outcome

(Attach an additional page if required.)

I certify that to the best of my knowledge that the statement above is true and correct for the requested reporting period.

Signature/Title of Authorized Representative

Date

Printed Name/Title of Authorized Representative

**STATEMENT
REGARDING THE MAXIMUM UTILIZATION OF
DISADVANTAGED BUSINESS ENTERPRISES (DBEs)
APPLIES TO ALL APPLICANTS**

To the extent authorized by applicable Federal law and regulation, the applicant agrees to facilitate, and assures that each Third Party Participant will facilitate participation by small business concerns owned and controlled by socially and economically disadvantaged individuals, also referred to as "Disadvantaged Business Enterprises" (DBEs), in the Project.

THE APPLICANT expresses its commitment to use SCDOT Certified DBEs in all aspects of contracting to the maximum extent feasible. The goals will be set and incorporated into your grant agreement.

THE APPLICANT or its contractors shall take all necessary and reasonable steps in accordance with 49 CFR Part 26 to ensure that certified DBEs have the maximum opportunity to compete for and perform contracts.

THE APPLICANT will make every effort to locate certified DBEs and purchase materials and services for use in the applicant's grant. THE APPLICANT shall document the steps it intends to take and has taken to obtain DBE participation.

THE APPLICANT is advised that should they find responsible and responsive certified DBEs from which they can purchase these materials or services it will then ensure and affirm that the DBE firm is eligible to receive payment through this grant agreement. SCDOT will make available names of DBEs, that they have certified, that have the capability to furnish these materials (published as the [SCDOT Unified DBE or SBE Directory](#)).

All bidders, proposers and contractors will receive notice of THE APPLICANT'S commitment to the DBE through mail-outs and pre-bid notifications. DBE participation will be a factor in awarding contracts and will be monitored during the performance of the contract.

The APPLICANT is responsible for submitting DBE quarterly reports to SCDOT as required for all applicable Federal programs administered and awarded by SCDOT. Supporting documentation for DBE quarterly reports shall be retained by the applicant for a period of three (3) years following closeout of the contract.

Failure to carry out the requirements set forth in 49 CFR Part 26 shall constitute a breach of contract and, after the notification to FTA and the SCDOT Office of Public Transit, may result in termination of the grant agreement by SCDOT or such remedy as SCDOT deems appropriate.

Signature/Title of Authorized Representative
Eric Greenway, Interim County Administrator
Printed Name/Title of Authorized Representative

Date

DBE GOOD FAITH EFFORTS CERTIFICATION
APPLIES TO ALL APPLICANTS

This is to certify that in all purchase and contract selections the Applicant is committed to and shall make good faith efforts to purchase from and award contracts to Disadvantaged Business Enterprises (DBEs).

DBE good faith efforts will include the following items that are indicated by check mark(s) or narrative:

- Write a letter to Certified DBEs in the service area to inform them of purchase or contract opportunities;
- Document telephone calls, emails and correspondence with or on behalf of DBEs;
- Advertise purchase and contract opportunities on local TV Community Cable Network;
- Request purchase/contract price quotes/bids from DBEs;
- Monitor newspapers for new businesses that are DBE eligible;
- Encourage interested eligible firms to become SCDOT certified. Interested firms should contact the SCDOT Office of Business Development and Special Programs (DBE Program Development Unit);
- Consult [SCDOT Unified DBE or SBE Directory](#). A DBE company will be listed in the DBE Directory for each work type or area of specialization that it performs. You may obtain a copy of this Directory at
- Other efforts: Describe: _____

Documentation of all good faith efforts shall be retained by the applicant for a period of five (5) years.

I certify that, to the best of my knowledge, the above information describes the DBE good faith efforts of:

County Council of Beaufort County

Agency Name

Signature/Title of Authorized Representative

Eric Greenway, Interim County Administrator

Printed Name/Title of Authorized Representative

Date

APPLIES TO ALL APPLICANTS**Other Provisions****ETHICS ACT**

By submitting an application, the Applicant certifies that they have and will comply with, and have not, and will not, induce a person to violate Title 8, Chapter 13 of the South Carolina Code of Laws, as amended (ethics act). The following statutes require special attention: Section 8-13-700, regarding use of official position for financial gain; Section 8-13-705, regarding gifts to influence action of public official; Section 8-13-720, regarding offering money for advice or assistance of public official; Sections 8-13-755 and 8-13-760, regarding restrictions on employment by former public official; Section 8-13-775, prohibiting public official with economic interests from acting on contracts; Section 8-13-790, regarding recovery of kickbacks; Section 8-13-1150, regarding statements to be filed by consultants; and Section 8-13-1342, regarding restrictions on contributions by contractor to candidate who participated in awarding of contract. The state may rescind any contract and recover all amounts expended as a result of any action taken in violation of this provision. If contractor participates, directly or indirectly, in the evaluation or award of public contracts, including without limitation, change orders or task orders regarding a public contract, contractor shall, if required by law to file such a statement, provide the statement required by Section 8-13-1150 to the procurement officer at the same time the law requires the statement to be filed. [02-2A075-2]

QUALIFICATION OF APPLICANT

To be eligible for award of a contract, a prospective recipient of State funds must be responsible. In evaluating an Applicant's responsibility, the State Standards of Responsibility [R.19-445.2125] and information from any other source may be considered. An Applicant must, upon request of the State, furnish satisfactory evidence of its ability to meet all contractual requirements. Unreasonable failure to supply information promptly in connection with a responsibility inquiry may be grounds for determining that an Agency is ineligible to receive an award. S.C. Code Section 11-35-1810.

