



County Council Meeting Beaufort County, SC

Council Chambers, Administration Building Beaufort County Government Robert Smalls
Complex 100 Ribaut Road, Beaufort

Monday, February 12, 2024
5:00 PM

AGENDA

COUNCIL MEMBERS:

JOSEPH F. PASSIMENT, CHAIRMAN
DAVID P. BARTHOLOMEW
LOGAN CUNNINGHAM
YORK GLOVER
MARK LAWSON
ANNA MARIA TABERNIK

LAWRENCE MCELYNN, VICE CHAIR
PAULA BROWN
GERALD DAWSON
ALICE HOWARD
THOMAS REITZ

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE AND INVOCATION - Vice Chairman Lawrence McElynn
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. ADMINISTRATOR'S REPORT

CITIZEN COMMENTS

6. CITIZEN COMMENT PERIOD - 15 MINUTES TOTAL

Anyone who wishes to speak during the Citizen Comment portion of the meeting will limit their comments to AGENDA ITEMS ONLY and speak no longer than three (3) minutes. Speakers will address Council in a respectful manner appropriate to the decorum of the meeting, refraining from the use of profane, abusive, or obscene language. In accordance with Beaufort County's Rules and Procedures, giving of a speaker's time to another is not allowed.

COMMITTEE REPORTS

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7. LIASION AND COMMITTEE REPORTS

PUBLIC HEARINGS AND ACTION ITEMS

8. APPROVAL OF CONSENT AGENDA
9. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE FOR A 2024 TRANSPORTATION SALES AND USE TAX REFERENDUM **(FISCAL IMPACT: If approved by Council and the electorate, the county will levy and impose a one percent (1%) sales and use tax throughout the entire county for fifteen (15) years or until the county raises \$1.625 billion in revenue, whichever occurs first)**
Vote at First Reading on January 22, 2024- 10:1
10. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE APPROPRIATING FIFTEEN PERCENT OF FY24 GROSS STATE ACCOMMODATIONS TAX REVENUE TO DEVELOPMENT OF WORKFORCE HOUSING **(FISCAL IMPACT: If approved, Council will be appropriating and committing fifteen percent of fiscal FY24's gross state accommodations tax revenue to the development of workforce housing. The County and Council will need to satisfy, by subsequent action, all the requirements of the South Carolina Code of Laws before these funds are expended)**
11. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE APPROPRIATING FUNDS FROM THE STATE A-TAX FUNDS AS RECOMMENDED BY THE STATE A-TAX COMMITTEE IN COMPLIANCE WITH THE REQUIREMENT OF SC CODE OF LAWS
Vote at First Reading on January 22, 2024- 6:5
12. FIRST READING OF AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT WITH THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION (SCDOT) FOR PROPERTY LOCATED UNDER THE CROSS ISLAND PARKWAY ADJACENT TO THE BROAD CREEK BOAT LANDING PARCEL 552 010 000 0650 0000 **(FISCAL IMPACT: N/A)**
13. APPROVAL OF A RESOLUTION TO ACCEPT THE MILITARY ENHANCEMENT PLAN FUND GRANT FROM THE SOUTH CAROLINA DEPARTMENT OF VETERANS' AFFAIRS FOR THE AMOUNT OF \$3,392,328 FOR THE LAUREL BAY ROAD PATHWAY PROJECT **(FISCAL IMPACT: The grant is an 80/20 match: 80% from SCDVA and 20% Local Match. The grant award is for a total of \$3,392,328 that will be deposited in the 2018 One Cent Transportation Sales Tax account 4705-80-0000-43765 and used for the Laurel Bay Road Pathway project. With a total project cost, plus contingency equaling \$4,950,940.79, the County's match is \$1,558,612.79 from account number 4705-80-0000-54500)**

EXECUTIVE SESSION

14. PURSUANT TO S.C. CODE SEC. 30-4-70(A)(2): RECEIPT OF LEGAL ADVICE WHERE THE ADVICE RELATES TO PENDING CLAIMS OR OTHER MATTERS COVERED BY THE ATTORNEY-CLIENT PRIVILEGE (BARACCO V BEAUFORT COUNTY)
15. PURSUANT TO S. C. CODE SECTION 30-4-70(A)(2) TO RECEIVE LEGAL ADVICE WHERE THE ADVICE RELATES TO PENDING LITIGATION (HELMSMAN WAY CONDEMNATION)
16. PURSUANT TO S.C. CODE SEC. 30-4-70(A)(2): RECEIPT OF LEGAL ADVICE WHERE THE ADVICE RELATES TO PENDING, THREATENED, OR POTENTIAL CLAIMS WHICH ARE COVERED BY THE ATTORNEY-CLIENT PRIVILEGE (HILTON HEAD ISLAND AIRPORT)
17. PURSUANT TO S. C. CODE §30-4-70(a)(2): RECEIPT OF LEGAL ADVICE WHERE THE LEGAL ADVICE RELATES TO MATTERS COVERED BY THE ATTORNEY-CLIENT PRIVILEGE (CONTRACTUAL ARRANGEMENTS AND POTENTIAL LITIGATION)
18. PURSUANT TO S. C. CODE §30-4-70(a)(2): RECEIPT OF LEGAL ADVICE WHERE THE LEGAL ADVICE RELATES TO MATTERS COVERED BY THE ATTORNEY-CLIENT PRIVILEGE (S. C. CODE SECTION 8-13-1346)

END OF EXECUTIVE SESSION

19. MATTERS ARISING OUT OF EXECUTIVE SESSION
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CITIZEN COMMENTS

20. **CITIZEN COMMENT PERIOD- 15 MINUTES TOTAL**

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21. ADJOURNMENT

CONSENT AGENDA

Items Originating from the Community Services and Land Use Committee

1. THIRD READING OF AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND TO PROVIDE FUNDING FOR THE PURCHASE OF TAX MAP SERIAL NUMBER TMS R600-036-000-0013-0000 AND ALSO KNOWN AS 76 MAY RIVER ROAD (**FISCAL IMPACT: Southern Beaufort County Library Impact Fees; Balance - \$4.2M**)

Vote at First Reading on January 8, 2024 - 10:1

Vote at Public Hearing and Second Reading on January 22, 2024- 11:0

2. THIRD READING OF AN ORDINANCE FOR A ZONING MAP AMENDMENT/REZONING REQUEST FOR 57 ACRES (R200 004 000 0301 0000, R200 004 000 0302 0000, R200 004 000 0300 0000, R200 004 000 0063 0000) LOCATED AT 1, 2, 3, 4 BENNETT POINT DRIVE FROM PLANNED UNIT DEVELOPMENT (PUD) TO T2 RURAL (T2R)

Vote at Public Hearing and First Reading on January 8, 2024 - 11:0

Vote at Second Reading on January 11, 2024 - 11:0

Items Originating from the Finance, Administration, and Economic Development Committee

3. APPROVAL FOR THE INTERIM COUNTY ADMINISTRATOR TO ENTER INTO A CONTRACT WITH BRYX TO PROVIDE A UNIFIED STATION ALERTING SYSTEM (**FISCAL IMPACT: \$2,318,680.50 The initial ARPA ordinance allocated \$2.5 Million to this project. This proposal is under budget. The current proposal is valued at \$2,318,680.50 this includes 4 years of service and maintenance. This leaves \$181,319.50 remaining for contingencies, our request has been for 2.5 million from ARPA**) - Hank Amundson – Special Assistant to the County Administrator

4. APPROVAL OF AGENCIES, BOARDS, AND COMMISSIONS APPOINTMENTS & REAPPOINTMENTS

Items Originating from the Public Facilities and Safety Committee

5. APPROVAL OF CONTRACT AWARD TO APAC ATLANTIC, INC. OF SAVANNAH, GA, FOR IFB # 042523HXD TAXIWAY F REHABILITATION AND CONSTRUCTION PROJECT (\$3,488,760) (**FISCAL IMPACT: This project will be funded by an FAA grant (90%) and an SC Aeronautics grant (10%). Initial funds will be drawn from GL account 5402-90-0000-57130**) - Jon Rembold, Airport Director

6. APPROVAL OF WORK AUTHORIZATION 2119-2304 TO TALBERT, BRIGHT, AND ELLINGTON (TBE) TO PREPARE AN ENVIRONMENTAL ASSESSMENT IN SUPPORT OF THE ST. JAMES BAPTIST CHURCH PROJECT (\$366,816) (**FISCAL IMPACT: The total value of this work authorization shall not exceed \$366,816.00. This project will be funded by a future grant (90%). The final 10% will be paid with airport funds and/or SCAC grant funds. Funds will be drawn from 5402-90-0000-57130**) - Jon Rembold, Airport Director

7. APPROVAL OF A CONTRACT AWARD TO BEAUFORT CONSTRUCTION OF SC, LLC. FOR IFB #101823 M.C. RILEY POOL ENCLOSURE & CLIMATE CONTROL (\$2,002,000) (**FISCAL IMPACT: Contract award in the amount of \$2,002,000.00 with a \$200,200.00 contingency fund for a total of \$2,202,200.00. Funding comes from Parks and Recreation Capital Fund, 1040-80-1600-54420. Current account balance is \$3,956,064.35**)

8. APPROVAL OF A REQUEST TO PURCHASE (1) NEW CAT MODEL: 926 SMALL WHEEL LOADER (**FISCAL IMPACT: \$224,402.59**)

9. APPROVAL TO AWARD TO EUROVIA ATLANTIC DBA BLYTHE FOR IFB #011224E YEAR 7 RESURFACING PROJECT (**FISCAL IMPACT: \$5,036,574.54**)

