



## Finance Committee Meeting

**Chairman**  
MARK LAWSON

**Vice Chairman**  
CHRIS HERVOCHON

**Committee Members**  
GERALD DAWSON  
STU RODMAN  
BRIAN FLEWELLING

**Interim County Administrator**  
ERIC GREENWAY

**Clerk to Council**  
SARAH W. BROCK

**Staff Support**  
RAYMOND WILLIAMS  
WHITNEY RICHLAND

**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](http://www.beaufortcountysc.gov)

## Finance Committee Agenda

Tuesday, January 19, 2021 at 2:30 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](http://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- DECEMBER 14, 2020
6. UPDATE FROM CHIEF FINANCIAL OFFICER, WHITNEY RICHLAND REGARDING THE YEAR TO DATE FINANCIALS.

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### DISCUSSION ITEMS

7. DISCUSSION ON LOCAL ACCOMMODATIONS TAX AND HOSPITALITY TAX
8. DISCUSSION/ UPDATE ON THE CURRENT TAX COLLECTIONS BY THE BEAUFORT COUNTY TREASURER
9. UPDATE FROM WHITNEY RICHLAND, CHIEF FINANCIAL OFFICER ON THE TAX ANTICIPATION NOTE (TAN)

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### ACTION ITEMS

10. ACCOMMODATIONS TAX (STATE 2%) BOARD RECOMMENDATIONS TO TOURISM-RELATED ORGANIZATIONS
11. ORDINANCE FOR REFUNDING OF BONDS

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### BOARDS AND COMMISSIONS

12. CONSIDERATION OF THE APPOINTMENT OF STEVEN GREEN TO ACCOMMODATIONS TAX (2% STATE) BOARD
13. CONSIDERATION OF REAPPOINTMENT FOR IAN SCOTT AND THOMAS SHEAHAN TO AIRPORTS BOARD EFFECTIVE 2/2021

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### CITIZEN COMMENTS

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14. CITIZEN COMMENTS

[MEETING LINK](#)

Meeting number (access code): 179 776 3805

Password: BC123

***(ANYONE who wishes to speak during the Citizen Comment portion of the meeting will limit their comments to no longer than three (3) minutes ( a total of 15 minutes ) and will address Council in a respectful manner appropriate to the decorum of the meeting, refraining from the use of profane, abusive, or obscene language)***

15. ADJOURNMENT



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

**Chairman**  
CHRIS HERVOCHON

**Vice Chairman**  
MARK LAWSON

**Committee Members**  
GERALD DAWSON  
STU RODMAN  
PAUL SOMMERVILLE

**Interim County Administrator**  
ERIC GREENWAY

**Clerk to Council**  
SARAH W. BROCK

**STAFF SUPPORT**  
RAYMOND WILLIAMS  
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## Finance Committee Minutes

**Monday, December 14, 2020 at 1:00 PM**

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

### CALL TO ORDER

Committee Chairman Hervochon called the meeting to order at 1:00 PM.

### PRESENT

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

### ABSENT

Council Member Covert

### PLEDGE OF ALLEGIANCE

Committee Chairman Hervochon led the Pledge of Allegiance.

### FOIA

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

### APPROVAL OF AGENDA

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

### APPROVAL OF MINUTES- November 16, 2020

**Motion:** It was moved by Council Member Dawson, seconded by Council Member Passiment to approve the minutes from November 16, 2020. The Vote: Unanimous without objection. The motion passed. 10:0

**UPDATE FROM CHIEF FINANCIAL OFFICER, WHITNEY RICHLAND REGARDING THE CAFR AUDIT, 2020 CARRYOVER BUDGET AND YEAR TO DATE FINANCIALS**

Whitney Richland, Chief Financial Officer, presented and discussed the CAFR Audit, 2020 carry over budget and the year to date financials.

\*PLEASE SEE AGENDA FOR GRAPHS AND CHARTS\*

<https://beaufortcountysc.gov/council/council-committee-meetings/index.html>

Mrs. Richland stated that Mauldin and Jenkins have begun their fieldwork and based on the current progress the draft audit report will not be completed by December 31, 2020 but are working to get it done as soon as possible.

There isn't a dollar amount changes to the expenditures for the carryover budget according to Mrs. Richland. The DNA lab was a big concern and according to the construction manager everything is on track according to schedule.

Mrs. Richland discussed the COVID relating savings comparing the months March through October 2019 and 2020.

Committee Chairman Hervochon asked if the County was to expect a budgetary surplus in which Mrs. Richland responded yes and an exact figure will be presented at the next meeting.

Council Member Flewelling stated that not all of the saving are attributed to COVID events but incorporated in the budget. Mrs. Richland replied that was a fair statement.

Finance Report through November 2020 was presented.

### **DISCUSSION ITEMS**

#### **DISCUSSION OF THE SHERIFF FEES COLLECTED FROM THE TOWN OF HILTON HEAD ISLAND BY BEAUFORT COUNTY FOR THE FISCAL YEARS 2006-2020- Whitney Richland, CFO**

Mrs. Richland discussed the Sheriff Fees which Beaufort County has been collecting from the Town of Hilton Head Island for services performed by the Beaufort County Sheriff's Department acting as the Town's police force. The Sheriff's department has dedicated staff and resources to perform this function for the Town. The Town of Hilton Head has stopped paying the Sheriff's Service fee in fiscal year 2021. Beaufort County has since elected to add a service fee to all of the Town of Hilton Head Island improved properties in order to make up for the loss in revenue. The service fee will be used to offset the expected expenditures related to the continuation of policing activities for the Town of Hilton Head Island.

Council Member Howard questioned if the school resource officer was being reimbursed by the school district.

Council Member Flewelling asked in what year did the Town of Hilton Head tax those fees.

Mrs. Richland stated she will research those questions for the Council Members.

Mr. Williams stated that they had been submitting payments quarterly but wasn't sure when the Town collected.

Council Member Rodman stated that the Town collects and makes payments within the same fiscal year.

#### **DISCUSSION OF POSSIBLE DEFERENCE OF FUNDING TO THE BEAUFORT BLACK CHAMBER OF COMMERCE- Interim County Administrator, Eric Greenway**

Mr. Greenway stated that there is a lawsuit filed between the Beaufort Black Chamber of Commerce and Larry Holman, individually and in his official capacity as President of the Beaufort Black Chamber of Commerce. Currently the Beaufort County Black Chamber of Commerce receives funding from Beaufort County through the State Accommodations Tax process, the Local Accommodations Tax by statute, and the Local Accommodations and Hospitality Tax application process. The discussion will center on how to proceed with future payments to the Beaufort County Black Chamber of Commerce.

**Motion:** It was moved by Council Member Rodman, seconded by Council Member Flewelling to remit the award amount of \$32,000.00 to the Beaufort Black Chamber of Commerce through Beaufort County's Finance Department to assure that money is being used for the purpose given upon approval. The Votes: Yea: Council Member Rodman, Council Member Flewelling, Council Member Dawson, Council Member Glover. Nay: Council Member Howard, Council



Member McElynn, Council Member Lawson, Council Member Passiment, Council Member Hervochon. The motion failed. 4:6

**DISCUSSION ON THE ONE-TIME CASH-OUT OF PAID LEAVE POLICY- Interim County Administrator, Eric Greenway**

Mr. Greenway stated that on December 7, 2020, Beaufort County Council approved a one-time cash-out for paid leave time not to exceed 60 hours or one-half of their current leave time balance. This discussion is on the procedural process related to the one-time cash-out and the need for communication.

**DISCUSSION OF THE POTENTIAL CASH FLOW SHORTAGE DUE TO THE PROPERTY TAX BILL NOT BEING MAILED TIMELY- Whitney Richland, CFO**

Mrs. Richland stated that currently the County is in litigation with the County Auditor due to a difference in the millage for the Purchase of Real Property levied by the County Auditor versus what was levied by the County Council. Judge Mullen ruled in favor of Beaufort County, however, the ruling has significantly delayed the mailing.

**ACTION ITEMS**

**First Reading of an Ordinance to Issue a Tax Anticipation Note (TAN) Due to a Delay Tax Collections- Whitney Richland, CFO.**

**Discussion:** Due to a delay in tax bills being sent out, and thus, the delayed receipt of tax revenue, the County's cash position continues to decrease. A TAN may be needed to maintain cash flows for operations until receipt of tax revenues is substantially complete. In a typical year, a material amount of tax revenue and cash needed for operations by the County and the other taxing districts located in the County would be being received by the Treasurer during December. Since the tax bills have not yet been mailed, cash flows and operations for all related parties may be significantly affected. Although the County has investments that could be converted to cash in order to meet operational needs, the County stands to forfeit interest earnings on those investments. The County's bond council advised Staff to proceed with the issuance of a TAN at a lower interest rate in order to meet cash flow needs, maintain adequate liquidity and preserve the earnings potential of investments. Projections by the County Treasurer have the cash being depleted by mid-December with liquidation of investments to carry the County and related taxing districts through January 2021. Staff believes the interest expense incurred on the issuance of a TAN will be less than interest earned on investments.

Treasurer, Maria walls presented the Cash Position Forecast.

\*PLEASE SEE AGENDA FOR GRAPHS AND CHARTS\*

<https://beaufortcountysc.gov/council/council-committee-meetings/index.html>

**Motion:** It was moved by Council Member Flewelling, seconded by Council Member Howard to approve and forward to Council the recommendation of an Ordinance to Issue a Tax Anticipation Note (TAN) due to tax delay collection. The vote: Unanimous without objection. The motion passed. 10:0.

**Status:** Forward to County Council

**Emergency Medical Services (EMS) Contract Award Recommendation to Purchase One New 2020 Ambulance from the HGAC Buy Cooperative Contract- Phil Foot, Assistant County Administrator**

Mr. Foot explained that this is a contract award recommendation to purchase one new 2020 Ambulance from the HGAC Buy Cooperative Contract. The Purchasing Department received a request from Beaufort County's Emergency Medical Services Department to purchase one new 2020 Ford 4x2 Ambulance Conversion package to replace an Ambulance that was damaged in an accident. Cost is \$205,826.00.

**Motion:** It was moved by Council Member Flewelling, seconded by Council Member Dawson to approve the contract award recommendation to purchase one new 2020 ambulance from the HGAC Buy Cooperative Contract and forward to County Council. The vote: Unanimous without objection. The motion passed. 10:0.

**Status:** Forward to Council.

**Recommendation for Contract Award for Internal Auditing Services for Beaufort County to Elliot Davis, Columbia, SC.- Whitney Richland, CFO**

Mrs. Richland stated that Beaufort County Council requested proposals on August 27, 2020, from qualified CPA firms to provide consulting services to assist with an internal audit within the County's Finance, Purchasing, and DSN Departments. The selected firm shall work with the County Administrator or designated staff to provide the services not to exceed one year, with four annual one-year extensions not to exceed five years, subject to approval and appropriation of funds. Beaufort County received two qualified and responsible responses to the RFP. A staff evaluation committee evaluated and interviewed both firms and unanimously ranked Elliott Davis as the number one firm and recommends them for the contract award. Cost is \$63,750.00 for 395.5 hours of work.

**Motion:** It was moved by Council Member Flewelling, seconded by Council Member Passiment to approve the contract award recommendation to Elliot Davis for Internal Auditing Services for Beaufort County. The vote: Unanimous without objection. The motion passed. 10:0.

**Hilton Head Island Airport (HXD)- Contract Extension- Southern Palmetto Landscapes, Inc.- Jon Rembold, Airports Director**

Mr. Rembold explained that the Hilton Head Island Airport has benefited from the Town of Hilton Head Island's Landscape Maintenance Contract over the years for landscape maintenance services on the landside of the facility. This includes the commercial terminal "campus" area, parking lots, and the General Aviation "campus". The contract was subject of the Town of Hilton Head Island's competitive bid process in 2017 and Southern Palmetto Landscapes, Inc. was selected as the contractor. The Town is now exercising a two-year extension of that contract. This contract is necessary at the airport because the airport does not have adequate staff to maintain areas outside of the airfield. Cost is \$84,214.00 (total for 2 years).

**Motion:** It was moved by Council Member Flewelling, seconded by Council Member Passiment to approve the Hilton Head Island Airport (HXD) contract extension with Southern Palmetto Landscapes, Inc. The vote: Unanimous without objection. The motion passed. 10:0

**Ordinance for a State Accommodations Tax Budget Amendment- Raymond Williams, Director of Finance**

Mr. Williams stated that the original budget was a reduced budget due to the unknown effects of COVID-19. Beaufort County did not have an idea of how COVID-19 would positively or adversely affect the State Accommodations Funding. On October 27, 2020, Beaufort County received \$416,300.00 for first quarter funding for FY2021 State Accommodations Tax. This amount was approximately \$133,000.00 higher than the average first quarter payments received in 2020, 2019, and 2018. Finance believes that this positive affect on revenues will be a continued trend and that State Accommodation Tax revenues should be closer to \$800,000.00 than the original \$425,000.00.

**Motion:** It was moved by Council Member Flewelling, seconded by Council Member Passiment to approve the recommendation for an Ordinance for a State Accommodations Tax Budget Amendment. The Vote: Unanimous without objection. The motion passed 10:0.

**Status:** Forward to Council for approval.

**Consideration of an Ordinance Regarding a Template for Reporting by the DMO's and Chambers Related to Revenues and Expenditures- Raymond Williams, CFO.**

Mr. Williams stated that the Designated Marketing Organization (DMO's) and Chambers that receive State Accommodations Tax Funding and Local Accommodations Tax Funding and the Local Accommodations Tax funding. The Finance Committee has reviewed several formats and desires to discuss the formats with Council.