QUALIFICATIONS – REQUIRED INFORMATION

In order to evaluate an Applicant's responsibility, the Applicant may, at the request of SCDOT, submit the following information or documentation for itself and any subcontractor, if the value of subcontractor's portion of the work exceeds 10% of the Operating expenses:

- (a) Include a brief history of the Applicant's experience in providing work of similar size and scope.
- (b) Applicant's most current financial statement, financial statements for your last two fiscal years, and information reflecting your current financial position. If you have audited financial statements meeting these requirements, you must provide those statements. [Reference Statement of Concepts No. 5 (FASB, December, 1984)]
- (c) List of failed projects, suspensions, debarments, and significant litigation.

CERTIFICATION REGARDING DEBARMENT AND OTHER RESPONSIBILITY MATTERS

(a)(1) By submitting an Application, Applicant certifies, to the best of its knowledge and belief, that-

(i) Applicant and/or any of its Principals-

(A) Are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any state or federal agency;

(B) Have not, within a three-year period preceding this offer, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, state, or local) contract or subcontract; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property; and

(C) Are not presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in paragraph (a)(1)(i)(B) of this provision.

(ii) Applicant has not, within a three-year period preceding this offer, had one or more contracts terminated for default by any public (Federal, state, or local) entity.

(2) "Principals," for the purposes of this certification, means officers; directors; owners; partners; and, persons having primary management or supervisory responsibilities within a business entity (e.g., general manager; plant manager; head of a subsidiary, division, or business segment, and similar positions).

(b) Applicant/Subrecipient shall provide immediate written notice to SCDOT if, at any time prior to contract award, Applicant/Subrecipient learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

(c) If Applicant/Subrecipient is unable to certify the representations stated in paragraphs (a) (1), Applicant/Subrecipient must submit a written explanation regarding its inability to make the certification. The certification will be considered in connection with a review of the Applicant/Subrecipient's responsibility. Failure of the Applicant/Subrecipient to furnish additional information as requested by the State may render the Applicant/Subrecipient non-responsible.

(d) Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render, in good faith, the certification required by paragraph (a) of this provision. The knowledge and information of an Applicant/Subrecipient is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

(e) The certification in paragraph (a) of this provision is a material representation of fact upon which reliance was placed when making award. If it is later determined that the Applicant/Subrecipient knowingly or in bad faith rendered an erroneous certification, in addition to other remedies available to the State, SCDOT may terminate the contract resulting from this solicitation for default.

SUBCONTRACTOR – IDENTIFICATION

If you intend to subcontract with another business for any portion of the work/project and that portion exceeds 10% of your Operating expenses, your application must identify that business and the portion of work which they are to perform. Identify potential subcontractors by providing the business' name, address, phone, taxpayer identification number, and point of contact. In determining your responsibility, the state may evaluate your proposed subcontractors.

DRUG AND ALCOHOL TESTING. Applicants or subrecipients that receive only Section 5310 program assistance are not subject to FTA's drug and alcohol testing rules, but must comply with the Federal Motor Carrier Safety Administration (FMCSA) rule for all employees who hold commercial driver's licenses (49 CFR part 382).

Section 5310 recipients and subrecipients that also receive funding under one of the covered FTA programs (Section 5307, 5309, or 5311) should include any employees funded under Section 5310 projects in their testing program.

An FTA compliant testing program, as required by the receipt of FTA operating or capital funding (5307, 5309, 5311), may be used for Section 5310 employees; there is no need to have separate testing programs. Employees of a subrecipient of Section 5310 funds from a state or designated recipient of another FTA program (e.g., 5307 or 5311) should also be included in the designated recipient's testing program.

DRUG-FREE WORKPLACE

The Drug-Free Workplace Act of 1988, as well as Section 44-107-30, S.C. Code of Laws (1976), as amended, requires all grantees receiving grants from any federal or state agency to certify they will maintain a drug-free workplace.

BUDGET ADJUSTMENTS

(1) Method of Adjustment. Any adjustment in the contract price shall be consistent with the awarded Contract Scope/Project; Is dependent upon the availability of SCDOT-Administered SMTF; and shall be arrived at through whichever one of the following ways is the most valid approximation of the actual cost to the Subrecipient:

- (a) by agreement on a fixed budget adjustment before commencement of the pertinent performance or as soon thereafter as practicable;
- (b) by unit costs specified in the Contract or subsequently agreed upon;
- (c) by the costs attributable to the event or situation covered by the project scope or modification or subsequently agreed upon; or
- (d) in such other manner as the parties may mutually agree;

(2) Submission of Financial or Cost Data. Upon request of SCDOT, the Subrecipient shall provide reasonably available factual information to substantiate that the budget adjustment is reasonable and consistent with the provisions of Section 11-35-1830.