10. APPROVAL TO AWARD A SOLE SOURCE CONTRACT TO SLURRY PAVERS, INC. FOR 7-YEAR PAVEMENT PRESERVATION (\$632,551.87) ***(FISCAL IMPACT: The contract fee is for materials and construction in the amount of \$527,126.56. Staff recommends a 20% contingency of \$105,425.31, bringing the project's total cost to \$632,551.87. The funding for this project will be CTC Infrastructure account number 2343-30-0000-54500 with a balance of \$15,808,966.86)***
11. APPROVAL OF A CONTRACT AWARD TO i2 RECYCLE FOR RFP #102423 - RECYCLABLES, PROCESSING, AND MARKETING FOR BEAUFORT COUNTY (\$1,129,618) ***(FISCAL IMPACT: This is a unit rate contract. The estimated cost for the contract is \$1,129,618. A certain amount from FY24 and a certain amount from FY25 will be budgeted for FY25 under disposal services. The current funding account is 5010-90-1340-5116)***
12. APPROVAL OF AN AWARD TO IPW CONSTRUCTION GROUP FOR IFB #120123E LAUREL BAY RD PATHWAY PROJECT ***(FISCAL IMPACT: \$4,125,783.99 funding for this project will be South Carolina Veterans' Affairs Military Enhancement Grant for \$3,392,328 and the remainder from the 2018 One Cent Sales Tax – Sidewalks and Multi-Use Pathways account number 4705-80-0000-54500 with a balance of \$17,735,384.)***
13. APPROVAL OF CONTRACT AWARD TO NIX CONSTRUCTION CO. INC. FOR IFB #101023 OKATIE RIVER PARK ***(FISCAL IMPACT: \$2,922,403.00)***

END OF CONSENT AGENDA

TO WATCH COMMITTEE OR COUNTY COUNCIL MEETINGS OR FOR A COMPLETE LIST OF AGENDAS AND
BACKUP PACKAGES, PLEASE VISIT:

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

COUNTY COUNCIL
CITIZENS COMMENTS 2nd PORTION

Any Topic

DATE: 2-12-24
PRINT FULL NAME: Deborah Smith
TOPIC: Danforth Ferry



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
Approval of an Ordinance for a 2024 Transportation Sales and Use Tax Referendum
MEETING NAME AND DATE:
Public Facilities Meeting, January 22, 2024
PRESENTER INFORMATION:
Jared Fralix, Assistant County Administrator of Engineering 30 minutes
ITEM BACKGROUND:
<p>On December 11, 2023, County Council adopted Resolution 2023/66. In adopting the Resolution, Council accepted and adopted the recommendations of the Sales Tax Advisory Committee (“STAC”) which Council established on June 12, 2023 and whose purpose it was to study possible sales taxes for three different purposes: transportation, capital projects, and education capital projects. STAC recommended proceeding with a transportation sales tax only in 2024. It recommended a referendum question to be placed on the ballot in November 2024 which asks voters to approve a one percent (1%) sales and use tax in Beaufort County beginning the following year and extending for fifteen (15) years or until the County raises \$1.625 billion, whichever occurs first, to fund the series of critical transportation and mobility projects set forth in Exhibit A to the Resolution. Based on Resolution 2023/66, administration brings forward the attached ordinance to levy and impose a one percent (1%) sales and use tax, subject to a referendum, pursuant to S.C. Code §4-37-30; to define the specific purposes and to designate projects for which the proceeds of the sales and use tax may be used; to provide for the maximum time for which the tax may be imposed; to provide the estimated cost of the projects to be funded; to provide for a county-wide referendum on the issuance of general obligations bonds; to prescribe the contents of the ballot questions in the referendum; and other matters as set forth therein.</p>
PROJECT / ITEM NARRATIVE:
See above
FISCAL IMPACT:
If approved by Council and the electorate, the county will levy and impose a one percent (1%) sales and use tax throughout the entire county for fifteen (15) years or until the county raises \$1.625 billion in revenue, whichever occurs first.
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends approval of the ordinance
OPTIONS FOR COUNCIL MOTION:
Motion to approve/deny/amend the proposed ordinance for a 2024 Transportation Sales and Use Tax Referendum. If approved, the proposed ordinance will move to Council for approval.

RESOLUTION 2023/66

A RESOLUTION TO ACCEPT AND ADOPT THE RECOMMENDATIONS OF THE SALES TAX ADVISORY COMMITTEE REGARDING THE IMPLEMENTATION OF A 2024 TRANSPORTATION SALES TAX PROGRAM

The County Council of Beaufort County (the “*Council*”), the governing body of Beaufort County, South Carolina (the “*County*”), has made the following findings of fact;

WHEREAS, on June 12th, 2023, the County Council established a Sales Tax Advisory Committee (the “*STAC*”) to study possible sales taxes for three different purposes: transportation, capital projects, and education capital projects; and

WHEREAS, in addition to studying the possible types of sales tax to adopt, the committee was further charged with developing and recommending to the Council a project list, the amount to be collected, and the period of time for collecting the tax or taxes proposed; and

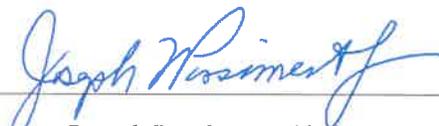
WHEREAS, the Committee met several times and recommends that the Council prepare a referendum question to be placed upon the ballot in November 2024, which will ask the electorate to approve a one percent (1%) sales tax in Beaufort County, beginning in the following year and extending for fifteen years to raise \$1.625 billion for a series of critical transportation and mobility projects and programs which are vital to the health, safety, and welfare of the residents and visitors. The project list includes \$650 million for “Big Projects” and \$975 million for “Project Programs”; and

WHEREAS, the Committees further recommends that a standing Transportation Oversight Committee be appointed to assist the County Council and staff in the prioritization and implementation of the projects and activities to be funded by the referendum, all as set forth in a Memorandum to Council drafted by STAC Chairman, Dean Moss, and attached hereto as Exhibit A;

NOW THEREFORE, BE IT RESOLVED THAT COUNTY COUNCIL OF BEAUFORT COUNTY does hereby accept and adopt the recommendations of the STAC as set forth in Exhibit “A” for a Transportation Sales Tax Program for November 2024.

ADOPTED, this 11th day of December 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: 
Joseph Passiment, Chairman

ATTEST:



Sarah W. Brock, Clerk to Council

Exhibit A

MEMORANDUM

To: Chairman and Members, Beaufort County Council

From: Dean Moss, Chairman, Sales Tax Advisory Committee

Copy to: County Administrator and Members of 2023 Sales Tax Advisory Committee

Subject: Sales Tax Advisory Committee Report and Recommendations

Date: December 11, 2023

1. Introduction

The purpose of this memo is to transmit to the Beaufort County Council the recommendations and observations of the Council appointed Sales Tax Advisory Committee (STAC). These recommendations represent the unanimous position of the 6 members of the Committee.

2. Summary General Recommendations

The Committee recommends that Council prepare a referendum question to be placed upon the ballot in November 2024, which will ask the electorate to approve a one percent (1%) additional sales tax in Beaufort County, beginning in the following year and extending for fifteen years. The proceeds from this tax would be expended by the County for a series of critical transportation and mobility projects and programs vital to the health and safety of the residents and visitors. Further, the Committee recommends that a standing Citizen's Oversight Committee be appointed to assist the County Council and staff in the prioritization and implementation of the projects and activities to be funded by the referendum.

3. Council's Charge to the Committee

County Council created the STAC through a resolution adopted on 12 June 2023. The charge to the Committee reads as follows:

'The Committee will, by a date to be set by Council in the future, provide Council with information that identifies the need and, where required the specific projects for the various referenda questions.'

4. Committee Process

The Committee consisted of six (6) members, one representing the two municipalities north of the Broad River, one representing the Town of Hilton Head, one representing the Town of Bluffton, two representing the north county unincorporated area, and one representing the south county unincorporated area. Five of the six members had been members of the Transportation Tax Committee established in early 2022 and were familiar with the technologies and concepts being discussed. The Committee met eight times, on Thursday afternoons from 5:30 to between 7:00 and 7:30. At the meeting on November 30, the Committee reached a general consensus, and at the meeting on December 7, formally voted unanimously to approve the projects, amounts, and recommendations that are contained in this memo.

5. Sales Tax Alternatives Considered

The Committee was initially presented with three separate sales tax options based on three separate State statutes: one for Transportation, one for Capital Projects, and one for Education. Two meetings evaluated and discussed these and the opportunities each presented. We watched the 2023 Education Referendum carefully with the thought that, should it not pass, a sales tax might be needed to raise the funds required for the School District. It did pass, and we turned our attention to the Transportation Tax and the Capital Projects Tax. Both offer significant opportunities since a very substantial portion of the taxes collected for either one would be paid by visitors to the County and residents of adjacent counties. After analysis and considerable discussion, we settled on the Transportation Tax and our recommendations for that tax are contained herein. I would note that we recommend that Council consider the addition of a Capital Projects 1% tax in the future.

6. Role of the Staff

Staff involved in this project consisted of Assistant County Administrator of Infrastructure Jared Fralix and Executive Assistant Carol Puryear. Given the

complex nature of this process there was a lot for the Committee members to learn and staff provided many documents and plans that had been completed by the State of SC and other Counties. Staff provided the Committee with a suggested list of projects, transportation program categories and amounts. There were many questions at every meeting, and they were clearly and patiently answered. In sum, the staff support to the STAC was outstanding.