\*PLEASE SEE AGENDA FOR EXAMPLES\*

<https://beaufortcountysc.gov/council/council-committee-meetings/index.html>

**Motion:** It was moved by Council Member Flewelling, seconded by Council Member Glover to accept the format recommended for the Ordinance Regarding a Template for Reporting by the DMO's and Chambers Related to Revenues and Expenditures. The Vote: Unanimous without objection. The motion passed 10:0.

**Status:** Forward to Council for approval.

#### **BOARDS AND COMMISSIONS**

**Consideration of the re-appointment of Leslie Adams Flory to the Airports Board.**

**Motion:** It was moved by Council Member Flewelling, seconded by Council Member Passiment to approved the re-appointment of Leslie Adams Flore to the Airports Board. The Vote: Unanimous without objection. The motion passed. 10:0.

**Status:** Forward to Council for approval.

#### **CITIZEN COMMENTS**

Committee Chairman Hervochon read a comment from Ms. Otto in Bluffton and Ms. Vaughn.

#### **ADJOURNMENT**

The meeting adjourned at 3:28 pm.

Ratified by Committee:

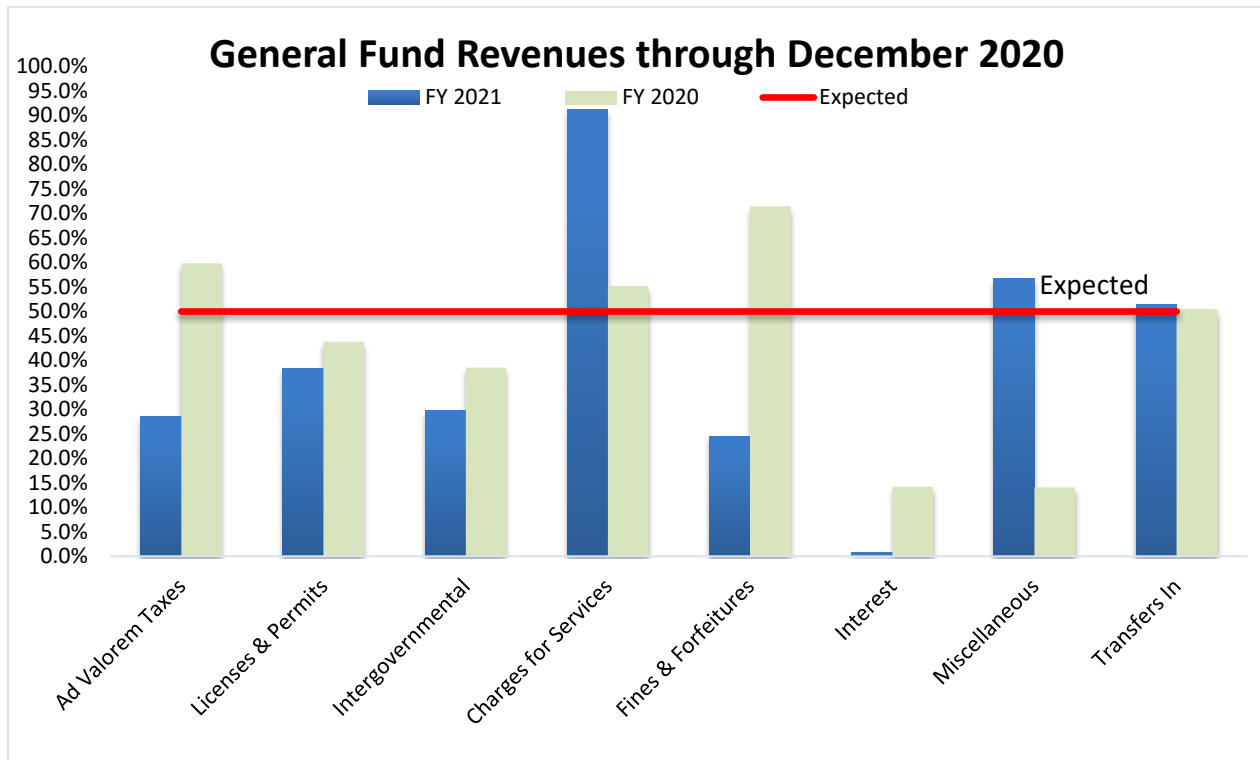
## Executive Summary of Revenues and Expenditures

Through December 31, 2020

### General Fund Revenues

Budget: \$130,300,431  
 Revenue Collected to Date: \$43,386,216  
 Revenue Remaining to be Collected: \$86,914,215

Percent of Total Budget Collected: 33.3%  
 Percent of Year Completed: 50%



### Revenue Analysis

| Function             | Budget        | To Date      | % Received | % Year Completed |
|----------------------|---------------|--------------|------------|------------------|
| Ad Valorem Taxes     | \$106,217,968 | \$30,281,717 | 28.5%      | 50%              |
| Licenses & Permits   | \$3,244,160   | \$1,245,128  | 38.38%     | 50%              |
| Intergovernmental    | \$9,058,838   | \$2,690,114  | 29.70%     | 50%              |
| Charges for Services | \$8,862,160   | \$8,084,753  | 91.23%     | 50%              |
| Fines & Forfeitures  | \$749,500     | \$184,148    | 24.57%     | 50%              |
| Interest             | \$442,805     | \$3,650      | 0.82%      | 50%              |
| Miscellaneous        | \$180,000     | \$102,141    | 56.7%      | 50%              |
| Transfers In         | \$1,545,000   | \$794,565    | 51.43%     | 50%              |

For revenues with variances over 5% of the year completed, a brief explanation is provided below.

**Ad Valorem Taxes:** Revenues continue lag due to the delay in tax bill dissemination.

**Licenses & Permits:** This revenue primarily arrives in January.

**Intergovernmental:** State Aid is lagging.

**Charges for Services:** Register of Deeds continues to have a record year.

**Fines & Forfeitures:** Magistrate fines still lagging most likely due to the delayed reopening of the courts.

**Interest:** This allocation is performed at year-end.

**Miscellaneous:** FOIA payments and miscellaneous electricity refund.

## Executive Summary of Revenues and Expenditures

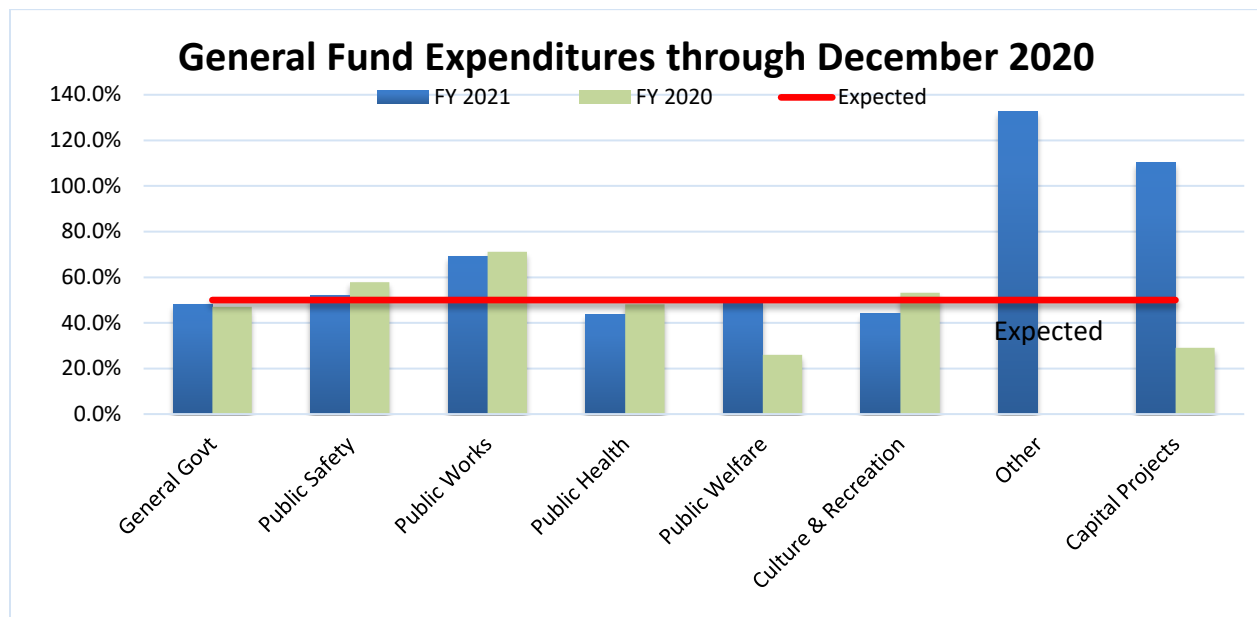
Through December 31, 2020

### General Fund Expenditures

Budget: \$130,300,430  
 Carryover from FY 2020: \$1,352,447  
 Amendments and Transfers: \$0  
 Total FY 2021 Budget: \$131,652,877

Actual Expenditures to Date: \$60,358,511  
 Encumbrances: \$8,776,617  
 Total Exp'd & Enc'd to Date: \$69,135,128  
 Budget Remaining: \$62,517,749

Percent of Total Budget Exp'd & Enc'd: 52%  
 Percent of Year Completed: 50%



### Expenditure Analysis

| Function             | Budget       | To Date      | % Expended | % Year Completed |
|----------------------|--------------|--------------|------------|------------------|
| General Government   | \$43,758,593 | \$21,086,950 | 48.19%     | 50%              |
| Public Safety        | \$51,471,577 | \$26,690,120 | 51.85%     | 50%              |
| Public Works         | \$17,072,908 | \$11,777,508 | 68.98%     | 50%              |
| Public Health        | \$3,751,392  | \$1,632,007  | 43.50%     | 50%              |
| Public Welfare       | \$708,261    | \$350,689    | 49.51%     | 50%              |
| Culture & Recreation | \$13,475,265 | \$5,924,348  | 43.96%     | 50%              |
| Other                | \$508,594    | \$675,546    | 132.83%    | 50%              |
| Capital Projects     | \$906,286    | \$997,960    | 110.12%    | 50%              |

For expenditures with variances over 5% of the year completed or that do not follow the usual prior year trend, a brief explanation is provided below.

**Public Works:** PO's for contracts inflating the yearly total.

**Culture & Recreation:** Expenditures less than expected primarily due to personnel costs & professional services.

**Other:** Use of fund balance for the Beaufort County Economic Development Corporation from escrow funds.

**Capital Projects:** Capital outlays do not assume an equal distribution over the fiscal year, but also the purchase of an ambulance from insurance proceeds caused this category to exceed the annual budget.

**BEAUFORT COUNTY, SOUTH CAROLINA**  
**LOCAL HOSPITALITY TAX**  
**Fiscal year 2020 as of June 30, 2020**  
*Preliminary and Unaudited*

**Revenues**

|                       |                  |
|-----------------------|------------------|
| Local Hospitality Tax | \$ 2,322,239     |
| Interest              | 32,396           |
| Total Revenues        | <u>2,354,635</u> |

**Expenditures**

|  |                |
|--|----------------|
| Personnel  | 40,467         |
| Purchased Services   | 16,882         |
| Supplies   | 362            |
| Santa Elena parking lot lease (County Courthouse, 1501 Bay Street Ordinance 2018/19) | 49,900         |
| Spanish Moss Trails and Wimbee Creek Fishing Pier Inspections                        | 21,667         |
| Open Land Trust (Capers Creek Access Purchase Ordinance 2020/10)                     | 25,000         |
| Heyward House Museum and Welcome Center Improvements (Ordinance 2020/10)             | 10,000         |
| Campbell Chapel Community Development (Ordinance 2020/10)                            | 140,000        |
| Friends of Hunting Island Virtual Lighthouse (Ordinance 2020/10)                     | 65,000         |
| Port Royal Sound Foundation Multi Purpose Pavilion (Ordinance 2020/10)               | 500,000        |
| Beaufort County Spanish Moss Trail Planning (Ordinance 2020/10)                      | 10             |
| Total Expenditures   | <u>869,288</u> |

Excess of revenue over expenditures 1,485,347

**Other Financing Sources (Uses)**

|                                   |                    |
|-----------------------------------|--------------------|
| Transfer to General Fund (Note 1) | <u>(1,500,000)</u> |
|-----------------------------------|--------------------|

Net Change in Fund Balance (14,653)

**Fund Balance, Beginning**

2,351,748

**Fund Balance, Ending**

\$ 2,337,095

**Encumbrances**

|   |                            |
|---|----------------------------|
| Factory Creek Boat Ramp, Whitehall (Ordinances 2017/33 and 2018/43) | (77,759)                   |
| Beaufort County CC Haigh Landing Improvements (Ordinance 2020/10)   | (196,000)                  |
| Beaufort County Spanish Moss Trail Planning (Ordinance 2020/10)     | (159,990)                  |
| <b>Projected Fund Balance after Encumbrances</b>                    | <u><u>\$ 1,903,346</u></u> |

Note 1: The general fund provides for law enforcement and other public safety services in which police protection of tourist facilities is one of the purposes of the local hospitality tax.



## BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

Item 7.