County Council of Beaufort County

Agency Name

Signature/Title of Authorized Representative

Eric Greenway, Interim County Administrator

Printed Name/Title of Authorized Representative

Date

End of Program Signature Documents



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
<i>Resolution to Apply for Federal Transit Administration grant funding</i>
MEETING NAME AND DATE:
Community Services Committee, December 7, 2020
PRESENTER INFORMATION:
<i>Beth Cody, Fiscal Operations Manager, Disabilities and Special Needs</i> <i>5 minutes</i>
ITEM BACKGROUND:
<i>Annual application for grant funding</i>
PROJECT / ITEM NARRATIVE:
This resolution allows the Interim County Administrator to apply for \$50,000 in grant funding for Disabilities and Special Needs transportation costs from FTA Section 5310 through South Carolina Department of Transportation.
FISCAL IMPACT:
<i>The grant of \$50,000 offsets a portion of the cost of transportation of four routes for consumers at Beaufort County Disabilities and Special Needs, a total of \$283,140. It requires a 20% match of County funds (\$10,000) in order to support the grant. The bulk of the transportation cost, \$223,140 is paid by South Carolina Department of Disabilities and Special Needs Medicaid monies.</i>
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends approval of the application for FY2021.
OPTIONS FOR COUNCIL MOTION:
<i>Motion to approve the resolution to apply for grant funds</i> <i>Or</i> <i>Motion to deny the resolution to apply for grant</i>

DRAFT**ORDINANCE 2020 / ____**

**AN ORDINANCE DECLARING LOUD AND UNNECESSARY NOISE A PUBLIC NUISANCE
AND PROVIDING THAT VIOLATIONS ARE A MISDEMEANOR, AND REPEALING
ORDINANCE NO 2020-36.**

WHEREAS, Beaufort County Council finds and declares that loud, obnoxious, unnecessary or excessive noise is a serious hazard to the public health, welfare, peace and safety of Beaufort County residents and visitors; and

WHEREAS, residents and visitors of Beaufort County have a right to the peaceful enjoyment of their property and without exposure to loud, obnoxious, unnecessary, or excessive noises; and

WHEREAS, loud, obnoxious, unnecessary or excessive noises adversely impact residents' quality of life and are thus a public nuisance; and

WHEREAS, County Council is in receipt of citizens' concerns about the increased proliferation of excessively loud, obnoxious, unnecessary noises in the unincorporated areas of Beaufort County; and

WHEREAS, it is in the best interest of Beaufort County residents and visitors to declare loud, obnoxious, unnecessary or excessive noises a public nuisance and provide for penalties for violations in the interest of protecting citizens' public health, welfare, peace and safety as well as protecting the quality of life in Beaufort County.

NOW, THEREFORE, BE IT ORDAINED by Beaufort County Council, duly assembled, does hereby amend the Beaufort County Code of Ordinances Article VI Loud and Unnecessary Noises Declared a Public Nuisance:

Article I. – Loud and Unnecessary Noises Declared a Public Nuisance.

Sec. 101. – Loud and unseemly noise.

- (a) Beaufort County Council finds that loud, obnoxious, unnecessary or excessive noise is a serious hazard to the public health, welfare, peace, and safety of Beaufort County residents and visitors. Therefore, Beaufort County Council declares loud, obnoxious, unnecessary or excessive noise a public nuisance.
- (b) Loud and unseemly noise shall mean, loud, obnoxious, unnecessary, or excessive noise which disturbs the peaceful enjoyment of private or public property which exceeds 50 decibels using a digital sound meter. Noises exceeding this number of decibels between the hours of 11:00 pm – 7:00 am shall be a violation. During the hours of 7am to 11 pm, noises exceeding 70 decibels shall be a violation of this ordinance.

Sec. 102- Exceptions.

- (a) This article I shall not be construed or interpreted in any way so as to interfere with or discourage the “Sound of Freedom” emanating from airplanes associated with the Marine Corps Air Station, Beaufort.
- (b) Nothing herein should be construed to prohibit the use of a vehicular horn for the purpose of notifying those nearby of the presence of another vehicle or a potential hazard.
- (c) All equipment owned or operated by Federal, State, or local government including, but not limited to emergency response vehicles, law enforcement vehicles, EMS vehicles and Fire District response vehicles shall be exempt from this Article I.

Sec. 103. – Enforcement and penalties.

- (a) All violations of this Article I shall be heard by the Beaufort County Magistrate Court. Nothing herein shall be construed to prevent Beaufort County Code Enforcement officers, duly commissioned by County Council, from enforcing the provisions of this Article I.
- (b) Any person who violates the provision of this chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine not exceeding the maximum allowed within the jurisdiction of the Beaufort Count Magistrate Court, or imprisonment not exceeding 30 days, or both.

Sec.104- Repealer

Ordinance 2020-36 and any ordinance in conflict with the terms hereof are hereby repealed.

Adopted this _____ day of _____, 202____.

COUNTY COUNCIL OF BEAUFORT COUNTY

By : _____
Joseph F. Passiment, Chairman
Beaufort County Council

ATTEST:
By: _____
Sarah W. Brock, Clerk to Council

ORDINANCE No. 2020 / _____

AMENDING ORDINANCE No.2020-36

WHEREAS, on October 12, 2020 County Council adopted Ordinance No. 2020-36, adopting and establishing an ordinance pertaining to loud and unnecessary vehicular noise; and

WHEREAS, since that time, it has been determined that it is appropriate to amend the ordinance,

NOW, THEREFORE, be it ordained by Beaufort County Council, that

- 1) Section 101(d) is amended to delete the words “motorcycle” and “moped”.
- 2) Section 102(b) is deleted, and the remaining subsections are relettered accordingly.
- 3) Section 103(c) is amended to add the following sentence: “Warnings are the preferred method for first offenses, and officers should liberally use their discretion to issue warnings.”