7. Concepts behind the Recommendations

The Committee is recommending that the referendum contain two types of project expenditures.

a. **Big Projects - \$650,000,000**

These represent the traditional approach to referendum questions. As in the 2018 referendum, specific projects are enumerated with an allocation of money specified. An example might be “Highway 170 Improvements – \$80 million.” A short description of the project is included. As described below, the Committee recommends that eight of these projects be included in the referendum. They are countywide and address problems both on Federally designated highways (278, 46, 170, 21) and on State, County, and local roads, and streets. \$300 million is recommended for projects south of the Broad River, and \$175 million is recommended for projects north of the Broad River. \$175 million is recommended for future “big projects”. It is important to note that none of these projects have been fully designed or bid, and the amounts assigned to them do not represent project budgets.

b. **Project Programs \$975,000,000**

This category encompasses a large variety of projects which, because they are small (pave a dirt road), or because they may emerge in the future, are not specifically defined. These are projects that are, and will be, undeniably required, but which cannot yet be defined and may cost only a fraction of a “Big Project.” They would address needs that will emerge all over the County; in response, for example, to coastal flooding, new developments in rural areas, or the need to resurface existing streets. Spent correctly, these funds will benefit residents and businesses all over the County. The Committee recommends putting approximately sixty percent (\$975 million) of the total expected revenue into these categories of projects, as described below.

8. Recommendations

a. Amount and Duration of Tax

We recommend that the sales tax be applied at 1% (one penny on the dollar) for a period of fifteen years. We assumed a moderate to high growth rate. Based upon this projection, the tax should raise approximately \$1.625 billion over 15 years. We believe that this amount will enable us to plan, develop, and implement appropriate solutions to meet the current needs caused by an overwhelmed and aging infrastructure system and to accomplish the improvements required to address future demands. In addition, this money can be multiplied several times over by aggressive pursuit of matching federal and state funds and the development of coordinated projects with Jasper County.

b. Big Projects and Amounts

i. The Triangle - \$100,000,000

Capacity and safety improvements on the Beaufort County section of the triangle made by Hwy 170, Hwy 278, and Argent Blvd. This project will be developed jointly with Jasper County. Traffic counts on these roadways have exploded with the development of residential and commercial development along all three corridors.

ii. Ribaut Road Improvements -\$75,000,000

Implementation of the “Reimagine Ribaut Road” Project developed by the County, the City of Beaufort, and the Town of Port Royal to improve safety, interconnectivity, capacity, and attractiveness along the Ribaut Road Corridor between Boundary Street and the Russell Bell Bridge.

iii. Hwy 46 Improvements - \$20,000,000

Capacity and safety improvements along SC 46 from SC 170 to Jasper County. Additional safety improvements (i.e.- turn lanes at intersections) along SC 46 from SC 170 to Buckwalter Parkway. All planned improvements would be designed so as to preserve the South Carolina Scenic Byway designation.

iv. Lady’s Island Corridor Improvements -\$40,000,000

Lady’s Island Corridor Traffic Improvements from the Woods Memorial Bridge to Chowan Creek. These funds would supplement the monies approved in the 2018 referendum.

- v. **Bluffton Municipal Projects - \$60,000,000**
Implementation of any or all Bluffton projects listed as priorities by the Bluffton Town Council.
 - vi. **Hilton Head Island Municipal Projects - \$60,000,000**
Intersection improvements to include Sea Pines Circle and adjacent corridors for the safety of motorists, bicyclists and pedestrians.
 - vii. **North of the Broad Transportation System Improvements - \$60,000,000**
Intersection improvements, pathways, flood prevention on access roads such as, Warsaw Island Road, and other projects in both incorporated and unincorporated areas developed in coordination with the City of Beaufort and the Town of Port Royal.
 - viii. **Hwy 278 Project Enhancements -\$60,000,000**
Additional funding to support the US 278 Corridor Improvement Project.
 - ix. **Future Projects - \$175,000,000**
The County and its neighbors will continue to grow into the future, and work must be continued to plan for the transportation improvements going forward. As an example, and while not specifically listed here, a third bridge between Port Royal Island and Lady's Island has been discussed for decades and given the growth on Lady's Island, may become necessary before too long.
- c. **Project Programs and Amounts**
- i. **Mass Transit – \$100,000,000**
Funding multimodal transportation planning and implementation, to include marine transport and commercial airport improvements for a more robust and equitable public transportation system.
 - ii. **Safety and Traffic Flow - \$250,000,000**
Safety improvements along roadways and intersections to include pedestrian accommodations.
 - iii. **Emergency Evacuation and Resiliency - \$90,000,000**

Improvements to transportation infrastructure to address flooding, rising sea levels, stormwater, and drainage.

- iv. **Pavement Resurfacing and Preservation – \$180,000,000**
Road resurfacing and preservation of ALL roadways (State, County, and municipal-owned) throughout the County. The goal is to improve the overall pavement condition of roads across the County. This includes paving county and municipally owned dirt roads throughout the county.
- v. **Pathways - \$180,000,000**
Design, right of way acquisition, and construction of bike and pedestrian accommodations throughout the County in accordance with the Beaufort County Connects Bicycle and Pedestrian Plan 2021. We recommend that priority be given to pathways already approved by the voters in the 2018 referendum.
- vi. **Transportation Technology/Access Roads - \$90,000,000**
Planning, design, right-of-way acquisition, and construction of access roads for better interconnectivity. Implementation of transportation technologies to support enhancements to capacity and safety of the transportation system.
- vii. **Greenbelts (Long-term Demand Reduction) - \$85,000,000**
Acquisition of property to reduce new lots and thereby establish a balance between environmental protection and development growth. *Note: the term “Greenbelt” is used in the enabling legislation as an eligible category of expenditure.*

9. Implementation Recommendations

a. Citizen’s Oversight Committee (“Committee”)

- i. County Council, with other stakeholders, should create a citizen’s oversight committee similar to the BCSD’s successful Citizen’s Oversight Committee to oversee and prioritize projects for the entire length of the program. It should meet bi-monthly or quarterly. Its membership of seven members should reflect the interests of all citizens of the County.

- ii. The Committee should make a call each year for projects from all stakeholders (County, municipalities, LATS/COG) for general projects.
- iii. The Committee should prioritize all central programs, such as:
 1. **Safety:** intersection Improvements, turn lanes, rural road improvements. Specifics to be developed.
 2. **Dirt Road Paving:** update the existing 5-year plan to include municipal dirt roads.
 3. **Resilience:** priorities should be based on susceptibility to flooding and population or critical functions the road serves.
 4. **Resurfacing:** program to look at improving any and all roads (DOT, County, Municipal) specifics to be developed.
 5. **Pathways:** use approved county-wide pedestrian and bike master plan as a guide. Priorities to projects already approved by voters.
 6. **Transportation Technologies/Access Roads:** focus on access and connecting roads, smart signals, and other advanced transportation technologies.
- b. **Issue Revenue Bonds**
Big projects should be bonded for immediate work.
- c. **Long Term Demand Reduction**
Utilize the new Greenspace Board for priority setting of expenditures related to land or development rights acquisition.
- d. **Mass Transit**
Because no central plan currently exists for a comprehensive mass transit program, this should be the first priority. Utilize the existing transit authority as the lead agency for this effort supported by an advisory committee.

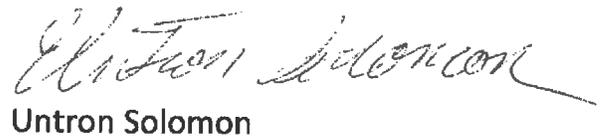
10. Conclusions

As we weaved through the process and reviewed the gravity of the assignment and the critical needs for improvement and new components for our local mobility, it became quite evident that there is much to do. It appears that we are not just behind the "8 ball"; we are under it, and it will take a coordinated public relations effort to move this referendum forward for a better "mobility" future for all of us.

On behalf of the Sales Tax Advisory Committee members, may I say that it has been an honor to be entrusted by Council with preparing these important recommendations. I am available to meet with Council at your discretion to explain and discuss these projects and recommendations.

Sales Tax Advisory Committee:


Dean Moss, Chairman


Untron Solomon


Charlie Wetmore, Vice-Chairman


Morris Campbell


Carol Ruff


Tom Lennox

AN ORDINANCE

TO LEVY AND IMPOSE A ONE PERCENT (1%) SALES AND USE TAX, SUBJECT TO A REFERENDUM, WITHIN BEAUFORT COUNTY PURSUANT TO SECTION 4-37-30 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED; TO DEFINE THE SPECIFIC PURPOSES AND DESIGNATE THE PROJECTS FOR WHICH THE PROCEEDS OF THE SALES AND USE TAX MAY BE USED; TO PROVIDE THE MAXIMUM TIME FOR WHICH SUCH SALES AND USE TAX MAY BE IMPOSED; TO PROVIDE THE ESTIMATED COST OF THE PROJECTS FUNDED FROM THE PROCEEDS OF THE SALES AND USE TAX; TO PROVIDE FOR A COUNTY-WIDE REFERENDUM ON THE IMPOSITION OF THE SALES AND USE TAX AND THE ISSUANCE OF GENERAL OBLIGATION BONDS AND TO PRESCRIBE THE CONTENTS OF THE BALLOT QUESTIONS IN THE REFERENDUM; TO PROVIDE FOR THE CONDUCT OF THE REFERENDUM BY THE BOARD OF VOTER REGISTRATION AND ELECTIONS OF BEAUFORT COUNTY; TO PROVIDE FOR THE ADMINISTRATION OF THE SALES AND USE TAX, IF APPROVED; TO PROVIDE FOR THE PAYMENT OF THE SALES AND USE TAX, IF APPROVED; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

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

Section 1. Recitals and Legislative Findings. As an incident to the enactment of this ordinance (the “Ordinance”), the County Council (the “County Council”) as governing body of Beaufort County, South Carolina (“County”) makes the following findings:

1.1 The South Carolina General Assembly has enacted Section 4-37-30 of the Code of Laws of South Carolina 1976, as amended (the “Act”), pursuant to which the County governing body may impose by ordinance a sales and use tax in an amount not to exceed one percent, subject to the favorable results of a referendum, within the County area for a specific purpose or purposes and for a limited amount of time to collect a limited amount of money.