**ITEM TITLE:**

*Discussion on Local Accommodations Tax and Hospitality Tax*

**MEETING NAME AND DATE:**

Finance Committee, 01/19/2021

**PRESENTER INFORMATION:**

*Hayes Williams, Finance Director*

*10 Minutes*

**ITEM BACKGROUND:**

*Discussion of the Local Accommodations Tax and Hospitality Tax financial statements for 2020.*

**PROJECT / ITEM NARRATIVE:**

Discussion with the Finance Committee about the results from 2020. The amounts that need to be transferred and closed projects that need to be rolled into fund balance

**FISCAL IMPACT:**

*Transfer fund balance from Operations Fund Balance in Local Accommodations Tax \$366,806 split between Tourism Infrastructure and River/ Beach Access. Transfer encumbrance for Factory Creek Boat Ramp \$77,759 into Fund Balance for the Local Hospitality Tax Fund.*

**STAFF RECOMMENDATIONS TO COUNCIL:**

Prepare a resolution to realign funds by Council in able to award total of \$3,632,533 between Local Accommodations Tax and Local Hospitality Tax.

**OPTIONS FOR COUNCIL MOTION:**

*Motion to Approve Resolution for realigning funds.*

*Resolution County Council 01/25/2021.*



**BEAUFORT COUNTY, SOUTH CAROLINA**  
**LOCAL ACCOMMODATIONS TAX**  
**Fiscal year 2020 as of June 30, 2020**  
*Preliminary and Unaudited*

|   | Operations        | County-Wide<br>Advertising | Tourism<br>Infrastructure | River/ Beach<br>Access | Reserve<br>Fund   | Total               |
|---|-------------------|----------------------------|---------------------------|------------------------|-------------------|---------------------|
| <b>Revenues</b>   |                   |                            |                           |                        |                   |                     |
| Local Accommodations Tax  | \$ 98,545         | \$ 350,000                 | \$ 469,960                | \$ 156,653             | \$ 156,653        | \$ 1,231,811        |
| Interest  | 3,946             | -                          | 27,220                    | 9,073                  | 9,073             | 49,312              |
| <b>Total Revenues</b>   | <u>102,491</u>    | <u>350,000</u>             | <u>497,180</u>            | <u>165,726</u>         | <u>165,726</u>    | <u>1,281,123</u>    |
| <b>Expenditures</b>   |                   |                            |                           |                        |                   |                     |
| Personnel   | 40,482            | -                          | -                         | -                      | -                 | 40,482              |
| Purchased Services  | 16,884            | -                          | -                         | -                      | -                 | 16,884              |
| Supplies  | 370               | -                          | -                         | -                      | -                 | 370                 |
| <b>Total Expenditures</b>   | <u>57,736</u>     | <u>-</u>                   | <u>-</u>                  | <u>-</u>               | <u>-</u>          | <u>57,736</u>       |
| <b>County-Wide Advertising</b>  |                   |                            |                           |                        |                   |                     |
| Beaufort County Black Chamber of Commerce   | -                 | 50,000                     | -                         | -                      | -                 | 50,000              |
| Greater Beaufort-Port Royal Convention & Visitors Bureau                                | -                 | 150,000                    | -                         | -                      | -                 | 150,000             |
| Hilton Head Island-Bluffton Chamber of Commerce   | -                 | 150,000                    | -                         | -                      | -                 | 150,000             |
| <b>Total County-Wide Advertising</b>  | <u>-</u>          | <u>350,000</u>             | <u>-</u>                  | <u>-</u>               | <u>-</u>          | <u>350,000</u>      |
| <b>Tourism Infrastructure</b>   |                   |                            |                           |                        |                   |                     |
| Santa Elena parking lot lease (County Courthouse,<br>1501 Bay Street Ordinance 2018/19) | -                 | -                          | 49,900                    | -                      | -                 | 49,900              |
| Penn Center Phase I building preservation (Ordinance 2019/56)                           | -                 | -                          | 10,170                    | -                      | -                 | 10,170              |
| 2019 Dixie Junior Boys and Dixie Boys World Series Baseball<br>(Ordinance 2019/29)      | -                 | -                          | 114,450                   | -                      | -                 | 114,450             |
| Beaufort Area Hospitality- Festival Advertising (Ordinance 2020/10)                     | -                 | -                          | 20,000                    | -                      | -                 | 20,000              |
| Beaufort County Black Chamber of Commerce - Festival Advertising<br>(Ordinance 2020/10) | -                 | -                          | 48,600                    | -                      | -                 | 48,600              |
| Town of Bluffton, Wright Family Park (Ordinance 2018/46)                                | -                 | -                          | -                         | 350,000                | -                 | 350,000             |
| Historic Port Royal Foundation & Museum - Marketing<br>(Ordinance 2020/10)              | -                 | -                          | 1,000                     | -                      | -                 | 1,000               |
| <b>Total Tourism Infrastructure</b>   | <u>-</u>          | <u>-</u>                   | <u>244,120</u>            | <u>350,000</u>         | <u>-</u>          | <u>594,120</u>      |
| <b>River/ Beach Access</b>  |                   |                            |                           |                        |                   |                     |
| South Carolina State Park Service (lifeguards)  | -                 | -                          | -                         | 17,594                 | -                 | 17,594              |
| Broad River Fishing Pier (Ordinance 2015/13 and 2016/1)                                 | -                 | -                          | -                         | 27,000                 | -                 | 27,000              |
|   | <u>-</u>          | <u>-</u>                   | <u>-</u>                  | <u>44,594</u>          | <u>-</u>          | <u>44,594</u>       |
| <b>Net Change in Fund Balance</b>   | 44,755            | -                          | 253,060                   | (228,868)              | 165,726           | 234,673             |
| <b>Fund Balance, Beginning</b>  | 322,051           | -                          | 1,695,260                 | 785,000                | 791,694           | 3,594,005           |
| <b>Fund Balance, Ending</b>   | <u>\$ 366,806</u> | <u>\$ -</u>                | <u>\$ 1,948,320</u>       | <u>\$ 556,132</u>      | <u>\$ 957,420</u> | <u>\$ 3,828,678</u> |
| <b>Encumbrances</b>   |                   |                            |                           |                        |                   |                     |
| City of Beaufort, Whitehall Development Bridge (Ordinance 2018/13)                      | -                 | -                          | (300,000)                 | -                      | -                 | (300,000)           |
| Broad River Fishing Pier Inspections (Ordinance 2019/44)                                | -                 | -                          | -                         | (108,000)              | -                 | (108,000)           |
| Penn Center Phase I building preservation (Ordinance 2019/56)                           | -                 | -                          | (811,830)                 | -                      | -                 | (811,830)           |
| <b>Available Fund Balance after Encumbrances</b>  | <u>\$ 366,806</u> | <u>\$ -</u>                | <u>\$ 836,490</u>         | <u>\$ 448,132</u>      | <u>\$ 957,420</u> | <u>\$ 2,608,848</u> |



## BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

Item 8.

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| <b>ITEM TITLE:</b>   |
| <i>Discussion/ update on the current tax collections by the Beaufort County Treasurer</i>                |
| <b>MEETING NAME AND DATE:</b>  |
| Finance Committee, 01/19/2021  |
| <b>PRESENTER INFORMATION:</b>  |
| <i>Maria Walls, Beaufort County Treasurer</i><br><i>15 Minutes</i>                                       |
| <b>ITEM BACKGROUND:</b>  |
| <i>Discussion/ update on the current tax collections.</i>  |
| <b>PROJECT / ITEM NARRATIVE:</b>   |
| <i>Discussion/ update on the current tax collections.</i>  |
| <b>FISCAL IMPACT:</b>  |
| <i>This is an update to the Finance Committee to inform them on collections of property tax revenue.</i> |
| <b>STAFF RECOMMENDATIONS TO COUNCIL:</b>   |
| Not Applicable   |
| <b>OPTIONS FOR COUNCIL MOTION:</b>   |
| Not Applicable   |

## 2020/2021 ATAX APPLICATIONS

12/21/2020

| Organization  | Event/Project   | Amount Requested | Received Last Year | Amount Rec'd #1 | Amount Rec'd #2 | Total Received | % of Ask | Name                    | Notes   |
|---|---|------------------|--------------------|-----------------|-----------------|----------------|----------|-------------------------|---|
| 1 Friends of Hunting Island                               | Winter Market Research Study  | \$ 7,600         | \$ 5,000           | \$ -            |                 | \$ -           | 0.0%     | Carol Corbin            | Has the money/Withdrew  |
| 2 Greater Beaufort-Port Royal CVB                         | Tourism Marketing FY 2020-2021  | \$ 200,000       | \$ 120,000         | \$ 120,000      | \$ 109,300      | \$ 229,300     | 114.7%   | Robb Wells              | Social Media/Cultural mrktg replacing Black Chamber           |
| 3 Historic Bluffton Foundation                            | Operation of the Heyward House Museum and Welcome Center  | \$ 17,000        | \$ 10,000          | \$ 10,000       | \$ 7,000        | \$ 17,000      | 100.0%   | Katie Epps              | Ops   |
| 4 Lean Ensemble Theater                                   | Lean Ensemble Theater Marketing   | \$ 6,000         | \$ 1,000           | \$ -            | \$ 1,500        | \$ 1,500       | 25.0%    | Blake White             | Spectrum  |
| 5 Friends of the Spanish Moss Trail                       | Spanish Moss Trail Visitor Marketing Video  | \$ 5,950         | \$ 5,000           | \$ 2,000        | \$ -            | \$ 2,000       | 33.6%    | Sissy Perryman          | Video   |
| 11 Historic Mitchelville Freedom Park                     | Holiday Tree Lighting, Freedom Day, Marketing and Site Prep / Design for Juneteenth Celebration       | \$ 45,000        | \$ 20,000          | \$ 5,000        | \$ 15,000       | \$ 20,000      | 44.4%    | Ahmed Ward              | Outbound digital marketing-Juneteenth + Social Media          |
| 6 Beaufort Film Society                                   | Beaufort International Film Festival (15th)   | \$ 20,000        | \$ 15,000          | \$ 20,000       | \$ -            | \$ 20,000      | 100.0%   | Ron Tucker              |   |
| 7 Beaufort County Solid Waste & Recycling Department      | Don't Take a Vacation from Recycling Campaign   | \$ 44,425        | \$ -               | \$ -            | \$ -            | \$ -           | 0.0%     | Ashley Jenkins          |   |
| 8 Penn Center Inc.  | Penn Center & Heritage Days Celebration Operations & Marketing  | \$ 60,000        | \$ 31,500          | \$ -            | \$ -            | \$ -           | 0.0%     | Deloris Pringle         | \$31.5 from previous year is unspent                          |
| 9 Coastal Discovery Museum                                | Cultural & EcoTourism Program   | \$ 32,000        | \$ 20,000          | \$ 15,000       | \$ -            | \$ 15,000      | 46.9%    | Natalie Hefter          | Mrktg/Dev   |
| 10 SC Lowcountry & Resort Islands Tourism Commission      | Promotion of Beaufort County & the Lowcountry   | \$ 29,700        | \$ 40,000          | \$ 29,700       | \$ 10,300       | \$ 40,000      | 134.7%   | Pearch Morrison         | Cut request 40% due to expectations: we restored most of that |
| 12 Hilton Head Choral Society                             | Marketing for Tourist/Visitor Development   | \$ 4,000         | \$ 1,500           | \$ -            | \$ -            | \$ -           | 0.0%     | Margie Lechowicz        |   |
| 13 Arts Center of Coastal Carolina                        | Tourism Marketing of the Unincorporated Areas of Beaufort County                                      | \$ 9,000         | \$ 3,500           | \$ 2,000        | \$ 2,000        | \$ 4,000       | 44.4%    | Linda Bloom             |   |
| Community Foundation of the Lowcountry /                  | Restore and Add Stokes Freedman's Cottage to the Reconstruction Era National Historical Park Network  | \$ 179,443       | \$ -               | \$ -            | \$ -            | \$ -           | 0.0%     | Billy Keyserling        | Withdrew app  |
| 14 Reconstruction Beaufort                                | Repair and Add Grand Army of the Republic Hall to the Reconstruction National Historical Park Network | \$ 96,263        | \$ -               | \$ -            | \$ -            | \$ -           | 0.0%     | Elijah Washington       | Withdrew app  |
| 15 Sons of Union Veterans of the Civil War of Beaufort SC | Restore and Add Brick Church Cottage to the Reconstruction Era National Historical Park Network       | \$ 326,790       | \$ -               | \$ -            | \$ -            | \$ -           | 0.0%     | Reverend Abraham Murray | Withdrew app  |
| 25 Brick Baptist Church                                   | Reconstruction Era National Historical Park Network   | \$ 326,790       | \$ -               | \$ -            | \$ -            | \$ -           | 0.0%     | Reverend Abraham Murray | Withdrew app  |
| 16 Hilton Head Hospitality Association                    | Hilton Head Wine and Food Festival  | \$ 10,000        | \$ 6,000           | \$ 5,300        | \$ 4,700        | \$ 10,000      | 100.0%   | Jeff Gerber             |   |
| 17 The Original Gullah Festival of South Carolina, Inc.   | The Gullah Festival   | \$ 15,000        | \$ 35,000          | \$ -            | \$ -            | \$ -           | 0.0%     | Thomas Hicks            | No show for interview   |
| 18 Historic Port Royal Foundation                         | Historic Port Royal Exhibition Displays   | \$ 10,000        | \$ -               | \$ -            | \$ 5,950        | \$ 5,950       | 59.5%    | Deborah S. Johnson      |   |
| 19 First Tee - The Lowcountry                             | Concierge Informational Event   | \$ 1,500         | \$ 1,500           | \$ -            | \$ -            | \$ -           | 0.0%     | Pat Zuk                 |   |
| 20 Beaufort County Black Chamber of Commerce              | Cultural Tourism Marketing/Events   | \$ 135,000       | \$ 64,000          | \$ 32,000       | \$ -            | \$ 32,000      | 23.7%    | Kevin Holman            |   |
| 21 NIBCAA   | Hilton Head Island Gullah Celebration   | \$ 42,400        | \$ 23,000          | \$ 15,000       | \$ 5,000        | \$ 20,000      | 47.2%    | Courtney Young          | SM/Media-Out of local market only                             |
| 22 Lowcountry Golf Course Owners Association              | Golf Tourism Broadcast Golf Channel TV Campaign   | \$ 20,000        | \$ 8,000           | \$ -            | \$ 7,500        | \$ 7,500       | 37.5%    | Barry Fleming           |   |
| 23 Beaufort Area Hospitality Association                  | Northern Beaufort Visitors Map  | \$ 15,000        | \$ -               | \$ 10,000       | \$ 5,000        | \$ 15,000      | 100.0%   | Ashlee Houck            |   |
| 24 Gullah Museum Hilton Head Island                       | Permanent Exhibit/Renovation Project  | \$ 25,000        | \$ -               | \$ -            | \$ -            | \$ -           | 0.0%     | Natahia Aiken           |   |
| 26 Daufuskie Marsh Tacky Society                          | 2nd Annual Daufuskie Marsh Tacky Rally  | \$ 10,500        | \$ -               | \$ -            | \$ 10,500       | \$ 10,500      | 100.0%   | Erica Veit              | Start up  |
| 27 Port Royal Sound Foundation (PRSF)                     | Exhibit and Signage Renovation at the Maritime Center   | \$ 56,750        | \$ 26,500          | \$ 26,000       | \$ 24,250       | \$ 50,250      | 88.5%    | Jennifer E. Jenkins     |   |
| <b>TOTAL:</b>   |   | \$ 1,254,671     | \$ 379,000         | \$ 292,000      | \$ 208,000      | \$ 500,000     | 39.9%    |                         |   |
| <b>AMOUNT AVAILABLE:</b>                                  |   | \$ 260,000       |                    |                 |                 |                |          |                         |   |
| <b>Amount Remaining:</b>                                  |   | \$ (32,000)      |                    |                 |                 |                |          |                         |   |
| <b>Total Available #2:</b>                                |   | \$ 240,000       |                    |                 |                 |                |          |                         |   |
| <b>Amount Remaining #2:</b>                               |   | \$ 32,000        |                    |                 |                 |                |          |                         |   |