THE REMAINDER of Ordinance 2020-36 remains unchanged and is in full force and effect.

ORDERED in meeting duly assembled this _____ day of _____, 2020

Joe Passiment, Chairman

Attest: Sarah W. Brock, Clerk to Council



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
DISCUSSION OF NOISE ORDINANCE 2020/36.
MEETING NAME AND DATE:
COMMUNITY SERVICES COMMITTEE DECEMBER 7, 2020
PRESENTER INFORMATION:
Sheriff P.J. Tanner, Chief Deputy Hatfield, Colonel Horton, and Beaufort County Administration
ITEM BACKGROUND:
Ordinance 2020/36, First reading: March 9, 2020; vote: 10:1 Second reading: September 14, 2020; vote: 9:2 Public Hearing/Third reading: October 12, 2020; vote: 9:2
PROJECT / ITEM NARRATIVE:
N/A
FISCAL IMPACT:
Unknown fiscal impact at this time.
STAFF RECOMMENDATIONS TO COUNCIL:
Approve and forward to County Council for first reading.
OPTIONS FOR COUNCIL MOTION:
Motion to forward the (NEW) Noise Ordinance to County Council for first reading.



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
APPROVAL FOR SHELDON FIRE DISTRICT BOARD
MEETING NAME AND DATE:
COMMUNITY SERVICES COMMITTEE DECEMBER 7, 2020
PRESENTER INFORMATION:
COMMITTEE CHAIRMAN McELYNN
ITEM BACKGROUND:
SHELDON FIRE DISTRICT BOARD MEETING <ul style="list-style-type: none">• WAYNE BLANKENSHIP, CHAIRMAN• JOHN B. SENO• DONNIE PHILLIPS
PROJECT / ITEM NARRATIVE:
CONSIDERATION REAPPOINTMENT FOR SHELDON FIRE DISTRICT TERMS THAT EXPIRES ON FEBUARY 2021
FISCAL IMPACT:
NONE
STAFF RECOMMENDATIONS TO COUNCIL:
APPROVE, MODIFY, OR REJECT
OPTIONS FOR COUNCIL MOTION:
MOTION TO (APPROVE, MODIFY OR REJECT) REAPPOINTMENTS FOR WAYNE BLANKENSHIP, JOHN B. SENO, AND DONNIE PHILLIPS SHELDON FIRE DISTRICT

Sheldon Township Fire District

Post Office Box 129
Sheldon, South Carolina 29941
Office (843) 846-9221
Fax (843) 846-8011
Emergency 911

Walter "Buddy" Jones
Chief

October 6, 2020

Mr. Joe Passiment, Chairman
Beaufort County Council
P.O. Box 1228
Beaufort, SC 29901-1228

Re: Reappointment

Dear Mr. Passiment:

I hereby respectfully request that I be considered for reappointment to serve as a member of the Sheldon Fire District Board, effective February 2021.

Sincerely,



Donnie Phillips
Board Member/Secretary

DP/jw

Sheldon Township Fire District

Post Office Box 129
Sheldon, South Carolina 29941
Office (843) 846-9221
Fax (843) 846-8011
Emergency 911

Walter "Buddy" Jones
Chief

October 6, 2020

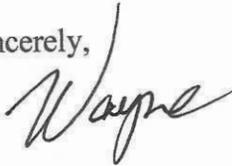
Mr. Joe Passiment, Chairman
Beaufort County Council
P.O. Box 1228
Beaufort, SC 29901-1228

Re: Reappointment

Dear Mr. Passiment:

I hereby respectfully request that I be considered for reappointment to serve as a member of the Sheldon Fire District Board, effective February 2021.

Sincerely,



Wayne Blankenship
Chairman of the Board

WB/jw

Sheldon Township Fire District

Post Office Box 129
Sheldon, South Carolina 29941
Office (843) 846-9221
Fax (843) 846-8011
Emergency 911

Walter "Buddy" Jones
Chief

October 6, 2020

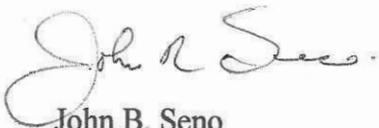
Mr. Joe Passiment, Chairman
Beaufort County Council
P.O. Box 1228
Beaufort, SC 29901-1228

Re: Reappointment

Dear Mr. Passiment:

I hereby respectfully request that I be considered for reappointment to serve as a member of the Sheldon Fire District Board, effective February 2021.