1.2 Pursuant to the terms of Section 4-37-30 of the Code of Laws of South Carolina 1976, as amended, the South Carolina General Assembly has authorized county government to finance the costs of highways, roads, streets, bridges, mass transit systems, greenbelt initiatives, and other transportation-related projects facilities including, but not limited to, drainage facilities relating to the highways, roads, streets, bridges, and other transportation-related projects; either alone or in conjunction with other governmental entities. As a means to furthering the powers granted to the County under the provisions of Section 4-9-30 and Sections 6-21-10, *et.seq.* of the Code of Laws of South Carolina 1976 as amended, the County Council is authorized to form a transportation authority or to enter into a partnership, consortium, or other contractual arrangement with one of more other governmental entities pursuant to Title 4, Chapter 37 of the Code of Laws of the

South Carolina 1976, as amended. The County Council has decided to provide funding for highways, roads, streets, bridges, mass transit systems, greenbelts, and other transportation-related projects, *inter alia*, without the complexity of a transportation authority or entering into a partnership, consortium, or other contractual arrangements with one or more other governmental entities at this time; provided that nothing herein shall preclude County Council from entering into partnerships, consortiums, or other contractual arrangements in the future. County Council may utilize such provisions in the future as necessary or convenient to promote the public purposes served by funding highways, roads, streets, bridges, mass transit systems, greenbelt initiatives, and other transportation-related projects facilities as provided in this Ordinance.

1.3 The County Council finds that a one percent (1%) sales and use tax should be levied and imposed within the County, for the following projects and purpose:

- i. For financing the costs of highways, roads, streets, bridges, and other transportation-related projects facilities related thereto, including, but not limited to, drainage facilities relating to the highways, roads, streets, bridges, and other transportation-related projects; and mass transit systems operated by the County or jointly operated by the County and other entities.
- ii. For financing the costs of greenbelt initiatives.

(the above herein referred to as the “Projects”)

For a period not to exceed fifteen (15) years from the date of imposition of such tax, to fund the Projects at a maximum cost not to exceed \$1,625,000,000 to be funded from the net proceeds of a sales and use tax imposed in the County pursuant to provisions of the Act, subject to approval of the qualified electors of the County in referendum to be held on November 5, 2024. The imposition of the sales and use tax and the use of sales and use tax revenue if approved in the referendum, shall be subject to the conditions precedent and conditions or restrictions on the use and expenditure of sales and use tax revenue established by the Act, the provisions of this Ordinance, and other applicable law. Subject to annual appropriations by County Council, sales and use tax revenues shall be used for the costs of the Projects established in this Ordinance, as it may be amended from time to time, including, without limitation, payment of administrative costs of the Projects, and such sums as may be required in connection with the issuance of bonds, the proceeds of which are applied to pay costs of the Projects. All spending shall be subject to an annual independent audit to be made available to the public.

1.4 County Council finds that the imposition of a sales and use tax in the County for the Projects and purposes defined in this Ordinance for a limited time not to exceed fifteen years to collect a limited amount of money will serve a public purpose, provide funding for highways, roads, streets, bridges, mass transit systems, greenbelts,

and other transportation-related projects facilities including, but not limited to, drainage facilities relating to the highways, roads, streets, bridges, and other transportation-related projects; as provided in this Ordinance to facilitate economic development, promote public safety, provide needed infrastructure, promote desirable living conditions, enhance the quality of life in the County, and promote public health and safety in the event of fire, emergency, and other dangers, and prepare the County to meet present and future needs of the County and its citizens.

Section 2. Approval of Sales and Use Tax Subject to Referendum.

2.1 A sales and use tax (the “Sales and Use Tax”), as authorized by the Act, is hereby imposed in the County, subject to a favorable vote of a majority of the qualified electors voting in a referendum on the imposition of the tax to be held in the County, South Carolina on November 5, 2024.

2.2 The Sales and Use Tax shall be imposed for a period not to exceed fifteen (15) years from the date of imposition.

2.3 The maximum cost of the Projects to be funded from the proceeds of the Sales and Use Tax shall not exceed, in the aggregate, the sum of \$1,625,000,000 and the maximum amount of net proceeds to be raised by the tax shall not exceed \$1,625,000,000, which includes administrative costs and debt service on bonds issued to pay for the Projects. The estimated principal amount of initial authorization of bonds to be issued to pay costs of the Projects and to be paid by a portion of the Sales and Use Tax is \$ 650,000,000. All proceeds of the Sales and Use Tax and all proceeds of any bonds payable therefrom shall be held by the County until the County Council has approved the allocation and expenditure of funds for the Projects or portions of the Projects, as further identified herein.

2.4 The Sales and Use Tax shall be expended for the costs of the following described Projects, including payment of any sums as may be required for the issuance of and debt service for bonds, the proceeds of which are applied to such Projects, for the following purposes:

(i) For financing the costs of highways, roads, streets, bridges, and other transportation-related projects facilities, and drainage facilities related thereto, and mass transit systems operated by the County or jointly operated by the County and other governmental entities, which may include, but not limited to the following Projects at the estimated costs indicated:

Major Projects and Amounts

The Triangle (\$100 million): Capacity and safety improvements on the County section of the triangle made by Highway 170, Highway 278 and Argent Boulevard.

Ribaut Road Improvements (\$75 million): Implementation of the ~~Reimagine~~ Ribaut Road project developed by the County, the City of

Beaufort and the Town of Port Royal to improve safety, interconnectivity, capacity and attractiveness along the Ribaut Road Corridor between Boundary Street and the Russell Bell Bridge.

Highway 46 Improvements (\$20 million): Capacity and safety improvements along SC 46 from SC 170 to Jasper County. Additional safety improvements (i.e.- turn lanes at intersections) along SC 46 from SC 170 to Buckwalter Parkway. All planned improvements would be coordinated so as to preserve the South Carolina Scenic Byway designation.

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Pathways (\$180 million): Design, right of way acquisition, and construction of bike and pedestrian accommodations throughout the

County in accordance with the Beaufort County Connects Bicycle and Pedestrian Plan 2021.

Transportation Technology/Access Roads (\$90 million): Planning, design, right of way acquisition, and construction of access roads for better interconnectivity. Implementation of transportation technologies to support the enhancement to capacity and safety of the transportation system.

The amount of the maximum total funds to be collected which shall be expended for these

Projects and purposes shall be no more than \$1,540,000,000;

(ii) For financing the costs of greenbelt initiatives, including, but not limited to, purchasing property for conservation and conservation easements, creating passive and active greenspaces, protecting natural resources, protecting agricultural or heritage landscapes, and protecting scenic corridors. The amount of the maximum total funds to be collected which shall be expended for these Projects and purposes shall be no more than \$85,000,000.

2.5 If the Sales and Use Tax is approved by a majority of the qualified electors voting in a referendum to be held in the County on November 5, 2024, the tax is to be imposed on the first day of May 2025, provided the Board of Voter Registration and Elections of Beaufort County shall certify the results not later than November 30, 2024, to the County Council and the South Carolina Department of Revenue (“DOR”). Included in the certification must be the maximum cost of the Projects to be funded in whole or in part from the proceeds of the tax, the maximum time specified for the imposition of the tax, and the principal amount of initial authorization of bonds, if any, to be supported by a portion of the tax.

2.6 The Sales and Use Tax, if approved in the referendum conducted on November 5, 2024 shall terminate on the earlier of:

(1) April 30, 2040; or

(2) the end of the calendar month during which DOR determines that the tax has raised revenues sufficient to provide the greater of either the costs of the Projects as approved in the referendum or the cost to amortize all debts related to the approved Projects.

2.7 Amounts of Sales and Use Tax collected in excess of the required proceeds must first be applied, if necessary, to complete each project for which the tax was imposed. Any additional revenue collected above the specified amount must be applied to the reduction of debt principal of the County on transportation infrastructure debts only.

2.8 The Sales and Use Tax must be administered and collected by DOR in the same manner that other sales and use taxes are collected. DOR may prescribe amounts that may be added to the sales price because of the Sales and Use Tax.

2.9 The Sales and Use Tax is in addition to all other local sales and use taxes and applies to the gross proceeds of sales in the applicable area that is subject to the tax imposed by Chapter 36 of Title 12 of the Code of Laws of South Carolina 1976, as amended, and the enforcement provisions of Chapter 54 of Title 12 of the Code of Laws of South Carolina 1976, as amended. The gross proceeds of the sale of items subject to a maximum tax in Chapter 36 of Title 12 of the Code of Laws of South Carolina 1976, as amended, are exempt from the Sales and Use Tax. The gross proceeds of the sale of food lawfully purchased with United States Department of Agriculture Food Stamps are exempt from the Sales and Use Tax. The Sales and Use Tax also applies to tangible property subject to the use tax in Article 13, Chapter 36 of Title 12 of the Code of Laws of South ~~Caroila~~Carolina 1976, as amended.