NOTE: Please see attached document to note the Board's intentions for the allocation for the Beaufort County Black Chamber of Commerce



## BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

Item 10.

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| <b>ITEM TITLE:</b>   |
| <i>Accommodations Tax (State 2%) Board Recommendations to Tourism-Related Organizations</i>                                  |
| <b>MEETING NAME AND DATE:</b>  |
| <i>Finance Committee Meeting, January 19, 2021</i>   |
| <b>PRESENTER INFORMATION:</b>  |
| <i>Hayes Williams. Finance Director<br/>10 minutes</i>   |
| <b>ITEM BACKGROUND:</b>  |
| <i>See attached.</i>   |
| <b>PROJECT / ITEM NARRATIVE:</b>   |
| <i>See attached.</i>   |
| <b>FISCAL IMPACT:</b>  |
| <i>State ATAX funds in the budgeted amount of \$500,000 will be awarded to grant applicants as per the attached.</i>         |
| <b>STAFF RECOMMENDATIONS TO COUNCIL:</b>   |
| <i>Staff recommendation is to approve budgeted amount of \$500,000.</i>  |
| <b>OPTIONS FOR COUNCIL MOTION:</b>   |
| <i>Motion to approve the distribution of the State ATAX funds as recommended by the Accommodations Tax (State 2%) Board.</i> |



## BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

Item 11.

**ITEM TITLE:**

*Ordinance for Refunding of Bonds*

**MEETING NAME AND DATE:**

Finance Committee, 01/19/2021

**PRESENTER INFORMATION:**

*Whitney Richland, Chief Financial Officer*

*10 Minutes*

**ITEM BACKGROUND:**

*Staff is purposing an Ordinance to Refund Bonds, Series 2021 in a principal amount not to exceed \$13,500,000.*

**PROJECT / ITEM NARRATIVE:**

The proceeds for the 2021 Bond in the amount not to exceed \$13,500,000 will be used to refund the 2011 Bonds and the 2012E Bonds. Staff has discussed the potential cost savings of the refund with Bond Counsel and the related savings with current market rates is approximately \$2 million.

**FISCAL IMPACT:**

*The potential savings are approximately \$2 million. The amount of the bond is not to exceed \$13,500,000.*

**STAFF RECOMMENDATIONS TO COUNCIL:**

Staff recommends that the Finance Committee approve the Ordinance.

**OPTIONS FOR COUNCIL MOTION:**

*Motion for the Committee to approve the Ordinance or Motion to deny the Ordinance.*

*Move forward to Council for First Reading/Approval/Adoption on 01/25/2021.*

## ORDINANCE NO. \_\_\_\_\_

AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2021, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, OF BEAUFORT COUNTY, SOUTH CAROLINA, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$13,500,000; FIXING THE FORM AND DETAILS OF THE BONDS; AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS LAWFULLY-AUTHORIZED DESIGNEE TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

BE IT ORDAINED BY THE COUNTY COUNCIL OF BEAUFORT COUNTY, SOUTH CAROLINA, AS FOLLOWS:

SECTION 1. Findings and Determinations. The County Council (the "County Council") of Beaufort County, South Carolina (the "County"), hereby finds and determines:

(a) Pursuant to Section 4-9-10, Code of Laws of South Carolina 1976, as amended (the "S.C. Code"), and the results of a referendum held in accordance therewith, the Council-Administrator form of government was adopted and the County Council constitutes the governing body of the County.

(b) Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended (the "Constitution"), provides that each county shall have the power to incur bonded indebtedness in such manner and upon such terms and conditions as the General Assembly shall prescribe by general law. Such debt must be incurred for a public purpose and a corporate purpose in an amount not exceeding eight percent (8%) of the assessed value of all taxable property of such county.

(c) Pursuant to Title 4, Chapter 15 of the S.C. Code (the same being and hereinafter referred to as the "County Bond Act"), the governing bodies of the several counties of the State of South Carolina (the "State") may each issue general obligation bonds to defray the cost of any authorized purpose and for any amount not exceeding its applicable constitutional limit.

(d) The County Bond Act provides that as a condition precedent to the issuance of bonds an election be held and the result be favorable thereto. Title 11, Chapter 27 of the S.C. Code provides that if an election be prescribed by the provisions of the County Bond Act, but not be required by the provisions of Article X of the Constitution, then in every such instance, no election need be held (notwithstanding the requirement therefor) and the remaining provisions of the County Bond Act shall constitute a full and complete authorization to issue bonds in accordance with such remaining provisions.

(e) In a referendum (the "Referendum") held in the County on November 7, 2006, the following question was submitted to the qualified electors of the County:

Shall the County be empowered to issue, either at one time as a single issue or from time to time as several separate issues, general obligation bonds of the County in the aggregate principal amount not to exceed \$50,000,000, the proceeds of which shall be used for the purpose of defraying the costs of the County Rural and Critical Land Preservation Program which preserves land by purchasing open land, development rights and conversation easements in all areas of Beaufort County, in order to alleviate traffic congestion in high growth areas and to protect water quality, natural lands, wildlife areas, farmland, parkland, coastal areas, rivers and wetlands, legal fees and costs of issuance of such bonds, provided

that all expenditures shall be prioritized based upon the official criteria and ranking system established for the County and subject to annual audit?

The Referendum was duly conducted and a majority of the qualified electors of the County voted in favor of the issuance of the general obligation bonds.

(f) The assessed value of all the taxable property in the County as of June 30, 2019, is \$1,934,462,170. Eight percent of the assessed value is \$154,756,973. As of the date hereof, the outstanding general obligation debt of the County subject to the limitation imposed by Article X, Section 14(7) of the Constitution is \$101,517,127 which includes the Series 2011 Bonds (defined below) to be refunded. Thus, the County may incur not exceeding \$53,239,846 of additional general obligation debt within its applicable debt limitation.

(g) Pursuant to the Constitution, statutory authorizations, the Referendum and Ordinance No. 2011/38 enacted by the County Council on December 5, 2011 (the “2011 Ordinance”), the County issued its original principal amount \$10,000,000 General Obligation Bonds, Series 2011, dated December 28, 2011 (the “Series 2011 Bonds”).

(h) Pursuant to the Constitution, statutory authorizations, and Ordinance No. 2012/3 enacted by the County Council on February 27, 2012 (the “2012 Ordinance”), the County issued its original principal amount \$6,000,000 General Obligation Bonds, Series 2012E, dated October 11, 2012 (the “Series 2012 Bonds”).

(i) The Series 2011 Bonds are currently outstanding in the principal amount of \$8,090,000, which includes the March 1, 2021, maturity in the amount of \$270,000, which will not be refunded. The Series 2011 Bonds maturing on or after March 1, 2022, shall be subject to redemption at the option of the County on or after March 1, 2021, as a whole or in part at any time, in such order of redemption as the County may determine, at par plus accrued interest to the date fixed for redemption. The 2012 Bond is currently outstanding in the principal amount of \$5,357,658.90, and is prepayable at any time, in whole or in part, without penalty.

(j) Sections 11-21-10 to 11-21-80 of the S.C. Code empower any “public agency” to utilize the provisions of Article 5, Chapter 15, Title 11 (the “Refunding Act”) of the S.C. Code to effect the refunding of any outstanding general obligation bonds.

(k) Based on current market conditions and projected savings, the County Council finds that it is in the best interest of the County to effect a refunding of all or a portion of the outstanding Series 2011 Bonds and the Series 2012 Bond (the “Bonds to be Refunded”) because a savings can be effected through the refunding of such Bonds to be Refunded. The County Council recognizes, however, that current market conditions may change and that, as of the date of enactment of this Ordinance, a determination cannot be made as to the amount of such savings, if any, realized through the refunding of the Bonds to be Refunded and that certain authority relating to such refunding is delegated to the County Administrator and/or his lawfully-authorized designee through this Ordinance. Because the Refunding Act requires that refunding bonds be sold at public sale, there can be no assurance that market conditions at the time of such sale will be similar to the prevailing rates on the date of the enactment of this Ordinance. If the rates of interest on the refunding bonds authorized by this Ordinance do not result in satisfactory debt service savings, the County Council, through the authority delegated to the County Administrator and/or his lawfully-authorized designee, will be empowered to reject bids for the purchase of the refunding bonds.

(l) Pursuant to Ordinance No. 2012/10 adopted on August 13, 2012, the County Council adopted Written Procedures related to Tax-Exempt Debt.



(m) It is now in the best interest of the County for County Council to provide for the issuance and sale of not exceeding \$13,500,000 principal amount general obligation refunding bonds of the County to provide funds for (i) refunding the Bonds to be Refunded; (ii) paying costs of issuance of the Bonds; and (iii) such other lawful purposes as the County Council shall determine.

SECTION 2. Authorization and Details of Bonds. Pursuant to the aforesaid provisions of the Constitution and laws of the State, there is hereby authorized to be issued not exceeding \$13,500,000 aggregate principal amount of general obligation refunding bonds of the County to be designated “\$13,500,000 (or such lesser amount issued) General Obligation Refunding Bonds, (appropriate series designation), of Beaufort County, South Carolina” (the “Bonds”), for the purposes set forth in Section 1(m) and other costs incidental thereto, including without limiting the generality of such other costs, engineering, financial and legal fees. The Bonds will be issued in one or more series, each with an appropriate series designation.

The refunding of the Bonds to be Refunded shall be effected with a portion of the proceeds of the Bonds which proceeds shall be used for the payment of the principal of such Bonds to be Refunded as and when such Bonds to be Refunded mature and are called for redemption in accordance with the provisions of the 2011 Ordinance and the 2012 Ordinance and interest on such Bonds to be Refunded as and when the same becomes due.

Upon the delivery of the Bonds, the principal proceeds thereof, less issuance expenses, may be deposited with an escrow agent to be named (the “Escrow Agent”) and held by it under a written refunding trust agreement between the Escrow Agent and the County (the “Refunding Trust Agreement”) in an irrevocable trust account or said proceeds may be deposited with the Paying Agent for the Bonds to be Refunded, as determined by the County Administrator.

The County Administrator and/or his lawfully-authorized designee are hereby authorized and directed for and on behalf of the County to execute such agreements and give such directions as shall be necessary to carry out the provisions of this Ordinance, including the execution and delivery of a Refunding Trust Agreement or Escrow Deposit Agreement, if required.

The Bonds shall be issued as fully registered bonds registrable as to principal and interest; shall be dated their date of delivery to the initial purchaser(s) thereof; shall be in denominations of \$5,000 or any integral multiple thereof not exceeding the principal amount of Bonds maturing each year; shall be subject to redemption if such provision is in the best interest of the County; shall be numbered from R-1 upward; shall bear interest from their date payable at such times as hereinafter designated by the County Administrator and/or his lawfully-authorized designee at such rate or rates as may be determined at the time of the sale thereof; and shall mature serially in successive annual installments as determined by the County Administrator and/or his lawfully-authorized designee.

Both the principal of and interest on the Bonds shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts. Regions Bank, Atlanta, Georgia, shall serve as Registrar/Paying Agent for the Bonds.