Sincerely,



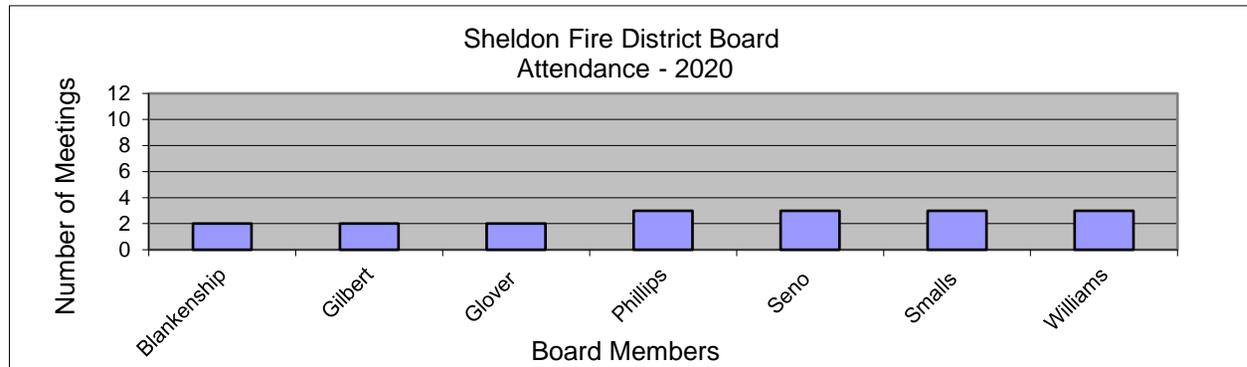
John B. Seno
Board Member

JBS/jw

Sheldon Fire District Board
Attendance 2020

Month Date	Jan	Feb	Mar	Apr	May	Jun	JUL	Aug	Sep	Oct	Nov	Dec	Total	Average
	*	20	*	*	*	*	16	20	*	22	*	17		
Blankenship	*	0	*	*	*	*	1	1	*		*		2	67%
Gilbert	*	1	*	*	*	*	0	1	*		*		2	67%
Glover	*	0	*	*	*	*	1	1	*		*		2	67%
Phillips	*	1	*	*	*	*	1	1	*		*		3	100%
Seno	*	1	*	*	*	*	1	1	*		*		3	100%
Smalls	*	1	*	*	*	*	1	1	*		*		3	100%
Williams	*	1	*	*	*	*	1	1	*		*		3	100%

- 1 - Present
- 0 - Absent
- * No meeting
- ** Appointed
- *** Resigned



Beaufort County Code of Ordinances: Article V. Boards and Commissions, Division 1, Section 2-193 Membership states: "Members shall be removed automatically for: (a) Absences from more than 1/3 of the board or agency meetings per annum whether excused or unexcused; (b) Failure to attend any three consecutive regular meetings."



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
APPROVAL OF REAPPOINTMENT
MEETING NAME AND DATE:
COMMUNITY SERVICES COMMITTEE <ul style="list-style-type: none">DECEMBER 7, 2020
PRESENTER INFORMATION:
COMMITTEE CHAIRMAN McELYNN
ITEM BACKGROUND:
LIBRARY BOARD <ul style="list-style-type: none">TRACEY ROBINSON, COUNCIL DISTRICT 4
PROJECT / ITEM NARRATIVE:
CONSIDERATION OF REAPPOINTMENT TO LIBRARY BOARD FOR FEBRUARY 2021
FISCAL IMPACT:
NONE
STAFF RECOMMENDATIONS TO COUNCIL:
APPROVE, MODIFY, OR REJECT
OPTIONS FOR COUNCIL MOTION:
MOTION TO (APPROVE, MODIFY OR REJECT) REAPPOINTMENT FOR TRACEY ROBINON ON THE LIBRARY BOARD

October 6, 2020

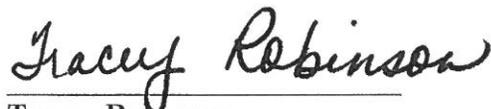
Mr. Joseph Passiment, Chairman
Beaufort County Council
P.O. Drawer 1228
Beaufort, SC 29901-1228

Re: Reappointment

Dear Mr. Joseph Passiment:

I hereby respectfully request that I be considered for reappointment to serve as a member of the **Library Board**, effective **February 2021**.