2.10 Taxpayers required to remit taxes under Article 13, Chapter 36 of Title 12 of the Code of Laws of South Carolina 1976, as amended, must identify the county in which the tangible personal property purchased at retail is stored, used, or consumed in this State.

2.11 Utilities are required to report sales in the county in which the consumption of the tangible personal property occurs.

2.12 A taxpayer subject to the tax imposed by Section 12-36-920 of the Code of Laws of South Carolina 1976, as amended, who owns or manages rental units in more than one county must report separately in his sales tax return the total gross proceeds from business done in each county.

2.13 The gross proceeds of sales of tangible personal property delivered after the imposition date of the Sales and Use Tax, either under the terms of a construction contract executed before the imposition date, or written bid submitted before the imposition date, are exempt from the Sales and Use Tax if a verified copy of the contract is filed with DOR within six months after the imposition date of the Sales and Use Tax.

2.14 Notwithstanding the imposition date of the Sales and Use Tax with respect to services that are billed regularly on a monthly basis, the Sales and Use Tax is imposed on the first day of the billing period beginning on or after the imposition date.

[2.15 The County Council hereby establishes a Citizen’s Oversight Committee \(the “Oversight Committee”\) to provide oversight of the Projects described in this Ordinance, to gather input from all areas of the County regarding the general projects to be undertaken with proceeds of the Sales and Use Tax, and to make recommendations to the County Council on matters related to the Sales and Use Tax, including but not limited to, the general projects and the prioritization of the Projects. The Oversight Committee will consist of seven \(7\) members who reflect the interests of all citizens of the County.](#)

Three (3) members will be appointed by the County Council; one (1) member will be appointed by the Town Council of Hilton Head Island; one (1) member will be appointed by the Town Council of Bluffton; one (1) member will be appointed by the City Council of the City of Beaufort; and one (1) member will be appointed by the Town Council of the Town of Port Royal. Members of the Oversight Committee shall have terms of four (4) years; provided, however, that the three (3) members appointed by the County Council shall have initial terms of three (3) years. All of the terms of the initial members of the Oversight Committee will commence on January 1, 2025, and members may serve two (2) terms on the Oversight Committee. The Oversight Committee will elect officers; produce minutes following each of its meetings which are to be provided to the public and to all of the county, city and town councils which have appointees on the Oversight Committee; follow all of the requirements of the South Carolina Freedom of Information Act; and meet quarterly beginning in the first quarter of 2025 and continuing throughout the time period during which the Sales and Use Tax is imposed.

Section 3. Remission of Sales and Use Tax; Segregation of Funds; Administration of Funds; Distribution to County: Confidentially.

3.1 The revenues of the Sales and Use Tax must be remitted to the State Treasurer and credited to a fund separate and distinct from the general fund of the State. After deducting the amount of any refunds made and costs to DOR of administering the tax, not to exceed one percent of such revenues, the State Treasurer shall distribute the revenues and related interest earnings quarterly to the County Treasurer and the revenues must be used only for the purposes stated herein. The State Treasurer may correct misallocations by adjusting subsequent distributions must be made in the same fiscal year as the misallocation. However, allocations made as a result of city or County code errors must be corrected prospectively.

3.2 (a) Any outside agencies, political subdivisions, or organizations designated to receive funding from the Sales and Use Tax must annually submit requests for funding in accordance with procedures and schedules established by the County Administrator. The County Administrator shall prepare the proposed budget for the Sales and Use Tax and submit it to the County Council at such time as the County Council determines. At the time of submitting the proposed budget, the County Administrator shall submit to the County Council a statement describing the important features of the proposed budget.

(b) County Council shall adopt annually and prior to the beginning of each fiscal year a budget for expenditures of Sales and Use Tax revenues. County Council may make supplemental appropriations for the Sales and Use Tax following the same procedures prescribed for the enactment of other budget ordinances. The provisions of this section shall not be construed to prohibit the transfer of funds appropriated in the annual budget for the Sales and Use Tax for purposes other than as specified in the annual budget when such transfers are approved by County Council. In the preparation of the annual budget, County Council may require any reports, estimates, and statistics from

any County agency or department as may be necessary to perform its duties as the responsible fiscal body of the County.

(c) Except as specifically authorized by County Council, any outside agency or organization receiving an appropriation of the Sales and Use Tax must provide to County Council an independent audit of such agency’s or organization’s financial records and transactions and such other and more frequent financial information as required by County Council, all in form satisfactory to County Council.

3.3 DOR shall furnish data to the State Treasurer and to the County Treasurer for the purpose of calculating distributions and estimating revenues. The information which must be supplied to the County upon request includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers.

Section 4. Sales and Use Tax Referendum; Ballot Question.

4.1 The Board of Voter Registration and Elections of Beaufort County shall conduct a referendum on the question of imposing a Sales and Use Tax in the area of the County on Tuesday, November 5, 2024, between the hours of 7 a.m. and 7 p.m. under the election laws of the State, mutatis mutandis. The Board of Voter Registration and Elections of Beaufort County shall publish in a newspaper of general circulation the date and purpose of the referendum, including the question that is to appear on the ballot, with the list of Projects and purposes as set forth herein, and the cost of Projects, and shall publish such election and other notices as required by law.

4.2 The referendum question to be on the ballot of the referendum to be held in the County on November 5, 2024, must read substantially as follows:

BEAUFORT COUNTY SPECIAL SALES AND USE TAX

QUESTION 1

I approve a special sales and use tax in the amount of one percent (1%) to be imposed in Beaufort County for not more than fifteen (15) years, or until a total of \$1,625,000,000 in resulting revenue has been collected, whichever occurs first, to fund the following projects:

Project (1) For financing the costs of highways, roads, streets, bridges, and other transportation-related projects facilities related thereto including, but not limited to, drainage facilities relating to the highways, roads, streets, bridges, and other transportation-related projects; and mass transit systems operated by Beaufort County or jointly operated by the County and other governmental entities \$1,540,000,000.

Project (2) For financing the costs of greenbelt initiatives \$85,000,000.

YES _____

NO _____

Instructions to Voters: All qualified electors desiring to vote in favor of levying the special sales and use tax shall vote “YES;” and

All qualified electors opposed to levying the special sales and use tax shall vote “NO.”

QUESTION 2

I approve the issuance of not exceeding \$~~_____~~650,000,000 of general obligation bonds of Beaufort County, maturing over a period not to exceed fifteen (15) years and payable from the special sales and use tax described in Question 1 above, to fund completion of projects from among the categories described in Question 1 above.

YES _____

NO _____

Instructions to Voters: All qualified electors desiring to vote in favor of the issuance bonds for the stated purposes shall vote “YES;” and

All qualified electors opposed to the issuance of bonds for the stated purposes shall vote “NO.”

4.3 In the referendum on the imposition of the Sales and Use Tax in the County, all qualified electors desiring to vote in favor of imposing the tax for the stated purposes shall vote “yes” and all qualified electors opposed to levying the tax shall vote “no”. If a majority of the electors voting in the referendum shall vote in favor of imposing the tax, then the tax is imposed as provided in the Act and this Ordinance. Expenses of the referendum must be paid by the County.

4.4 In the referendum on the issuance of bonds, all qualified electors desiring to vote in favor of the issuance of bonds for the stated purposes shall vote “yes” and all qualified electors opposed to the issuance of bonds shall vote “no”. If a majority of the electors voting in the referendum shall vote in favor of the issuance of bonds, then the issuance of bonds shall be authorized in accordance with S.C. Constitution Article X, Section 14, Paragraph (6). Expenses of the referendum must be paid by the County.

Section 5. Imposition of Tax Subject to Referendum.

The imposition of the Sales and Use Tax in the County is subject in all respects to the favorable vote of a majority of qualified electors casting votes in a referendum on the question of imposing the Sales and Use Tax in the County area in a referendum to be conducted by the Board of Voter Registration and Elections of Beaufort County on November 5, 2024, and the favorable vote of a majority of the qualified electors voting in

such a referendum shall be a condition precedent to the imposition of the Sales and Use Tax pursuant to the provisions of this Ordinance.

Section 6. Miscellaneous.

6.1 If any one or more of the provisions or portions hereof are determined by a court of competent jurisdiction to be contrary to law, then that provision or portion shall be deemed severable from the remaining terms or portions hereof and the invalidity thereof shall in no way affect the validity of the other provisions of this Ordinance; if any provisions of this Ordinance shall be held or deemed to be or shall, in fact, be inoperative or unenforceable or invalid as applied to any particular case in any jurisdiction or in all cases because it conflicts with any constitution or statute or rule of public policy, or for any other reason, those circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable or invalid in any other case or circumstance, or of rendering any other provision or provisions herein contained inoperative or unenforceable or invalid to any extent whatever; provided, however that the Sales and Use Tax may not be imposed without the favorable results of the referendum to be held on November 5, 2024.

6.2 This Ordinance shall be construed and interpreted in accordance with the laws of the State and all suits and actions arising out of this Ordinance shall be instituted in a court of competent jurisdiction in this State.

6.3 The headings or titles of the several sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretations, or effect of this Ordinance.