**SECTION 3. Delegation of Authority to Determine Certain Matters Relating to the Bonds.** The County Council hereby delegates to the County Administrator or his lawfully-authorized designee the authority to: (a) determine the par amount of the Bonds; (b) determine the maturity dates of the Bonds and the respective principal amounts maturing on such dates; (c) determine the interest payment dates of the Bonds; (d) determine the redemption provisions, if any, for the Bonds; (e) determine whether all of a portion of the Bonds should be sold together and whether all or a portion of the Bonds should be sold with all or a portion of not exceeding \$51,000,000 authorized in 2016 but not issued; (f) determine the date and time of sale of the Bonds; (g) receive bids on behalf of the County Council; and (h) award the sale of the Bonds to the lowest bidder therefor in accordance with the terms of the Notice of Sale for the Bonds.

After the sale of the Bonds, the County Administrator and/or his lawfully-authorized designee shall submit a written report to County Council setting forth the details of the Bonds as set forth in this paragraph.

**SECTION 4. Registration, Transfer and Exchange of Bonds.** The County shall cause books (herein referred to as the “registry books”) to be kept at the offices of the Registrar/Paying Agent, for the registration and transfer of the Bonds. Upon presentation at its office for such purpose the Registrar/Paying Agent shall register or transfer, or cause to be registered or transferred, on such registry books, the Bonds under such reasonable regulations as the Registrar/Paying Agent may prescribe.

Each Bond shall be transferable only upon the registry books of the County, which shall be kept for such purpose at the principal office of the Registrar/Paying Agent, by the registered owner thereof in person or by his duly authorized attorney upon surrender thereof together with a written instrument of transfer satisfactory to the Registrar/Paying Agent duly executed by the registered owner or his duly authorized attorney. Upon the transfer of any such Bond the Registrar/Paying Agent on behalf of the County shall issue in the name of the transferee a new fully registered Bond or Bonds, of the same aggregate principal amount, interest rate, and maturity as the surrendered Bond. Any Bond surrendered in exchange for a new registered Bond pursuant to this Section shall be canceled by the Registrar/Paying Agent.

The County and the Registrar/Paying Agent may deem or treat the person in whose name any fully registered Bond shall be registered upon the registry books as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such Bond and for all other purposes and all such payments so made to any such registered owner or upon his order shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the County nor the Registrar/Paying Agent shall be affected by any notice to the contrary. In all cases in which the privilege of transferring Bonds is exercised, the County shall execute and the Registrar/Paying Agent shall authenticate and deliver Bonds in accordance with the provisions of this Ordinance. Neither the County nor the Registrar/Paying Agent shall be obliged to make any such transfer of Bonds during the fifteen (15) days preceding an interest payment date on such Bonds.

**SECTION 5. Record Date.** The County hereby establishes a record date for the payment of interest or for the giving of notice of any proposed redemption of Bonds, and such record date shall be the fifteenth (15th) day (whether or not a business day) preceding an interest payment date on such Bond or in the case of any proposed redemption of Bonds, such record date shall be the fifteenth (15th) day (whether or not a business day) prior to the giving of notice of redemption of bonds.

**SECTION 6. Mutilation, Loss, Theft or Destruction of Bonds.** In case any Bond shall at any time become mutilated in whole or in part, or be lost, stolen or destroyed, or be so defaced as to impair the value thereof to the owner, the County shall execute and the Registrar shall authenticate and deliver at the principal office of the Registrar, or send by registered mail to the owner thereof at his request, risk and expense a new Bond of the same series, interest rate and maturity and of like tenor and effect in exchange or substitution for and upon the surrender for cancellation of such defaced, mutilated or partly destroyed Bond, or in lieu of or in substitution for such lost, stolen or destroyed Bond. In any such event the applicant for the issuance of a substitute Bond shall furnish the County and the Registrar evidence or proof satisfactory to the County and the Registrar of the loss, destruction, mutilation, defacement or theft of the original Bond, and of the ownership thereof, and also such security and indemnity in an amount as may be required by the laws of the State of South Carolina or such greater amount as may be required by the County and the Registrar. Any duplicate Bond issued under the provisions of this Section in exchange and substitution for any defaced, mutilated or partly destroyed Bond or in substitution for any allegedly lost, stolen or wholly destroyed Bond shall be entitled to the identical benefits under this Ordinance as was the original Bond in lieu of which such duplicate Bond is issued, and shall be entitled to equal and proportionate benefits with all the other Bonds of the same series issued hereunder.

All expenses necessary for the providing of any duplicate Bond shall be borne by the applicant therefor.

**SECTION 7. Execution of Bonds.** The Bonds shall be executed in the name of the County with the manual or facsimile signature of the Chairman of the County Council attested by the manual or facsimile signature of the Clerk to the County Council under a facsimile of the seal of the County impressed, imprinted or reproduced thereon; provided, however, the facsimile signatures appearing on the Bonds may be those of the officers who are in office on the date of enactment of this Ordinance. The execution of the Bonds in such fashion shall be valid and effectual, notwithstanding any subsequent change in such offices. The Bonds shall not be valid or become obligatory for any purpose unless there shall have been endorsed thereon a certificate of authentication. Each Bond shall bear a certificate of authentication manually executed by the Registrar in substantially the form set forth herein.

**SECTION 8. Form of Bonds.** The Bonds and the certificate of authentication shall be in substantially the form set forth in Exhibit A attached hereto and incorporated herein by reference.

**SECTION 9. Security for Bonds.** The full faith, credit, and taxing power of the County are hereby irrevocably pledged for the payment of the principal of and interest on the Bonds as they respectively mature, and for the creation of such sinking fund as may be necessary therefor. There shall be levied annually by the County Auditor and collected by the County Treasurer, in the same manner as other county taxes are levied and collected, a tax, without limit, on all taxable property in the County sufficient to pay the principal of and interest on the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

The County Council shall give the County Auditor and County Treasurer written notice of the delivery of and payment for the Bonds and they are hereby directed to levy and collect annually, on all taxable property in the County, a tax, without limit, sufficient to pay the principal of and interest on the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

**SECTION 10. Notice of Public Hearing.** The County Council hereby ratifies and approves the publication of a notice of public hearing regarding the Bonds and this Ordinance, such notice in substantially the form attached hereto as Exhibit B, having been published in The Island Packet and The Beaufort Gazette, newspapers of general circulation in the County, not less than 15 days prior to the date of such public hearing.

**SECTION 11. Initiative and Referendum.** The County Council hereby delegates to the County Administrator and/or his lawfully-authorized designee the authority to determine whether the Notice prescribed under the provisions of Section 5 of Title 11, Chapter 27 of the S.C. Code relating to the initiative and referendum provisions contained in Title 4, Chapter 9, Article 13 of the S.C. Code shall be given with respect to this Ordinance. If said Notice is given, the County Administrator and/or his lawfully-authorized designee are authorized to cause such Notice to be published in a newspaper of general circulation in the County, in substantially the form attached hereto as Exhibit C.

**SECTION 12. Exemption from State Taxes.** Both the principal of and interest on the Bonds shall be exempt, in accordance with the provisions of Section 12-2-50 of the S.C. Code from all State, county, municipal, County and all other taxes or assessments, except estate or other transfer taxes, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

**SECTION 13. Tax Covenants.** The County hereby covenants and agrees with the holders of the Bonds that it will not take any action which will, or fail to take any action which failure will, cause interest on the Bonds to become includable in the gross income of the holders of the Bonds for federal income tax purposes pursuant to the provisions of the Internal Revenue Code of 1986, as amended (the "IRC") and regulations promulgated thereunder in effect on the date of original issuance of the Bonds. The County further covenants and agrees with the holders of the Bonds that no use of the proceeds of the Bonds shall be made which, if such use had been reasonably expected on the date of issue of the Bonds would have caused the Bonds to be "arbitrage bonds," as defined in Section 148 of the IRC, and to that end the County hereby shall:

- (a) comply with the applicable provisions of Sections 103 and 141 through 150 of the IRC and any regulations promulgated thereunder so long as the Bonds are outstanding;
- (b) establish such funds, make such calculations and pay such amounts, in the manner and at the times required in order to comply with the requirements of the IRC relating to required rebates of certain amounts to the United States; and
- (c) make such reports of such information at the time and places required by the IRC.

**SECTION 14. Book-Entry System.** The Bonds initially issued (the "Initial Bonds") will be eligible securities for the purposes of the book-entry system of transfer maintained by The Depository Trust Company, New York, New York ("DTC"), and transfers of beneficial ownership of the Initial Bonds shall be made only through DTC and its participants in accordance with rules specified by DTC. Such beneficial ownership must be of \$5,000 principal amount of Bonds of the same maturity or any integral multiple of \$5,000.

The Initial Bonds shall be issued in fully-registered form, one Bond for each of the maturities of the Bonds, in the name of Cede & Co., as the nominee of DTC. When any principal of or interest on the Initial Bonds becomes due, the Paying Agent, on behalf of the County, shall transmit to DTC an amount equal to such installment of principal and interest. DTC shall remit such payments to the beneficial owners of the Bonds or their nominees in accordance with its rules and regulations.

Notices of redemption of the Initial Bonds or any portion thereof shall be sent to DTC in accordance with the provisions of the Ordinance.

If (a) DTC determines not to continue to act as securities depository for the Bonds, or (b) the County has advised DTC of its determination that DTC is incapable of discharging its duties, the County shall attempt to retain another qualified securities depository to replace DTC. Upon receipt by the County the Initial Bonds together with an assignment duly executed by DTC, the County shall execute and deliver to the successor securities depository Bonds of the same principal amount, interest rate, and maturity registered in the name of such successor.

If the County is unable to retain a qualified successor to DTC or the County has determined that it is in its best interest not to continue the book-entry system of transfer or that interests of the beneficial owners of the Bonds might be adversely affected if the book-entry system of transfer is continued (the County undertakes no obligation to make any investigation to determine the occurrence of any events that would permit it to make any such determination), and has made provision to so notify beneficial owners of the Bonds by mailing an appropriate notice to DTC, upon receipt by the County the Initial Bonds together with an assignment duly executed by DTC, the County shall execute, authenticate and deliver to the DTC participants Bonds in fully-registered form, in substantially the form set forth in Section 8 of this Ordinance in the denomination of \$5,000 or any integral multiple thereof.

Notwithstanding the foregoing, at the request of the purchaser, the Bonds will be issued as one single fully-registered bond and not issued through the book-entry system.

**SECTION 15. Sale of Bonds, Form of Notice of Sale.** The Bonds shall be offered for public sale on the date and at the time designated by the County Administrator and/or his lawfully-authorized designee. A Notice of Sale in substantially the form set forth as Exhibit D attached hereto and incorporated herein by reference shall be distributed to prospective bidders and a summary of such Notice of Sale shall be published in a newspaper of general circulation in the State and/or in a financial publication published in the City of New York not less than seven (7) days prior to the date set for such sale.

**SECTION 16. Preliminary and Final Official Statement.** The County Council hereby authorizes and directs the County Administrator and/or his lawfully-authorized designee to prepare, or cause to be prepared, a Preliminary Official Statement to be distributed to prospective purchasers of the Bonds together with the Notice of Sale. The County Council authorizes the County Administrator to designate the Preliminary Official Statement as “final” for purposes of Rule 15c2-12 of the Securities Exchange Commission. The County Administrator and/or his lawfully-authorized designee are further authorized to see to the completion of the final form of the Official Statement upon the sale of the Bonds so that it may be provided to the purchaser of the Bonds.

**SECTION 17. Filings with Central Repository.** In compliance with Section 11-1-85 of the S.C. Code, the County covenants that it will file or cause to be filed with a central repository for availability in the secondary bond market when requested: (a) a copy of the annual financial report of the County within thirty (30) days from the County’s receipt thereof; and (b) within thirty (30) days of the occurrence thereof, relevant information of an event which adversely affects more than five (5%) percent of the revenues of the County or the County’s tax base.

**SECTION 18. Continuing Disclosure.** In compliance with the Securities and Exchange Commission Rule 15c2-12 (the “Rule”) the County covenants and agrees for the benefit of the holders from time to time of the Bonds to execute and deliver prior to closing, and to thereafter comply with the terms of a Disclosure Dissemination Agent Agreement in substantially the form appearing as Exhibit E attached to this Ordinance. In the event of a failure of the County to comply with any of the provisions of the Disclosure Dissemination Agent Agreement, an event of default under this Ordinance shall not be deemed to have occurred. In such event, the sole remedy of any bondholder or beneficial owner shall be an action to compel performance by this Ordinance.

**SECTION 19. Deposit and Use of Proceeds.** The proceeds derived from the sale of the Bonds necessary to refund the Bonds to be Refunded shall be deposited with the Escrow Agent pursuant to the terms of the Refunding Trust Agreement. The remaining proceeds, if any, shall be deposited with the County Treasurer in a special fund to the credit of the County and shall be applied solely to the purposes for which the Bonds have been issued, including payment of costs of issuance of the Bonds.

**SECTION 20. Defeasance.** The obligations of the County under this Ordinance and the pledges, covenants and agreements of the County herein made or provided for, shall be fully discharged and satisfied as to any portion of the Bonds, and such Bond or Bonds shall no longer be deemed to be outstanding hereunder when:

(a) such Bond or Bonds shall have been purchased by the County and surrendered to the County for cancellation or otherwise surrendered to the County or the Paying Agent and is canceled or subject to cancellation by the County or the Paying Agent; or

(b) payment of the principal of and interest on such Bonds either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for by irrevocably depositing with a corporate trustee in trust and irrevocably set aside exclusively for such payment, (1) moneys sufficient to make such payment, or (2) Government Obligations (hereinafter defined) maturing as to principal and interest in such amounts and at such times as will ensure the availability of sufficient moneys to make such payment and all necessary and proper fees, compensation and expenses of the corporate trustee. At such time as the Bonds shall no longer be deemed to be outstanding hereunder, such Bonds shall cease to draw interest from the due date thereof and, except for the purposes of any such payment from such moneys or Government Obligations, shall no longer be secured by or entitled to the benefits of this Ordinance.