Sincerely,

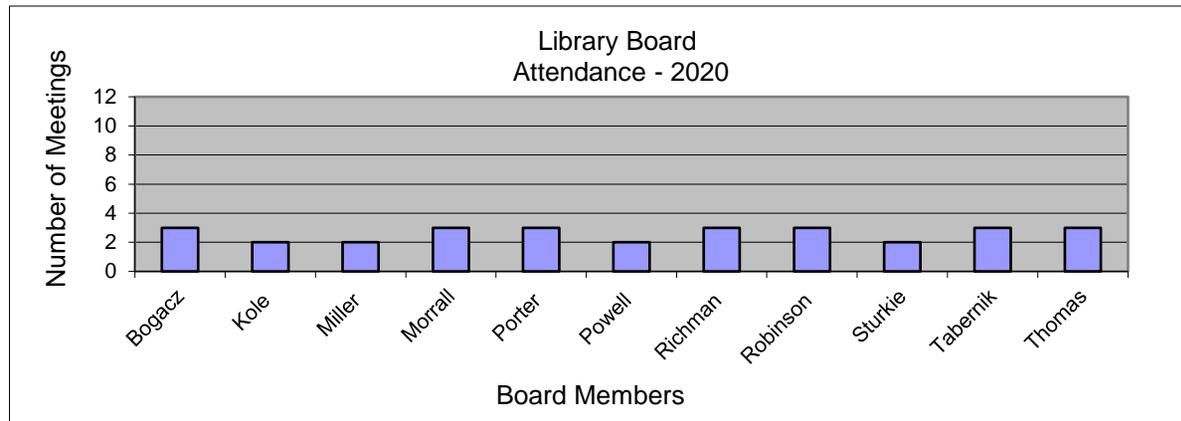


Tracey Robinson
1640 Ribaut Road, 110
P.O. Box 524
Port Royal, SC 29935

Library Board
Attendance 2020

Month	January	February	March	April	May	June	July	August	September	October	November	December	Total	Average
Date	8	*	11	*	*	10	*	*	9	*	4	*	5	
Bogacz	1		1			1							3	100%
Kole	0		1			1							2	67%
Miller	1		0			1							2	67%
Morrall	1		1			1							3	100%
Porter	1		1			1							3	100%
Powell	0		1			1							2	67%
Richman	1		1			1							3	100%
Robinson	1		1			1							3	100%
Sturkie	0		1			1							2	67%
Tabernik	1		1			1							3	100%
Thomas	1		1			1							3	100%

- 1 - Present
- 0 - Absent
- * No meeting
- ** Appointed
- *** Resigned



Beaufort County Code of Ordinances: Article V. Boards and Commissions, Division 1, Section 2-193 Membership states: "Members shall be removed automatically for: (a) Absences from more than 1/3 of the board or agency meetings per annum whether excused or unexcused; (b) Failure to attend any three consecutive regular meetings."



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
APPROVAL OF REAPPOINTMENT
MEETING NAME AND DATE:
COMMUNITY SERVICES COMMITTEE MEETING <ul style="list-style-type: none">• DECEMBER 7, 2020
PRESENTER INFORMATION:
COMMITTEE CHAIRMAN McEYNN
ITEM BACKGROUND:
DAUFUSKIE ISLAND FIRE DISTRICT <ul style="list-style-type: none">• GEOFFREY BRUNNING, CHAIRMAN• GEORGE RAFFERTY
PROJECT / ITEM NARRATIVE:
CONSIDERATION FOR REAPPOINTMENT TO ACCOMODATIONS TAX BOARD FOR FEBURARY 2021
FISCAL IMPACT:
N/A
STAFF RECOMMENDATIONS TO COUNCIL:
APPROVE, MODIFY OR REJECT
OPTIONS FOR COUNCIL MOTION:
MOTION TO (APPROVE, MODIFY, REJECT) REAPPOINTMENT OF GEOFFREY BRUNNING AND GEORGE RAFFERTY FOR DAUFUSKIE ISLAND FIRE DISTRICT BOARD.



DAUFUSKIE ISLAND FIRE DISTRICT

P.O. BOX 35, 400 HAIG POINT ROAD
DAUFUSKIE ISLAND, SC 29915
843-785-2116
FAX 843-785-6021

September 11, 2020

Mr. Joseph Passiment, Chairman
Beaufort County Council
P.O. Drawer 1228
Beaufort, SC 29901-1228

Re: Reappointment to the Board of Commissioners

Dear Mr. Passiment:

I hereby respectfully request that I be considered for reappointment to serve as a member of the Board of Commissioners of the Daufuskie Island Fire District effective February 2021.

Sincerely,

A handwritten signature in blue ink, appearing to read "Geoffrey Brunning".

Geoffrey Brunning

September 30, 2020

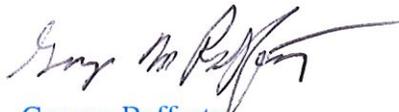
Mr. Joseph Passiment, Chairman
Beaufort County Council
P.O. Drawer 1228
Beaufort, SC 29901-1228

Re: Reappointment to the Board of Commissioners

Dear Mr. Passiment:

I hereby respectfully request that I be considered for reappointment to serve as a member of the Board of Commissioners of the Daufuskie Island Fire District effective February 2021.