6.4 This Ordinance shall take effect immediately upon approval following third reading.

6.5 All previous ordinances regarding the same subject matter as this Ordinance are hereby repealed.

IT IS SO ORDAINED.

Joseph Passiment
County Council Chairman

Sarah Brock, Clerk to Council

First Reading: [January 22, 2024](#)
Second Reading: [February 12, 2024](#)
Public Hearing: [February 12, 2024](#)
Third Reading:

Summary report:	
Litera Compare for Word 11.4.0.111 Document comparison done on 2/8/2024 6:36:37 PM	
Style name: Default Style	
Intelligent Table Comparison: Active	
Original DMS: iw://hsblawfirm.cloudimanager.com/HSBDOCS/9030166/2	
Modified DMS: iw://hsblawfirm.cloudimanager.com/HSBDOCS/9030166/4	
Changes:	
Add	7
Delete	4
Move From	0
Move To	0
Table Insert	0
Table Delete	0
Table moves to	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	11

AN ORDINANCE

TO LEVY AND IMPOSE A ONE PERCENT (1%) SALES AND USE TAX, SUBJECT TO A REFERENDUM, WITHIN BEAUFORT COUNTY PURSUANT TO SECTION 4-37-30 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED; TO DEFINE THE SPECIFIC PURPOSES AND DESIGNATE THE PROJECTS FOR WHICH THE PROCEEDS OF THE SALES AND USE TAX MAY BE USED; TO PROVIDE THE MAXIMUM TIME FOR WHICH SUCH SALES AND USE TAX MAY BE IMPOSED; TO PROVIDE THE ESTIMATED COST OF THE PROJECTS FUNDED FROM THE PROCEEDS OF THE SALES AND USE TAX; TO PROVIDE FOR A COUNTY-WIDE REFERENDUM ON THE IMPOSITION OF THE SALES AND USE TAX AND THE ISSUANCE OF GENERAL OBLIGATION BONDS AND TO PRESCRIBE THE CONTENTS OF THE BALLOT QUESTIONS IN THE REFERENDUM; TO PROVIDE FOR THE CONDUCT OF THE REFERENDUM BY THE BOARD OF VOTER REGISTRATION AND ELECTIONS OF BEAUFORT COUNTY; TO PROVIDE FOR THE ADMINISTRATION OF THE SALES AND USE TAX, IF APPROVED; TO PROVIDE FOR THE PAYMENT OF THE SALES AND USE TAX, IF APPROVED; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

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

Section 1. Recitals and Legislative Findings. As an incident to the enactment of this ordinance (the “Ordinance”), the County Council (the “County Council”) as governing body of Beaufort County, South Carolina (“County”) makes the following findings:

1.1 The South Carolina General Assembly has enacted Section 4-37-30 of the Code of Laws of South Carolina 1976, as amended (the “Act”), pursuant to which the County governing body may impose by ordinance a sales and use tax in an amount not to exceed one percent, subject to the favorable results of a referendum, within the County area for a specific purpose or purposes and for a limited amount of time to collect a limited amount of money.

1.2 Pursuant to the terms of Section 4-37-30 of the Code of Laws of South Carolina 1976, as amended, the South Carolina General Assembly has authorized county government to finance the costs of highways, roads, streets, bridges, mass transit systems, greenbelt initiatives, and other transportation-related projects facilities including, but not limited to, drainage facilities relating to the highways, roads, streets, bridges, and other transportation-related projects; either alone or in conjunction with other governmental entities. As a means to furthering the powers granted to the County under the provisions of Section 4-9-30 and Sections 6-21-10, *et.seq.* of the Code of Laws of South Carolina 1976 as amended, the County Council is authorized to form a transportation authority or to enter into a partnership, consortium, or other contractual arrangement with one of more other governmental entities pursuant to Title 4, Chapter 37 of the Code of Laws of the

South Carolina 1976, as amended. The County Council has decided to provide funding for highways, roads, streets, bridges, mass transit systems, greenbelts, and other transportation-related projects, *inter alia*, without the complexity of a transportation authority or entering into a partnership, consortium, or other contractual arrangements with one or more other governmental entities at this time; provided that nothing herein shall preclude County Council from entering into partnerships, consortiums, or other contractual arrangements in the future. County Council may utilize such provisions in the future as necessary or convenient to promote the public purposes served by funding highways, roads, streets, bridges, mass transit systems, greenbelt initiatives, and other transportation-related projects facilities as provided in this Ordinance.

1.3 The County Council finds that a one percent (1%) sales and use tax should be levied and imposed within the County, for the following projects and purpose:

- i. For financing the costs of highways, roads, streets, bridges, and other transportation-related projects facilities related thereto, including, but not limited to, drainage facilities relating to the highways, roads, streets, bridges, and other transportation-related projects; and mass transit systems operated by the County or jointly operated by the County and other entities.
- ii. For financing the costs of greenbelt initiatives.

(the above herein referred to as the “Projects”)

For a period not to exceed fifteen (15) years from the date of imposition of such tax, to fund the Projects at a maximum cost not to exceed \$1,625,000,000 to be funded from the net proceeds of a sales and use tax imposed in the County pursuant to provisions of the Act, subject to approval of the qualified electors of the County in referendum to be held on November 5, 2024. The imposition of the sales and use tax and the use of sales and use tax revenue if approved in the referendum, shall be subject to the conditions precedent and conditions or restrictions on the use and expenditure of sales and use tax revenue established by the Act, the provisions of this Ordinance, and other applicable law. Subject to annual appropriations by County Council, sales and use tax revenues shall be used for the costs of the Projects established in this Ordinance, as it may be amended from time to time, including, without limitation, payment of administrative costs of the Projects, and such sums as may be required in connection with the issuance of bonds, the proceeds of which are applied to pay costs of the Projects. All spending shall be subject to an annual independent audit to be made available to the public.

1.4 County Council finds that the imposition of a sales and use tax in the County for the Projects and purposes defined in this Ordinance for a limited time not to exceed fifteen years to collect a limited amount of money will serve a public purpose, provide funding for highways, roads, streets, bridges, mass transit systems, greenbelts,

and other transportation-related projects facilities including, but not limited to, drainage facilities relating to the highways, roads, streets, bridges, and other transportation-related projects; as provided in this Ordinance to facilitate economic development, promote public safety, provide needed infrastructure, promote desirable living conditions, enhance the quality of life in the County, and promote public health and safety in the event of fire, emergency, and other dangers, and prepare the County to meet present and future needs of the County and its citizens.

Section 2. Approval of Sales and Use Tax Subject to Referendum.

2.1 A sales and use tax (the “Sales and Use Tax”), as authorized by the Act, is hereby imposed in the County, subject to a favorable vote of a majority of the qualified electors voting in a referendum on the imposition of the tax to be held in the County, South Carolina on November 5, 2024.

2.2 The Sales and Use Tax shall be imposed for a period not to exceed fifteen (15) years from the date of imposition.

2.3 The maximum cost of the Projects to be funded from the proceeds of the Sales and Use Tax shall not exceed, in the aggregate, the sum of \$1,625,000,000 and the maximum amount of net proceeds to be raised by the tax shall not exceed \$1,625,000,000, which includes administrative costs and debt service on bonds issued to pay for the Projects. The estimated principal amount of initial authorization of bonds to be issued to pay costs of the Projects and to be paid by a portion of the Sales and Use Tax is \$650,000,000. All proceeds of the Sales and Use Tax and all proceeds of any bonds payable therefrom shall be held by the County until the County Council has approved the allocation and expenditure of funds for the Projects or portions of the Projects, as further identified herein.

2.4 The Sales and Use Tax shall be expended for the costs of the following described Projects, including payment of any sums as may be required for the issuance of and debt service for bonds, the proceeds of which are applied to such Projects, for the following purposes:

(i) For financing the costs of highways, roads, streets, bridges, and other transportation-related projects facilities, and drainage facilities related thereto, and mass transit systems operated by the County or jointly operated by the County and other governmental entities, which may include, but not limited to the following Projects at the estimated costs indicated:

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of Port Royal to improve safety, interconnectivity, capacity and attractiveness along the Ribaut Road Corridor between Boundary Street and the Russell Bell Bridge.

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County in accordance with the Beaufort County Connects Bicycle and Pedestrian Plan 2021.

Transportation Technology/Access Roads (\$90 million): Planning, design, right of way acquisition, and construction of access roads for better interconnectivity. Implementation of transportation technologies to support the enhancement to capacity and safety of the transportation system.

The amount of the maximum total funds to be collected which shall be expended for these

Projects and purposes shall be no more than \$1,540,000,000;

(ii) For financing the costs of greenbelt initiatives, including, but not limited to, purchasing property for conservation and conservation easements, creating passive and active greenspaces, protecting natural resources, protecting agricultural or heritage landscapes, and protecting scenic corridors. The amount of the maximum total funds to be collected which shall be expended for these Projects and purposes shall be no more than \$85,000,000.

2.5 If the Sales and Use Tax is approved by a majority of the qualified electors voting in a referendum to be held in the County on November 5, 2024, the tax is to be imposed on the first day of May 2025, provided the Board of Voter Registration and Elections of Beaufort County shall certify the results not later than November 30, 2024, to the County Council and the South Carolina Department of Revenue (“DOR”). Included in the certification must be the maximum cost of the Projects to be funded in whole or in part from the proceeds of the tax, the maximum time specified for the imposition of the tax, and the principal amount of initial authorization of bonds, if any, to be supported by a portion of the tax.