“Government Obligations” shall mean any of the following:

- (a) direct obligations of the United States of America or agencies thereof or obligations, the payment of principal or interest on which, in the opinion of the Attorney General of the United States, is fully and unconditionally guaranteed by the United States of America; and
- (b) non-callable, U. S. Treasury Securities - State and Local Government Series (“SLGS”).

**SECTION 21. Miscellaneous.** The County Council hereby authorizes the County Administrator, Chair of the County Council, the Clerk to the County Council and County Attorney to execute such documents and instruments as necessary to effect the issuance of the Bonds. The County Council hereby retains McNair Law Firm, P.A., as bond counsel and Hilltop Securities, as financial advisor, in connection with the issuance of the Bonds. The County Administrator is further authorized to execute such contracts, documents or engagement letters as may be necessary and appropriate to effectuate these engagements.

All rules, regulations, resolutions, and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the Bonds are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its enactment.

Enacted this \_\_\_\_ day of \_\_\_\_\_, 2021.

BEAUFORT COUNTY, SOUTH CAROLINA

\_\_\_\_\_  
Chair, County Council

(SEAL)

ATTEST:

\_\_\_\_\_  
Clerk, County Council

First Reading:

Second Reading:

Public Hearing:

Third and Final Reading:



## EXHIBIT A

**FORM OF BOND**

UNITED STATES OF AMERICA  
 STATE OF SOUTH CAROLINA  
 COUNTY OF BEAUFORT  
 GENERAL OBLIGATION REFUNDING BOND, SERIES 2021

No. R-

|                 |                 |                   |              |
|-----------------|-----------------|-------------------|--------------|
| <u>INTEREST</u> | <u>MATURITY</u> | <u>ORIGINAL</u>   | <u>CUSIP</u> |
| <u>RATE</u>     | <u>DATE</u>     | <u>ISSUE DATE</u> |              |

REGISTERED HOLDER:

PRINCIPAL AMOUNT: DOLLARS

KNOW ALL MEN BY THESE PRESENTS, that Beaufort County, South Carolina (the "County"), is justly indebted and, for value received, hereby promises to pay to the registered holder specified above, or registered assigns, the principal amount specified above on the maturity date specified above, upon presentation and surrender of this Bond at the principal office of Regions Bank in Atlanta, Georgia (the "Paying Agent"), and to pay interest on such principal amount from the date hereof at the rate per annum specified above until this Bond matures. Interest on this Bond is payable \_\_\_\_\_ 1, 20\_\_\_\_, and semiannually on \_\_\_\_\_ 1 and \_\_\_\_\_ 1 of each year thereafter, until this Bond matures, and shall be payable by check or draft mailed to the person in whose name this Bond is registered on the registration books of the County maintained by the registrar, presently Regions Bank in Atlanta, Georgia (the "Registrar"), at the close of business on the fifteenth (15th) day of the calendar month preceding each semiannual interest payment date. The principal of and interest on this Bond are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts; provided, however, that interest on this fully registered Bond shall be paid by check or draft as set forth above.

This Bond shall not be entitled to any benefit under the Ordinance (hereafter defined), nor become valid or obligatory for any purpose, until the certificate of authentication hereon shall have been duly executed by the Registrar.

For the payment hereof, both principal and interest, as they respectively mature and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the County are irrevocably pledged and there shall be levied annually by the Auditor of the County and collected by the Treasurer of the County, in the same manner as other county taxes are levied and collected, a tax, without limit, on all taxable property in the County sufficient to pay the principal of and interest on this Bond as they respectively mature and to create such sinking fund as may be necessary therefor.

This Bond is one of a series of Bonds of like date of original issue, tenor and effect, except as to number, denomination, date of maturity, redemption provisions, and rate of interest, aggregating \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), issued pursuant to Article X of the Constitution of the State of South Carolina, 1895, as amended (the "Constitution"); Title 4, Chapter 15, Code of Laws of South Carolina 1976, as amended; Title 11, Chapters 15, 21 and 27, Code of Laws of South Carolina 1976, as amended;; and Ordinance No. \_\_\_\_\_ duly enacted by the County Council on \_\_\_\_\_, 2021.

[Redemption Provisions]

This Bond is transferable as provided in the Ordinance, only upon the books of the County kept for that purpose at the principal office of the Registrar by the registered holder in person or by his duly authorized attorney upon surrender of this Bond together with a written instrument of transfer satisfactory to the Registrar duly executed by the registered holder or his duly authorized attorney. Thereupon a new fully registered Bond or Bonds of the same aggregate principal amount, interest rate redemption provisions, if any, and maturity shall be issued to the transferee in exchange therefor as provided in the Ordinance. The County, the Registrar and the Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal hereof and interest due hereon and for all other purposes.

Under the laws of the State of South Carolina (the "State"), this Bond and the interest hereon are exempt from all State, county, municipal, County and all other taxes or assessments, except estate or other transfer taxes, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of the State to exist, to happen and to be performed precedent to or in the issuance of this Bond exist, have happened and have been performed in regular and due time, form and manner as required by law; that the amount of this Bond, together with all other indebtedness of the County, does not exceed the applicable limitation of indebtedness under the laws of the State; and that provision has been made for the levy and collection of a tax, without limit, on all taxable property in the County sufficient to pay the principal of and interest on this Bond as the same shall respectively mature and to create such sinking fund as may be necessary therefor.

IN WITNESS WHEREOF, BEAUFORT COUNTY, SOUTH CAROLINA, has caused this Bond to be signed with the manual or facsimile signature of the Chairman of the County Council, attested by the manual or facsimile signature of the Clerk to the County Council and the seal of the County impressed, imprinted, or reproduced hereon.

BEAUFORT COUNTY, SOUTH CAROLINA

\_\_\_\_\_

Chair of

County Council

(SEAL)

ATTEST:

\_\_\_\_\_  
Clerk of County Council

## [FORM OF REGISTRAR'S CERTIFICATE OF AUTHENTICATION]

Date of Authentication:

This bond is one of the Bonds described in the within mentioned Ordinance of Beaufort County, South Carolina.

\_\_\_\_\_  
as Registrar

By: \_\_\_\_\_  
Authorized Officer

The following abbreviations, when used in the inscription on the face of this Bond shall be construed as though they were written out in full according to applicable laws or regulations.

TEN COM - As tenants in common

UNIF GIFT MIN. ACT

TEN ENT - As tenants by the  
entireties

\_\_\_\_\_  
Custodian  
(Cust.) (Minor)

JT TEN - As joint tenants  
with right of  
survivorship and  
not as tenants in  
common

under Uniform Gifts to Minors

\_\_\_\_\_  
(State)

Additional abbreviations may also be used though not in list above.

## [FORM OF ASSIGNMENT]

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

\_\_\_\_\_  
(Name and address of Transferee)

the within Bond and does hereby irrevocably constitute and appoint \_\_\_\_\_ attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated:

\_\_\_\_\_  
Signature Guaranteed:

\_\_\_\_\_  
(Authorizing Officer)

Signature(s) must be guaranteed  
by an institution which is a  
participant in the Securities  
Transfer Agents Medallion  
Program ("STAMP") or similar  
program.

NOTICE: The  
signature to this agreement  
this agreement  
must correspond with the  
name of the  
registered holder as it appears  
upon the face of  
the within Bond in every  
particular,  
without alteration or enlargement  
or any change whatever.

A copy of the final approving opinion to be rendered shall be attached to each Bond and preceding the same a certificate shall appear, which shall be signed on behalf of the County with a manual or facsimile signature of the Clerk to the County Council. The certificate shall be in substantially the following form:

[FORM OF CERTIFICATE]

IT IS HEREBY CERTIFIED that the following is a true and correct copy of the complete final approving opinion (except for date and letterhead) of Burr & Forman LLP, Columbia, South Carolina, approving the issue of Bonds of which the within Bond is one, the original of which opinion was manually executed, dated and issued as of the date of delivery of and payment for the Bonds and a copy of which is on file with the County Council of Beaufort County, South Carolina.

BEAUFORT COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
Clerk of County Council

## EXHIBIT B

**FORM OF NOTICE OF PUBLIC HEARING**

## NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the County Council of Beaufort County, South Carolina (the "County"), Large Meeting Room, Bluffton Branch Library, 120 Palmetto Way, Bluffton, South Carolina, at 6:30 p.m. on \_\_\_\_\_, 2020.

The purpose of the public hearing is to consider an Ordinance providing for the issuance and sale of General Obligation Refunding Bonds of Beaufort County, South Carolina, in the principal amount of not exceeding \$ \_\_\_\_\_ (the "Bonds"). The proceeds of the Bonds will be used for the following purposes: (i) refunding all or a portion of the County's outstanding original principal amount \$10,000,000 General Obligation Bonds, Series 2011 and all or a portion of the County's outstanding original principal amount \$6,000,000 General Obligation Bonds, Series 2012E; (ii) paying costs of issuance of the Bonds; and (iii) such other lawful purposes as the County Council shall determine.

The full faith, credit, and taxing power of the County will be pledged for the payment of the principal of and interest on the Bonds and a tax, without limit, will be levied on and collected annually, in the same manner other County taxes are levied and collected, on all taxable property of the County sufficient to pay to principal of and interest on the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

At the public hearing all taxpayers and residents of the County and any other interested persons who appear will be given an opportunity to express their views for or against the Ordinance and the issuance of the Bonds.

COUNTY COUNCIL OF BEAUFORT COUNTY,  
SOUTH CAROLINA

## EXHIBIT C

**FORM OF NOTICE**

## NOTICE OF ADOPTION OF ORDINANCE

Notice is hereby given that on \_\_\_\_\_, 2021, the Beaufort County Council adopted an ordinance entitled: "ORDINANCE NO. \_\_\_\_\_ AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2021, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION OF BEAUFORT COUNTY, SOUTH CAROLINA, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$\_\_\_\_\_; FIXING THE FORM AND DETAILS OF THE BONDS; AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS LAWFULLY-AUTHORIZED DESIGNEE TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO" (the "Ordinance").

The proceeds of the bonds will be used for the following purposes: (i) refunding all or a portion of the County's outstanding original principal amount \$10,000,000 General Obligation Bonds, Series 2011 and all or a portion of the County's outstanding original principal amount \$6,000,000 General Obligation Bonds, Series 2012E; (ii) paying costs of issuance of the Bonds; and (iii) such other lawful purposes as the County Council shall determine.

Pursuant to Section 11-27-40(8) of the South Carolina Code of Laws, 1976, as amended, unless a notice, signed by not less than five (5) qualified electors of the County, of the intention to seek a referendum is filed both in the office of the Clerk of Court of the County and with the Clerk of the County Council, the initiative and referendum provisions of South Carolina law, Sections 4-9-1210 to 4-9-1230, South Carolina Code of Laws 1976, as amended, shall not be applicable to the Ordinance. The notice of intention to seek a referendum must be filed within twenty (20) days following the publication of this notice of the adoption of the aforesaid Ordinance in a newspaper of general circulation in Beaufort County.

COUNTY COUNCIL OF BEAUFORT COUNTY,  
SOUTH CAROLINA

## EXHIBIT D

**FORM OF NOTICE OF SALE**

OFFICIAL NOTICE OF SALE  
 \$\_\_\_\_\_ \* GENERAL OBLIGATION REFUNDING BONDS, SERIES 2021  
 BEAUFORT COUNTY, SOUTH CAROLINA

Time and Place of Sale: NOTICE IS HEREBY GIVEN electronic bids only will be received on behalf of Beaufort County, South Carolina (the "County") until 11:00 a.m., South Carolina time, on \_\_\_\_\_, \_\_\_\_\_, 2021, for the purchase of \$\_\_\_\_\_ \* General Obligation Refunding Bonds, Series 2021, of the County (the "Bonds").

**THE SALE MAY BE CANCELLED OR POSTPONED OR ANY OTHER PROVISION OF THIS OFFICIAL NOTICE OF SALE MAY BE AMENDED BY THE COUNTY UPON NO LESS THAN \_\_\_\_\_ HOURS PRIOR NOTICE COMMUNICATED THROUGH THOMSON MUNICIPAL MARKET MONITOR. IF SUCH A POSTPONEMENT, CHANGE OR AMENDMENT OCCURS, BIDS WILL BE RECEIVED IN ACCORDANCE WITH THIS OFFICIAL NOTICE OF SALE, AS MODIFIED BY SUCH NOTICE.**

Electronic Bids: Electronic proposals must be submitted through i-Deal's Parity Electronic Bid Submission System ("Parity"). No electronic bids from any other providers of electronic bidding services will be accepted. Information about the electronic bidding services of Parity may be obtained from i-Deal, 1359 Broadway, 2nd Floor, New York, New York 10018, Customer Support, telephone (212) 849- 5021.