Sincerely,

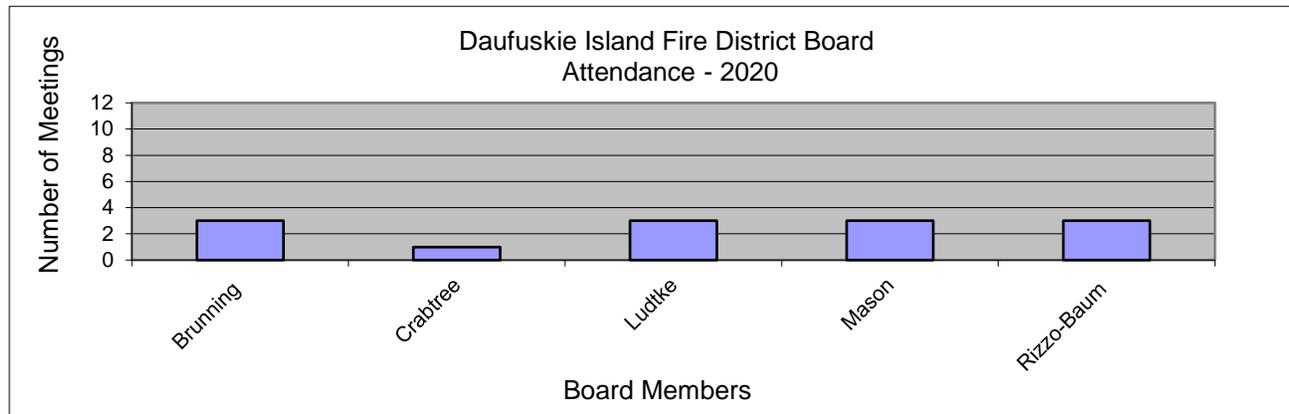


George Rafferty

Daufuskie Island Fire District Board
Attendance 2020

Month	January	February	March	April	May	June	July	August	September	October	November	December	Total	Average
Date	*	26	18	*	20	17	15	19	16	21	18	12	4	
Brunning	*	1	1	*	1	1							4	100%
Crabtree	*	1	0	*	0	0							1	25%
Ludtke	*	1	1	*	1	1							4	100%
Mason	*	1	1	*	1	1							4	100%
Rizzo-Baum	*	1	1	*	1	1							4	100%

- 1 - Present
- 0 - Absent
- * No meeting
- ** Appointed
- *** Resigned



Beaufort County Code of Ordinances: Article V. Boards and Commissions, Division 1, Section 2-193 Membership states: "Members shall be removed automatically for: (a) Absences from more than 1/3 of the board or agency meetings per annum whether excused or unexcused; (b) Failure to attend any three consecutive regular meetings."



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
APPROVAL OF REAPPOINTMENT
MEETING NAME AND DATE:
COMMUNITY SERVICES COMMITTEE MEETING <ul style="list-style-type: none">DECEMBER 7, 2020
PRESENTER INFORMATION:
COMMITTEE CHAIRMAN HOWARD
ITEM BACKGROUND:
PARKS AND RECREATION BOARD <ul style="list-style-type: none">RONALD CAMPBELL (NORTHERN BEAUFORT COUNTY)MICHAEL MANESIOTIS (SOUTHERN BEAUFORT COUNTY)WILL MCCULLOUGH (NORTHERN BEAUFORT COUNTY)
PROJECT / ITEM NARRATIVE:
CONSIDERATION FOR REAPPOINTMENT TO PARKS AND RECREATION BOARD FOR FEBURARY 2021
FISCAL IMPACT:
N/A
STAFF RECOMMENDATIONS TO COUNCIL:
APPROVE, MODIFY OR REJECT
OPTIONS FOR COUNCIL MOTION:
MOTION TO (APPROVE, MODIFY, REJECT) REAPPOINTMENT OF RONALD CAMPBELL, MICHAEL MANESIOTIS, WILL MCCULLOUGH FOR PARKS AND RECREATION BOARD.



**COUNTY COUNCIL OF BEAUFORT COUNTY
DIVISION OF PARKS AND RECREATION
905 Buckwalter Parkway
Bluffton, SC 29910
Phone (843) 255-6710 Fax (843) 255-9408**

**To: Beaufort County Council
PO Drawer 1228
Beaufort, SC 29901**

From: Michael Manesiotis

X

_____ Yes I intend to continue to serve on the Parks and Recreation Board for the term of 2021 - 2025.

_____ No I do not intend to continue to serve on the Parks and Recreation Board for the term of 2021-2025.

Mike Manesiotis

Print Name

10-9-20

Date



Signature



**COUNTY COUNCIL OF BEAUFORT COUNTY
DIVISION OF PARKS AND RECREATION
905 Buckwalter Parkway
Bluffton, SC 29910
Phone (843) 255-6710 Fax (843) 255-9408**

**To: Beaufort County Council
PO Drawer 1228
Beaufort, SC 29901**

From: Will McCullough

Yes I intend to continue to serve on the Parks and Recreation Board for the term of 2021 - 2025.

No I do not intend to continue to serve on the Parks and Recreation Board for the term of 2021-2025.

Will McCullough
Print Name

[Signature]
Signature

10/13/20
Date



**COUNTY COUNCIL OF BEAUFORT COUNTY
DIVISION OF PARKS AND RECREATION
905 Buckwalter Parkway
Bluffton, SC 29910
Phone (843) 255-6710 Fax (843) 255-9408**

**To: Beaufort County Council
PO Drawer 1228
Beaufort, SC 29901**

From: Ronald Campbell

Yes I intend to continue to serve on the Parks and Recreation Board for the term of 2021 - 2025.

No I do not intend to continue to serve on the Parks and Recreation Board for the term of 2021-2025.

Ronald Campbell
Print Name

Ronald Campbell
Signature

10-23-20
Date



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
APPROVAL OF REAPPOINTMENT
MEETING NAME AND DATE:
COMMUNITY SERVICES COMMITTEE MEETING <ul style="list-style-type: none">DECEMBER 7, 2020
PRESENTER INFORMATION:
COMMITTEE CHAIRMAN MCELYNN
ITEM BACKGROUND:
BURTON FIRE DISTRICT COMMISSION <ul style="list-style-type: none">THOMAS PEEPLESHERBERT BURNES, JR.GAY BRIGHT, CHAIRMANMADISON CHISUM
PROJECT / ITEM NARRATIVE:
CONSIDERATION FOR REAPPOINTMENT TO BURTON FIRE DISTRICT COMMISSION ON FEBURARY 2021
FISCAL IMPACT:
N/A
STAFF RECOMMENDATIONS TO COUNCIL:
APPROVE, MODIFY OR REJECT
OPTIONS FOR COUNCIL MOTION:
MOTION TO (APPROVE, MODIFY, REJECT) REAPPOINTMENT OF THOMAS PEEPLES, HERBERT BURNES, GAY BRIGHT, MADISON CHISUM FOR BURTON FIRE DISTRICT COMMISSION.