2.6 The Sales and Use Tax, if approved in the referendum conducted on November 5, 2024 shall terminate on the earlier of:

(1) April 30, 2040; or

(2) the end of the calendar month during which DOR determines that the tax has raised revenues sufficient to provide the greater of either the costs of the Projects as approved in the referendum or the cost to amortize all debts related to the approved Projects.

2.7 Amounts of Sales and Use Tax collected in excess of the required proceeds must first be applied, if necessary, to complete each project for which the tax was imposed. Any additional revenue collected above the specified amount must be applied to the reduction of debt principal of the County on transportation infrastructure debts only.

2.8 The Sales and Use Tax must be administered and collected by DOR in the same manner that other sales and use taxes are collected. DOR may prescribe amounts that may be added to the sales price because of the Sales and Use Tax.

2.9 The Sales and Use Tax is in addition to all other local sales and use taxes and applies to the gross proceeds of sales in the applicable area that is subject to the tax imposed by Chapter 36 of Title 12 of the Code of Laws of South Carolina 1976, as amended, and the enforcement provisions of Chapter 54 of Title 12 of the Code of Laws of South Carolina 1976, as amended. The gross proceeds of the sale of items subject to a maximum tax in Chapter 36 of Title 12 of the Code of Laws of South Carolina 1976, as amended, are exempt from the Sales and Use Tax. The gross proceeds of the sale of food lawfully purchased with United States Department of Agriculture Food Stamps are exempt from the Sales and Use Tax. The Sales and Use Tax also applies to tangible property subject to the use tax in Article 13, Chapter 36 of Title 12 of the Code of Laws of South Carolina 1976, as amended.

2.10 Taxpayers required to remit taxes under Article 13, Chapter 36 of Title 12 of the Code of Laws of South Carolina 1976, as amended, must identify the county in which the tangible personal property purchased at retail is stored, used, or consumed in this State.

2.11 Utilities are required to report sales in the county in which the consumption of the tangible personal property occurs.

2.12 A taxpayer subject to the tax imposed by Section 12-36-920 of the Code of Laws of South Carolina 1976, as amended, who owns or manages rental units in more than one county must report separately in his sales tax return the total gross proceeds from business done in each county.

2.13 The gross proceeds of sales of tangible personal property delivered after the imposition date of the Sales and Use Tax, either under the terms of a construction contract executed before the imposition date, or written bid submitted before the imposition date, are exempt from the Sales and Use Tax if a verified copy of the contract is filed with DOR within six months after the imposition date of the Sales and Use Tax.

2.14 Notwithstanding the imposition date of the Sales and Use Tax with respect to services that are billed regularly on a monthly basis, the Sales and Use Tax is imposed on the first day of the billing period beginning on or after the imposition date.

2.15 The County Council hereby establishes a Citizen's Oversight Committee (the "Oversight Committee") to provide oversight of the Projects described in this Ordinance, to gather input from all areas of the County regarding the general projects to be undertaken with proceeds of the Sales and Use Tax, and to make recommendations to the County Council on matters related to the Sales and Use Tax, including but not limited to, the general projects and the prioritization of the Projects. The Oversight Committee will consist of seven (7) members who reflect the interests of all citizens of the County.

Three (3) members will be appointed by the County Council; one (1) member will be appointed by the Town Council of Hilton Head Island; one (1) member will be appointed by the Town Council of Bluffton; one (1) member will be appointed by the City Council of the City of Beaufort; and one (1) member will be appointed by the Town Council of the Town of Port Royal. Members of the Oversight Committee shall have terms of four (4) years; provided, however, that the three (3) members appointed by the County Council shall have initial terms of three (3) years. All of the terms of the initial members of the Oversight Committee will commence on January 1, 2025, and members may serve two (2) terms on the Oversight Committee. The Oversight Committee will elect officers; produce minutes following each of its meetings which are to be provided to the public and to all of the county, city and town councils which have appointees on the Oversight Committee; follow all of the requirements of the South Carolina Freedom of Information Act; and meet quarterly beginning in the first quarter of 2025 and continuing throughout the time period during which the Sales and Use Tax is imposed.

Section 3. Remission of Sales and Use Tax; Segregation of Funds; Administration of Funds; Distribution to County: Confidentially.

3.1 The revenues of the Sales and Use Tax must be remitted to the State Treasurer and credited to a fund separate and distinct from the general fund of the State. After deducting the amount of any refunds made and costs to DOR of administering the tax, not to exceed one percent of such revenues, the State Treasurer shall distribute the revenues and related interest earnings quarterly to the County Treasurer and the revenues must be used only for the purposes stated herein. The State Treasurer may correct misallocations by adjusting subsequent distributions must be made in the same fiscal year as the misallocation. However, allocations made as a result of city or County code errors must be corrected prospectively.

3.2 (a) Any outside agencies, political subdivisions, or organizations designated to receive funding from the Sales and Use Tax must annually submit requests for funding in accordance with procedures and schedules established by the County Administrator. The County Administrator shall prepare the proposed budget for the Sales and Use Tax and submit it to the County Council at such time as the County Council determines. At the time of submitting the proposed budget, the County Administrator shall submit to the County Council a statement describing the important features of the proposed budget.

(b) County Council shall adopt annually and prior to the beginning of each fiscal year a budget for expenditures of Sales and Use Tax revenues. County Council may make supplemental appropriations for the Sales and Use Tax following the same procedures prescribed for the enactment of other budget ordinances. The provisions of this section shall not be construed to prohibit the transfer of funds appropriated in the annual budget for the Sales and Use Tax for purposes other than as specified in the annual budget when such transfers are approved by County Council. In the preparation of the annual budget, County Council may require any reports, estimates, and statistics from

any County agency or department as may be necessary to perform its duties as the responsible fiscal body of the County.

(c) Except as specifically authorized by County Council, any outside agency or organization receiving an appropriation of the Sales and Use Tax must provide to County Council an independent audit of such agency’s or organization’s financial records and transactions and such other and more frequent financial information as required by County Council, all in form satisfactory to County Council.

3.3 DOR shall furnish data to the State Treasurer and to the County Treasurer for the purpose of calculating distributions and estimating revenues. The information which must be supplied to the County upon request includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers.

Section 4. Sales and Use Tax Referendum; Ballot Question.

4.1 The Board of Voter Registration and Elections of Beaufort County shall conduct a referendum on the question of imposing a Sales and Use Tax in the area of the County on Tuesday, November 5, 2024, between the hours of 7 a.m. and 7 p.m. under the election laws of the State, mutatis mutandis. The Board of Voter Registration and Elections of Beaufort County shall publish in a newspaper of general circulation the date and purpose of the referendum, including the question that is to appear on the ballot, with the list of Projects and purposes as set forth herein, and the cost of Projects, and shall publish such election and other notices as required by law.

4.2 The referendum question to be on the ballot of the referendum to be held in the County on November 5, 2024, must read substantially as follows:

BEAUFORT COUNTY SPECIAL SALES AND USE TAX

QUESTION 1

I approve a special sales and use tax in the amount of one percent (1%) to be imposed in Beaufort County for not more than fifteen (15) years, or until a total of \$1,625,000,000 in resulting revenue has been collected, whichever occurs first, to fund the following projects:

Project (1) For financing the costs of highways, roads, streets, bridges, and other transportation-related projects facilities related thereto including, but not limited to, drainage facilities relating to the highways, roads, streets, bridges, and other transportation-related projects; and mass transit systems operated by Beaufort County or jointly operated by the County and other governmental entities \$1,540,000,000.

Project (2) For financing the costs of greenbelt initiatives \$85,000,000.

YES _____

NO _____

Instructions to Voters: All qualified electors desiring to vote in favor of levying the special sales and use tax shall vote “YES;” and

All qualified electors opposed to levying the special sales and use tax shall vote “NO.”

QUESTION 2

I approve the issuance of not exceeding \$650,000,000 of general obligation bonds of Beaufort County, maturing over a period not to exceed fifteen (15) years and payable from the special sales and use tax described in Question 1 above, to fund completion of projects from among the categories described in Question 1 above.

YES _____

NO _____

Instructions to Voters: All qualified electors desiring to vote in favor of the issuance bonds for the stated purposes shall vote “YES;” and

All qualified electors opposed to the issuance of bonds for the stated purposes shall vote “NO.”

4.3 In the referendum on the imposition of the Sales and Use Tax in the County, all qualified electors desiring to vote in favor of imposing the tax for the stated purposes shall vote “yes” and all qualified electors opposed to levying the tax shall vote “no”. If a majority of the electors voting in the referendum shall vote in favor of imposing the tax, then the tax is imposed as provided in the Act and this Ordinance. Expenses of the referendum must be paid by the County.

4.4 In the referendum on the issuance of bonds, all qualified electors desiring to vote in favor of the issuance of bonds for the stated purposes shall vote “yes” and all qualified electors opposed to the issuance of bonds shall vote “no”. If a majority of the electors voting in the referendum shall vote in favor of the issuance of bonds, then the issuance of bonds shall be authorized in accordance with S.C. Constitution Article X, Section 14, Paragraph (6). Expenses of the referendum must be paid by the County.

Section 5. Imposition of Tax Subject to Referendum.

The imposition of the Sales and Use Tax in the County is subject in all respects to the favorable vote of a majority of qualified electors casting votes in a referendum on the question of imposing the Sales and Use Tax in the County area in a referendum to be conducted by the Board of Voter Registration and Elections of Beaufort County on November 5, 2024, and the favorable vote of a majority of the qualified electors voting in

such a referendum shall be a condition precedent to the imposition of the Sales and Use Tax pursuant to the provisions of this Ordinance.