Interest on the Bonds will be payable semiannually on March 1 and September 1 of each year, until the Bonds mature, commencing September 1, 2021. The Bonds will be dated their date of delivery, and will mature serially in successive annual installments on March 1 in each of the years and in the principal amounts as shown below:

|             |                |             |                |
|-------------|----------------|-------------|----------------|
| (March 1)   | Principal      | (March 1)   | Principal      |
| <u>Year</u> | <u>Amount*</u> | <u>Year</u> | <u>Amount*</u> |

\*Preliminary, subject to adjustment

Adjustment of Maturity Schedule: The schedule of maturities set forth above (the "Maturity Schedule") represents an estimate of the principal amounts and maturities of the bonds which will be sold. If, after final computation of the bids, the County determines that the maturities of the Bonds should be adjusted in order to maintain structured debt service on all of its outstanding bonds, the County reserves the right either to increase or decrease the principal amount of any maturity of the Bonds and to decrease or increase the par amount of the Bonds (all calculations to be rounded to the near \$5,000), provided that any such decrease in par amount shall not exceed 15% of the par amount in the aggregate. If increased, the par amount of the Bonds shall not exceed the total amount of Bonds authorized to be issued.

In the event of any such adjustment of the Maturity Schedule for the Bonds as described herein, no rebidding or recalculation of the bids submitted will be required or permitted. Nevertheless, the award of the Bonds will be made to the bidder whose proposal produces the lowest true interest cost solely on the basis of the Bonds offered, without taking into account any adjustment in the amount of the Bonds pursuant to this paragraph.



Redemption Provisions: The Bonds maturing prior to March 1, \_\_\_\_\_ shall not be subject to redemption prior to their stated maturities. The Bonds maturing on and after March 1, \_\_\_\_\_ shall be subject to redemption at the option of the County on or after March 1, \_\_\_\_\_, as a whole or in part at any time, in such order of redemption as the County may determine, at par, plus accrued interest to the date fixed for redemption.

Book-Entry-Only Bonds: The Bonds will be issued in fully-registered form. One Bond representing each maturity will be issued to and registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), as registered owner of the Bonds and each such Bond will be immobilized in the custody of DTC. DTC will act as securities depository for the Bonds. Individual purchases will be made in book-entry-only form, in the principal amount of \$5,000 or any integral multiple thereof not exceeding the principal amount of Bonds maturing each year. Purchasers will not receive physical delivery of certificates representing their interest in the Bonds purchased. The winning bidder, as a condition to delivery of the Bonds, will be required to deposit the Bond certificates representing each maturity with DTC.

Registrar/Paying Agent: Regions Bank, Atlanta, Georgia will serve as Registrar/Paying Agent for the Bonds.

Bid Requirements: Bidders shall specify the rate or rates of interest per annum which the Bonds are to bear, to be expressed in multiples of 1/20 or 1/8 of 1%. Bidders are not limited as to the number of rates of interest named, but the rate of interest on each separate maturity must be the same single rate for all Bonds of that maturity from their date to such maturity date. A bid for less than all the Bonds or a bid at a price less than par will not be considered.

Award of Bid: The Bonds will be awarded to the bidder or bidders offering to purchase the Bonds at the lowest true interest cost (TIC) to the County. The TIC will be the nominal interest rate which, when compounded semiannually and used to discount all debt service payments on the Bonds (computed at the interest rates specified in the bid and on the basis of a 360-day year of twelve 30-day months) to the dated date of the Bonds, results in an amount equal to the price bid for the Bonds. In the case of a tie bid, the winning bid will be awarded by lot. The County reserves the right to reject any and all bids or to waive irregularities in any bid. Bids will be accepted or rejected no later than 3:00 p.m., South Carolina time, on the date of the sale.

Good Faith Deposit: No good faith deposit is required.

Official Statement: Upon the award of the Bonds, the County will prepare an official statement (the "Official Statement") in substantially the same form as the preliminary official statement subject to minor additions, deletions and revisions as required to complete the Official Statement. Within seven (7) business days after the award of the Bonds, the County will deliver the Official Statement to the successful bidder in sufficient quantity to comply with Rule G-32 of the Municipal Securities Rulemaking Board. The successful bidder agrees to supply to the County all necessary pricing information and any Underwriter identification necessary to complete the Official Statement within 24 hours after the award of the Bonds.

Security: For the payment of the principal of and interest on the Bonds, as they respectively mature, there shall be levied annually by the Auditor of the County and collected by the Treasurer of the County, in the same manner as other County taxes are levied and collected, an ad valorem tax, without limit, on all taxable property in the County, sufficient to pay the principal of and interest on the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

The County Council shall give the Auditor and Treasurer of the County written notice of the delivery of and payment for the Bonds and they are hereby directed to levy and collect annually, on all taxable property in the County, an ad valorem tax sufficient to pay the principal and interest of the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

Continuing Disclosure: In order to assist the bidders in complying with S.E.C. Rule 15c2-12(b)(5), the County will undertake, pursuant to an ordinance and a Continuing Disclosure Certificate, to provide certain annual financial information and notices of the occurrence of certain events, if material. A description of this undertaking is set forth in the Preliminary Official Statement and will also be set forth in the final Official Statement.

Legal Opinion: The County shall furnish upon delivery of the Bonds the final approving opinion of McNair Law Firm, P.A., Columbia, South Carolina, which opinion shall accompany each Bond, together with the usual closing documents, including a certificate that no litigation is pending affecting the Bonds.

Issue Price Certificate: [TO BE PROVIDED]

CUSIP Numbers: CUSIP identification numbers and CUSIP Service Bureau charges for assignment of the numbers will be the responsibility of the successful bidder and should be provided to the County within five (5) days of being selected as the winning bidder, but any delay, error or omission with respect thereto shall not constitute cause for a failure or refusal by the successful bidder to accept delivery of and pay for the Bonds in accordance with the terms of this Official Notice of Sale. The successful bidder shall also be responsible for securing DTC eligibility.

Financial Advisor: Hilltop Securities Inc. (“Hilltop”) is acting as Financial Advisor (the “Financial Advisor”) to the County in connection with the issuance of the Bonds. The Financial Advisor’s fee for services rendered with respect to the sale of the Bonds is contingent upon the issuance and delivery of the Bonds. Hilltop, in its capacity as Financial Advisor, has not verified and does not assume any responsibility for the information, covenants and representations contained in any of the legal documents with respect to the federal income tax status of the Bonds, or the possible impact of any present, pending or future actions taken by any legislative or judicial bodies or rating agencies.

Delivery: The Bonds will be delivered on or about \_\_\_\_\_, 2021, through DTC in New York, New York, at the expense of the County. The balance of the purchase price then due must be paid in federal funds or other immediately available funds.

Additional Information: The Preliminary Official Statement of the County with respect to the Bonds is available via the internet at <http://i-dealprospectus.com>. The Preliminary Official Statement shall be reviewed by bidders prior to submitting a bid. Bidders may not rely on this Notice of Sale as to the complete information concerning the Bonds. Persons seeking information should communicate with the County’s Bond Counsel, Francenia B. Heizer, Esquire, Burr & Forman LLP, telephone (803) 799-9800, e-mail: [fheizer@burr.com](mailto:fheizer@burr.com) or with the County’s Financial Advisor, Chad Cowan, Director, Hilltop Securities, telephone (704) 654-3454; e-mail: [chad.cowan@hilltopsecurities.com](mailto:chad.cowan@hilltopsecurities.com).

BEAUFORT COUNTY, SOUTH CAROLINA

## EXHIBIT E

**FORM OF CONTINUING DISCLOSURE CERTIFICATE**

This Continuing Disclosure Certificate (the “Disclosure Certificate”) is executed and delivered by Beaufort County, South Carolina (the “County”) in connection with the issuance of \$\_\_\_\_\_ General Obligation Refunding Bonds, Series 2021, Beaufort County, South Carolina (the “Bonds”). The Bonds are being issued pursuant to ordinances adopted by the County Council of the County (the “Ordinances”). The County covenants and agrees as follows:

**SECTION 1. Purpose of the Disclosure Certificate.** This Disclosure Certificate is being executed and delivered by the County for the benefit of the holders of the Bonds and in order to assist the Participating Underwriter (defined below) in complying with the Rule (defined below).

**SECTION 2. Definitions.** The following capitalized terms shall have the following meanings:

“**Annual Report**” shall mean any Annual Report provided by the County pursuant to, and as described in, Sections 3 and 4 of this Disclosure Certificate.

“**Dissemination Agent**” shall mean the County or any successor Dissemination Agent designated in writing by the County and which has filed with the County a written acceptance of such designation.

“**Financial Obligation**” is defined by the Rule as and for purposes of this Disclosure Certificate shall mean (1) a debt obligation, (2) a derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or (3) a guarantee of either of the foregoing; provided, however, that a “Financial Obligation” shall not include municipal securities as to which a final official statement has been provided to the Municipal Securities Rulemaking Board consistent with the Rule.

“**Listed Events**” shall mean any of the events listed in Section 5(a) of this Disclosure Certificate.

“**National Repository**” shall mean for purposes of the Rule, the Electronic Municipal Market Access (EMMA) system created by the Municipal Securities Rulemaking Board.

“**Participating Underwriter**” shall mean \_\_\_\_\_ and any other original underwriter of the Bonds required to comply with the Rule in connection with offering of the Bonds.

“**Repository**” shall mean each National Repository and each State Depository, if any.

“**Rule**” shall mean Rule 15c2-12(b)(5) promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

“**State Depository**” shall mean any public or private repository or entity designated by the State of South Carolina as a state depository for the purpose of the Rule. As of the date of this Certificate, there is no State Depository.

### SECTION 3. Provision of Annual Reports.

(a) The County shall, or shall cause the Dissemination Agent to provide, not later than February 1 of each year, commencing in 2022, to the Repository an Annual Report which is consistent with the requirements of Section 4 of this Disclosure Certificate. Not later than fifteen (15) business days prior to such date the County shall provide the Annual Report to the Dissemination Agent, if other than the County; provided, that if the audited financial statements required pursuant to Section 4 hereof to be included in the Annual Report are not available for inclusion in the Annual Report as of such date, unaudited financial statements of the County may be included in such Annual Report in lieu thereof, and the County shall replace such unaudited financial statements with audited financial statements within fifteen (15) days after such audited financial statements become available for distribution. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 4 of this Disclosure Certificate; provided that the audited financial statements of the County may be submitted separately from the balance of the Annual Report.

(b) If the County is unable to provide to the Repository an Annual Report by the date required in subsection (a), the County shall send a notice to the Repository, in substantially the form attached hereto as Exhibit A.

(c) The Dissemination Agent shall:

(1) determine each year prior to the date for providing the Annual Report the name and address of the Repository; and

(2) if the Dissemination Agent is other than the County, file a report with the County and (if the Dissemination Agent is not the Registrar) the Registrar certifying whether the Annual Report has been provided pursuant to this Disclosure Certificate, and, if provided, stating the date it was provided, and listing the Repository to which it was provided.

SECTION 4. Content of Annual Reports. The County's Annual Report shall contain or incorporate by reference the most recent audited financial statements, which shall be prepared in conformity with generally accepted accounting principles (or, if not in such conformity, to be accompanied by a qualitative discussion of the differences in the accounting principles and the impact of the change in the accounting principles on the presentation of the financial information) applicable to governmental entities such as the County, and shall, in addition, contain or incorporate by reference the following information for the most recently completed fiscal year:

- (a) County population;
- (b) Total state appropriations subject to withholding under Article X, Sec. 15, South Carolina Constitution;
- (c) Outstanding Indebtedness of the County;
- (d) Assessed Value of Taxable Property in the County;
- (e) Tax rates for the County;
- (f) Tax collections for the County; and
- (g) Ten largest taxpayers (including fee-in-lieu-of-tax) for the County.

Any or all of the items listed above may be incorporated by reference from other documents, including official statements of debt issues with respect to which the County is an "obligated person" (as defined by the Rule), which have been filed with the Repository or the Securities and Exchange Commission. If the document incorporated by reference is a final official statement, it must be available

from the Municipal Securities Rulemaking Board. The County shall clearly identify each such other document so incorporated by reference.

#### SECTION 5. Reporting of Significant Events.

(a) Pursuant to the provisions of this Section 5, the County shall give, or cause to be given, notice of the occurrence of any of the following events (the “Listed Events”) with respect to the Bonds:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
- (7) Modifications to rights of security holders;
- (8) Bond calls;
- (9) Tender offers;
- (10) Defeasances;
- (11) Release, substitution, or sale of property securing repayment of the securities;
- (12) Rating changes;
- (13) Bankruptcy, insolvency, receivership or similar event of the County;
- (14) The consummation of a merger, consolidation, or acquisition involving the County or the sale of all or substantially all of the assets of the County other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms;
- (15) Appointment of a successor or additional trustee or the change of name of a trustee;
- (16) Incurrence of a Financial Obligation of the County; or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the County, any of which affect security holders;
- (17) Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the County, any of which reflect financial difficulties.

(b) Whenever the County obtains knowledge of the occurrence of a Listed Event described in subsections (a)(2), (7), (8), (11), (14), (15) or (16) above, the County shall as soon as possible determine if such event would be material under applicable federal securities laws. If the County determines that knowledge of the occurrence of such event would be material under applicable federal securities laws, the County shall promptly, and no later than 10 business days after the occurrence of the event, file a notice of such occurrence with the Repository.

(c) Whenever the County obtains knowledge of the occurrence of a Listed Event described in subsections (a)(1), (3), (4), (5), (6), (9), (10), (12), (13) or (17) above, the County shall promptly, and no later than 10 business days after the occurrence of the event, file a notice of such occurrence with the Repository.