10/28/2020

Thomas Peeples

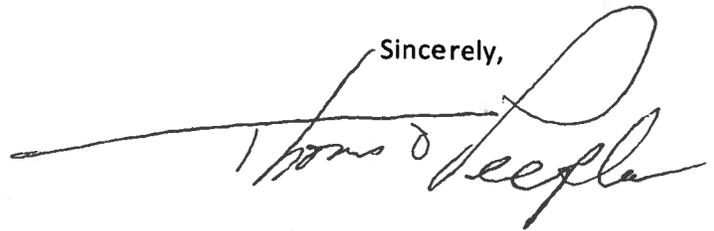

Beaufort County Council
Attn: Mr. Passiment, Chairman
P. O. Drawer 1228
Beaufort, SC 29901-1228

Re: Reappointment to Burton Fire District Commission

Dear Council Members,

This is a statement to verify the intention that I, Thomas Peeples, am seeking Reappointment, from the BURTON FIRE DISTRICT COMMISSION. This will go into effect on February 2021.

Sincerely,



10/28/2020

Herbert Burnes, Jr.

[REDACTED]

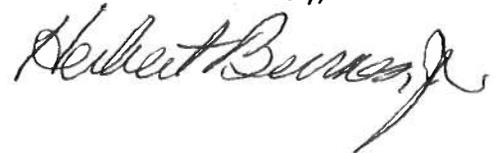
Beaufort County Council
Attn: Mr. Passiment, Chairman
P. O. Drawer 1228
Beaufort, SC 29901-1228

Re: Reappointment to Burton Fire District Commission

Dear Council Members,

This is a statement to verify the intention that I, Herbert Burnes, Jr., am seeking Reappointment, from the BURTON FIRE DISTRICT COMMISSION. This will go into effect on February 2021.

Sincerely,



Gary Bright



10-28-2020

To whom it may concern: This statement is to confirm that I wish to be re-appointed to the Burton Fire Commission when my current term expires in February 2021.

Sincerely,

Gary Bright

A handwritten signature in blue ink, appearing to read "Gary Bright", written over the typed name.

10/28/2020

Madison Chisum
[Redacted]

Beaufort County Council
Attn: Mr. Passiment, Chairman
P. O. Drawer 1228
Beaufort, SC 29901-1228

Re: Reappointment to Burton Fire District Commission

Dear Council Members,

This is a statement to verify the intention that I, Madison Chisum, am seeking Reelection, from the BURTON FIRE DISTRICT COMMISSION. This will go into effect on February 2021.

Sincerely,





BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
APPROVAL FOR APPOINTMENT TO WORKFORCE BOARD TCL
MEETING NAME AND DATE:
COMMUNITY SERVICES <ul style="list-style-type: none">DECEMBER 7, 2020
PRESENTER INFORMATION:
COMMITTEE CHAIRMAN McElynn
ITEM BACKGROUND:
TCL REPRESENTATIVE LCOG ; WORKFORCE BOARD APPOINTMENT <ul style="list-style-type: none">DR. SOPHIA ALSTON WAS APPROVED BY COUNCIL TO REPLACE MELANIE GALLION
PROJECT / ITEM NARRATIVE:
CONSIDERATION FOR APPOINT DR. SOPHIA ALSTON
FISCAL IMPACT:
N/A
STAFF RECOMMENDATIONS TO COUNCIL:
APPROVE, MODIFY, OR REJECT
OPTIONS FOR COUNCIL MOTION:
MOTION TO (APPROVE, MODIFY, OR REJECT) APPOINTMENT FOR DR. SOPHIA ALSTON AS TCL REPRESENTATIVE FOR LCOG

**Lowcountry Workforce Board
Re-Appointment**

November 20, 2020

The following Beaufort seat is vacant on the Lowcountry Workforce Board:

One (1) Education Representative

The following nominations have been received:

Education Representatives

Melanie Gallion, Director of Workforce Services, Technical College of the Lowcountry replacing Dr. Sophia Alston of TCL.

As Chief Elected Official for Beaufort County, I hereby appoint the individual listed above to serve as Beaufort County representatives on the Lowcountry Workforce Board.

Joesph Passiment
Chairman
Beaufort County Council

Date

November 20,2020

Joseph Passiment
Chairman Beaufort County Council

Re: Beaufort County LWB Appointment Dr. Sophia Alston

Dear Mr. Passiment:

Please review the appointment form for Melanie Gallion, Director of Workforce Services for the Technical College of the Lowcountry (TCL). Lowcountry Workforce Board (LWB) is asking for Ms. Gallion to be appointed to replace Dr. Sophia Alston as TCL's board representative.

Please consider appointing Ms. Gallion by signing and returning the original, appointment form to me. This can be done either by scanning, emailing the original or hard copy via mail. A timely turnaround of this appointment is greatly appreciated as we must submit approval and appointment to the board by December 15th, 2020.

If you have any questions or concerns, please don't hesitate to call. Thank you so much for all of your help.

Sincerely,

Michael V. Butler
Workforce Development Director
Lowcountry Workforce Area