(d) Notwithstanding the foregoing, notice of Listed Events described in subsections (a)(8), (9), and (10) above need not be given under this subsection any earlier than the notice (if any) of the underlying

event is given to owners of affected Bonds. For the purposes of the event identified in (a)(13) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the County in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the County, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the County.

**SECTION 6. Termination of Reporting Obligation.** The County's obligations under this Disclosure Certificate shall terminate upon the defeasance, prior redemption or payment in full of the Bonds.

**SECTION 7. Dissemination Agent.** The County may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Disclosure Certificate, and may discharge any such Agent, with or without appointing a successor Dissemination Agent. The initial Dissemination Agent shall be the County.

**SECTION 8. Amendment; Waiver.** Notwithstanding any other provision of this Disclosure Certificate, the County may amend this Disclosure Certificate and any provision of this Disclosure Certificate may be waived, if such amendment or waiver is supported by an opinion of counsel expert in federal securities laws acceptable to the County, to the effect that such amendment or waiver would not, in and of itself, cause the undertakings herein to violate the Rule if such amendment or waiver had been effective on the date hereof but taking into account any subsequent change in or official interpretation of the Rule.

**SECTION 9. Additional Information.** Nothing in this Disclosure Certificate shall be deemed to prevent the County from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the County chooses to include any information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is specifically required by this Disclosure Certificate, the County shall have no obligation under this Certificate to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

**SECTION 10. Default.** In the event of a failure of the County or the Dissemination Agent to comply with any provision of this Disclosure Certificate, any beneficial owner may take such actions as may be necessary and appropriate, including seeking injunctive relief or specific performance by court order, to cause the County, or the Dissemination Agent, as the case may be, to comply with its obligations under this Disclosure Certificate. A default under this Disclosure Certificate shall not be deemed an event of default under the Ordinances, and the sole remedy under this Disclosure Certificate in the event of any failure of the County or the Dissemination Agent to comply with this Disclosure Certificate shall be an action to compel performance.

**SECTION 11. Duties, Immunities and Liabilities of Dissemination Agent.** The provisions of this Section 11 shall apply if the County is not the Dissemination Agent. The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Certificate, and the County agrees to indemnify and save the Dissemination Agent, its officers, directors, employees and agents, harmless against any loss, expense and liabilities which they may incur arising out of or in the exercise or performance of their powers and duties hereunder, including the costs and expenses (including attorneys' fees) of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent's negligence or willful misconduct. The obligations of the County under this Section shall survive resignation or removal of the Dissemination Agent and payment of the Bonds.

**SECTION 12. Beneficiaries.** This Disclosure Certificate shall inure solely to the benefit of the County, the Dissemination Agent, the Participating Underwriter, and holders from time to time of the Bonds and shall create no rights in any other person or entity.

**SECTION 13. Counterparts.** This Disclosure Certificate may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

BEAUFORT COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
County Administrator

Dated: \_\_\_\_\_, 2021

## EXHIBIT A

## NOTICE TO REPOSITORIES OF FAILURE TO FILE ANNUAL REPORT

Name of Issuer: Beaufort County, South Carolina

Name of Issue: \$\_\_\_\_\_ General Obligation Refunding Bonds, Series 2021,  
Beaufort County, South Carolina

Date of Issuance: \_\_\_\_\_, 2021

NOTICE IS HEREBY GIVEN that Beaufort County, South Carolina (the "County") has not provided an Annual Report with respect to the above-named Bonds as required by Sections 3 and 4 of the Continuing Disclosure Certificate executed and delivered by the County as Dissemination Agent. The County has notified us in writing that the Annual Report will be filed by \_\_\_\_\_.

Dated: \_\_\_\_\_

BEAUFORT COUNTY, SOUTH CAROLINA





## BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

Item 12.

|   |
|---|
| <b>ITEM TITLE:</b>  |
| APPROVAL OF APPOINTMENT   |
| <b>MEETING NAME AND DATE:</b>   |
| FINANCE COMMITTEE MEETING   |
| <b>PRESENTER INFORMATION:</b>   |
| COMMITTEE CHAIRMAN LAWSON   |
| <b>ITEM BACKGROUND:</b>   |
| <ul style="list-style-type: none"><li>JANUARY 19, 2021<br/>STEVEN GREEN ( AT-LARGE)<br/>REPLACING CONSTANCE GARDNER WHO RESIGNED EFFECTIVE 2/1/21</li></ul> |
| <b>PROJECT / ITEM NARRATIVE:</b>  |
| CONSIDERATION OF THE APPOINTMENT OF STEVEN GREEN TO ACCOMODATIONS TAX ( 2 % STATE) BOARD  |
| <b>FISCAL IMPACT:</b>   |
| N/A   |
| <b>STAFF RECOMMENDATIONS TO COUNCIL:</b>  |
| APPROVE, MODIFY OR REJECT   |
| <b>OPTIONS FOR COUNCIL MOTION:</b>  |
| MOTION TO (APPROVE, MODIFY, REJECT) APPOINTMENT OF STEVEN GREEN TO ACCOMODATIONS TAX (2% STATE) BOARD   |



COUNTY COUNCIL OF BEAUFORT COUNTY  
County Boards, Agencies, Commissions, Authorities and Committees



County Council of Beaufort County selects citizens for service on Council appointed Boards, Agencies, Commissions, Authorities and Committees from a roster of individuals who have either volunteered or have been recommended for appointment. The Clerk to Council uses this form to keep an up-to-date roster of volunteers and to provide Council basic information about each volunteer.

**Top Three Priorities:** Please indicate by placing a "1", "2", or "3" alongside your choices.

**BOARDS AND COMMISSIONS**

- 1 Accommodations Tax (2% State)  
Airports  
Alcohol and Drug Abuse  
Assessment Appeals  
Beaufort County Transportation  
Beaufort-Jasper Economic Opportunity  
Beaufort-Jasper Water & Sewer  
Beaufort Memorial Hospital  
Bluffton Township Fire  
Burton Fire  
Coastal Zone Management Appellate (inactive)  
Construction Adjustments and Appeals  
Daufuskie Island Fire  
Design Review  
Disabilities and Special Needs  
Economic Development Corporation  
Forestry (inactive)  
Historic Preservation Review  
Keep Beaufort County Beautiful  
Lady's Island / St. Helena Island Fire  
Library  
Lowcountry Council of Governments  
Lowcountry Regional Transportation Authority  
Parks and Recreation  
Planning \*  
Rural and Critical Lands Preservation  
Sheldon Fire  
Social Services (inactive)  
Solid Waste and Recycling  
Southern Beaufort County Corridor Beautification  
Stormwater Management Utility  
Zoning

DATE: 12/16/20 NAME: Steven F. Green

BEAUFORT COUNTY VOTER REGISTRATION NUMBER: [REDACTED]

OCCUPATION: Self Employed

TELEPHONE: (Home) [REDACTED] (Office) [REDACTED] EMAIL: [REDACTED]

HOME ADDRESS: [REDACTED] STATE: SC ZIP CODE: [REDACTED]

MAILING ADDRESS: Same as above STATE: SC ZIP CODE: [REDACTED]

COUNTY COUNCIL DISTRICT: 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☒ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ 11 ☐

ETHNICITY: Caucasian ☐ African American ☒ Other ☐

Are you presently serving on a Board, Agency, Commission, Authority or Committee? Yes ☐ No ☒

If "yes", what is the name of the board and when does term expire? \_\_\_\_\_

- Please return completed form **and a brief resume'** either Email or U.S. Mail:
  - o Email: [boardsandcommissions@bcgov.net](mailto:boardsandcommissions@bcgov.net)
  - o U.S. Mail: Clerk to Council, County Council of Beaufort County, P.O. Drawer 1228, Beaufort, SC 29901
- Applications without a brief resume' cannot be considered.
- Applications will be held **three (3) years** for consideration.
- All information contained on this application is subject to public disclosure.

**YOU MUST BE A BEAUFORT COUNTY REGISTERED VOTER TO APPLY**  
**YOU MUST ATTACH YOUR RESUME' WITH THIS APPLICATION TO BE CONSIDERED**  
**An incomplete application will be returned**

\* Anyone submitting an application to serve on the Planning Commission must fill out the questionnaire on page 2.

Applicant's Signature: \_\_\_\_\_

Submit

**Beaufort County Planning Commission  
Supplemental Application Questionnaire**

This questionnaire will assist the County Council in assessing your qualifications and experience for the Planning Commission vacancy.

Please explain why you want to serve on the Planning Commission.

What qualifications, experience and expertise make you a good candidate for the Planning Commission?

What role do you feel the Planning Commission plays in making Beaufort County a desirable community in which to live and work?

What do you believe are the most important planning issues facing the County during the next five years?

What previous experience have you had in serving on a Planning Commission? Give some examples of the items typically handled by the Planning Commission.

STEVEN F. GREEN

Capability Brief

Project Management  
Contract Administration  
Education Training  
Financial Planning

EXPERIENCE:

- President and CEO, Hilton Head Housecare, Burton, SC: 1988-Present.  
Makes final policy, administrative, operations, marketing, management, and strategic planning, serves as a project manager and is responsible for leading and managing the overall operations of his company.
- Financial Planner, Investment Management & Research, Inc, Beaufort, SC: 1984-1988.  
Financial Planner, Edward D. Jones and Company, Beaufort, SC: 1982-1984.  
Financial Planner, Investor's Diversified Services, Beaufort, SC: 1978-1982.  
Prepared financial plans, long-term and short-term, managed investment accounts that includes: stocks, bonds, money market, mutual funds, and individual retirement accounts.  
Performed business planning, personal financial planning, retirement planning and estate planning.
- Production Supervisor, Miliken and Company, Robins, NC: 1976-1978.  
Supervised 12 third shift employees on the production line, responsible for quality control of cloth production, scheduled employees work hours, computed and submitted employees payroll information.
- Account Adjuster, American Credit Company, Concord, NC: 1975-1976.  
Assisted customers in bringing their accounts current. Conducted dealer floor plans audits, insurance department quality control, maintained past due accounts under 1% for a nine month.

## EDUCATION

Bachelor of Science degree in Business Administration, 1975  
Lane College, Jackson, Tennessee

Beaufort High School, 1971  
Beaufort, South Carolina

## PROFESSIONAL TRAINING

Minority Business Executive Program, Tuck Business School, 1998  
Dartmouth College, New Hanover, New Hampshire  
Advanced Minority Business Executive Program, Tuck Business School, 1999  
Dartmouth College, New Hanover, New Hampshire  
Management Orientation Program, Miliken, Inc., 1977  
Robins, North Carolina  
Stock Broker Training, Edward D. Jones and Company, 1982  
Minneapolis, Minnesota

## AFFILIATIONS

National Executive Housekeeping Association  
Building Services Contract Association  
American Society of Hospital Executive Services  
Phi Beta Sigma Fraternity  
Mount Carmel Baptist Church

## COMPUTER SKILLS

Proficient in Microsoft Access, Excel, Word, Project Manager, and Powerpoint



## BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

Item 13.

|   |
|---|
| <b>ITEM TITLE:</b>  |
| APPROVAL OF REAPPOINTMENT   |
| <b>MEETING NAME AND DATE:</b>   |
| FFINANCE COMMITTEE MEETING<br>• JANUARY 19, 2020  |
| <b>PRESENTER INFORMATION:</b>   |
| COMMITTEE CHAIRMAN LAWSON   |
| <b>ITEM BACKGROUND:</b>   |
| AIRPORTS BBOARD<br>• IAN SCOTT - BBEAUFORT REGIONAL CHAMBER OF COMMERCE<br>ENDS ON 2/21<br><br>THOMAS SHEAHAN - ACTIVE /RECENTLY RETIRED COMMERCIAL PILOT<br>ENDS ON 2/21 |
| <b>PROJECT / ITEM NARRATIVE:</b>  |
| CONSIDERATION OF REAPPOINTMENT FOR IAN SCOTT AND THOMAS SHEAHAN TO<br>AIRPORTS BOARD  |
| <b>FISCAL IMPACT:</b>   |
| N/A   |
| <b>STAFF RECOMMENDATIONS TO COUNCIL:</b>  |
| APPROVE, MODIFY OR REJECT   |
| <b>OPTIONS FOR COUNCIL MOTION:</b>  |
| MOTION TO (APPROVE, MODIFY, REJECT) REAPPOINTMENT FOR IAN SCOTT<br>AND THOMAS SHEAHAN TO AIRPORTS BOARD   |

Ian D. Scott

[REDACTED]  
[REDACTED]  
[REDACTED]

T. Vaughn  
Senior Administrative Assistant to Clerk to Council  
Beaufort County Government  
100 Ribault Rd.  
Beaufort, SC 20091

To Whom it may concern:

This is a statement to verify the intention that I, *Ian Scott*, am seeking *REAPPOINTMENT* to the *Beaufort County Airports Board*. My current seat ends in February 2021.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink that reads "Ian D. Scott". The signature is fluid and cursive, with the first name "Ian" and last name "Scott" being clearly legible, and "D." in the middle.

Ian D. Scott



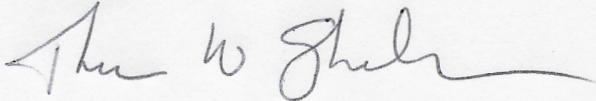
[REDACTED]

Elana Milbrandt  
Senior Administration Assistant  
Hilton Head Island Airport

To Whom it may concern:

This is a statement to verify the intention that I, Thomas W. Sheahan, am seeking appointment from the Beaufort County Airports Board. This will go into effect on 10/26/2020.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Thomas W. Sheahan', with a long horizontal flourish extending to the right.

Thomas W. Sheahan