Section 6. Miscellaneous.

6.1 If any one or more of the provisions or portions hereof are determined by a court of competent jurisdiction to be contrary to law, then that provision or portion shall be deemed severable from the remaining terms or portions hereof and the invalidity thereof shall in no way affect the validity of the other provisions of this Ordinance; if any provisions of this Ordinance shall be held or deemed to be or shall, in fact, be inoperative or unenforceable or invalid as applied to any particular case in any jurisdiction or in all cases because it conflicts with any constitution or statute or rule of public policy, or for any other reason, those circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable or invalid in any other case or circumstance, or of rendering any other provision or provisions herein contained inoperative or unenforceable or invalid to any extent whatever; provided, however that the Sales and Use Tax may not be imposed without the favorable results of the referendum to be held on November 5, 2024.

6.2 This Ordinance shall be construed and interpreted in accordance with the laws of the State and all suits and actions arising out of this Ordinance shall be instituted in a court of competent jurisdiction in this State.

6.3 The headings or titles of the several sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretations, or effect of this Ordinance.

6.4 This Ordinance shall take effect immediately upon approval following third reading.

6.5 All previous ordinances regarding the same subject matter as this Ordinance are hereby repealed.

IT IS SO ORDAINED.

Joseph Passiment
County Council Chairman

Sarah Brock, Clerk to Council

First Reading: January 22, 2024
Second Reading: February 12, 2024
Public Hearing: February 12, 2024
Third Reading:



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
SECOND READING OF AN ORDINANCE APPROPRIATING FIFTEEN PERCENT OF FY24 GROSS STATE ACCOMMODATIONS TAX REVENUE TO DEVELOPMENT OF WORKFORCE HOUSING
MEETING NAME AND DATE:
County Council, February 12, 2024
PRESENTER INFORMATION:
John Robinson, County Administrator 5 minutes
ITEM BACKGROUND:
<p>During its 2023 legislative session, the South Carolina General Assembly adopted (and the governor subsequently signed into law) Act 57. This Act amended the South Carolina Code of Laws to permit the use of state accommodations tax revenue and local accommodations tax revenue for the development of workforce housing. The Act established several steps that a governing body must satisfy before state accommodations tax revenue is expended on workforce</p> <p>Council has made the development and funding of workforce housing a priority. On January 22, 2024 Council approved by title only first reading of an ordinance appropriating fifteen percent of FY24's gross state accommodations tax revenue to the development of workforce housing subject to review by the state a-tax committee and compliance with the all the requirements of South Carolina Code of Laws. The proposed ordinance requires that these steps be satisfied before these funds are expended.</p>
PROJECT / ITEM NARRATIVE:
See above
FISCAL IMPACT:
If approved, Council will be appropriating and committing fifteen percent of fiscal FY24's gross state accommodations tax revenue to the development of workforce housing. The County and Council will need to satisfy, by subsequent action, all the requirements of the South Carolina Code of Laws before these funds are expended.
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends approval
OPTIONS FOR COUNCIL MOTION:
Council can approve the motion, deny the motion, modify it, or defer it.

ORDINANCE 2024/ _____

AN ORDINANCE APPROPRIATING FIFTEEN PERCENT OF FY24 GROSS STATE ACCOMMODATIONS TAX REVENUE TO THE DEVELOPMENT OF WORKFORCE HOUSING

WHEREAS, Act 57 of the 2023 South Carolina General Assembly Legislative Session amended S.C. Code of Laws §6-4-5 et seq., Allocation of Accommodations Tax Revenue, to permit the County to dedicate and expend up to fifteen percent of its annual two percent accommodations tax revenue for the development of workforce housing which must include programs to promote home ownership; and

WHEREAS, the Act provides that prior to the expenditure of these funds for the development of workforce housing, the County must satisfy several requirements as set forth in the Act; and

WHEREAS, Council is aware of the critical need for workforce housing in unincorporated Beaufort County and has come to appreciate the difficulty in finding funds to satisfy this need; and

WHEREAS, in light of the tremendous need for workforce housing in unincorporated Beaufort County and the general lack of funds to meet this need, Council desires to appropriate and to commit (pursuant to Section 6-4-10(4)(c)(ii)) fifteen percent of the gross state local accommodations tax revenue (2%) it receives pursuant to Section 6-4-5 et seq. for FY24 to the development of workforce housing as set forth in Section 6-4-10(4)(b)(ix).

NOW, THEREFORE, BE IT RESOLVED THAT Beaufort County Council does hereby appropriate and commit fifteen percent of the state local accommodations tax revenue it receives pursuant to Section 6-4-5 et seq. in FY24 to the development of workforce housing as permitted by Act 57 and further directs that none of these funds may be expended until such time as Beaufort County has satisfied all the requirements that are set forth therein.

Adopted this _____ day of _____ 2024.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Joseph Passiment, Chairman

ATTEST:

Sarah Brock, JD
Clerk to Council



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
RECONSIDERATION OF COUNCIL’S ACTION ON FIRST READING OF AN ORDINANCE APPROPRIATING FUNDS FROM THE STATE 2% ACCOMMODATIONS TAX FUND AND FIRST READING OF AN ORDINANCE APPROPRIATING FUNDS FROM THE STATE 2% ACCOMMODATIONS TAX FUND
MEETING NAME AND DATE:
County Council, January 22, 2024
PRESENTER INFORMATION:
Thomas J. Keaveny, II, County Attorney
ITEM BACKGROUND:
<p>On December 11, 2023 Council gave first reading to a proposed ordinance appropriating funds from the state 2% accommodations tax fund based upon the recommendations of the state a-tax committee. At that time, Council approved a motion to: (1) set aside \$150,000 of the funds for workforce housing. This amount is equal to fifteen percent (15%) of the total 2023-2024 state accommodation revenue of \$1,000,000; and (2) to refer the recommendations back to the state a-tax committee for it to reallocate the balance of the funds based on Council’s decision. Since that time, Administration has determined that it has \$150,000 in funds remaining from the 2022-2023 state a-tax allocation (essentially a carryover balance) that it can devote to this purpose and still allow Council to approve the a-tax committee’s recommended appropriations for 2023-2024.</p>
PROJECT / ITEM NARRATIVE:
<p>If Council wishes to approve the state a-tax committee’s recommendations and still award \$150,000 from the state a-tax funds, it can consider a two-part motion. The motion would be to: (1) rescind its decision of December 11th to set aside \$150,000 from the 2023-2024 state a-tax allocation and to refer the recommendations back to the state a-tax committee; and (2) give first reading to an ordinance appropriating funds from the state a-tax fund as recommended by the state a-tax committee. If that motion succeeds, Council is back to where it was on December 11th. It can then give first reading to the ordinance appropriating funds from the 2% a-tax fund as recommended by the state a-tax committee. While giving first reading to the proposed ordinance, Council can consider a motion to amend. The amendment would be to adopt the recommendations of the state a-tax committee <i>and</i> to appropriate the sum of \$150,000 from the 2022-2023 state a-tax fund (carry-over) to workforce housing.</p>
FISCAL IMPACT:
Funding will come from the state a-tax fund carryover.
STAFF RECOMMENDATIONS TO COUNCIL:
Administration recommends Council proceed as outlined in the Project/Item Narrative.
OPTIONS FOR COUNCIL MOTION:

Approve a motion to rescind;

Deny a motion to rescind;

Approve first reading of an ordinance appropriating state a-tax funds;

Deny first reading of an ordinance appropriating state a-tax funds.



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
RECOMMEND APPROVAL OF AN ORDINANCE APPROPRIATING FUNDS FROM THE STATE 2% ACCOMMODATIONS TAX FUND AND OTHER MATTERS RELATED THERETO.
MEETING NAME AND DATE:
Finance Committee, November 20, 2023
PRESENTER INFORMATION:
Jonathan Sullivan Chairman of the State Accommodations Tax Committee 20 minutes
ITEM BACKGROUND:
The State Accommodations Tax Committee meet on November 14, 2022 and reviewed 37 applications requesting over \$2.6 million in awards.
PROJECT / ITEM NARRATIVE:
The Committee selected the organizations listed in Attachment A for a total of \$1,000,000
FISCAL IMPACT:
The award will be from the State ATAX Fund 2000, Budgeted Line Item 2000-10-0000-55000 (Direct Subsidies) in the current fiscal year.
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends County Council to approve the recommendation.
OPTIONS FOR COUNCIL MOTION:
Motion to approve/deny "Recommend approval of an Ordinance to appropriate funds from the State 2% Accommodations Tax Fund and other matters related thereto."

ORDINANCE 2024/ _____

AN ORDINANCE APPROPRIATING FUNDS FROM THE STATE 2% ACCOMMODATIONS TAX FUND AND OTHER MATTERS RELATED THERETO

WHEREAS, County Council is authorized to utilize State 2% Accommodations Tax (“A-Tax”) Funds to promote tourism and enlarge the economic benefits of tourism through advertising, promotion, construction and maintenance of access and access to nearby roads for civic, cultural recreational or historic facilities; and

WHEREAS, S.C. Code Ann. §6-4-10(4)(b) expressly authorizes a county which has a high concentration of tourism activity to use state accommodations tax funds "to provide additional county and municipal services including, but not limited to, law enforcement [and] traffic control" as may be necessary for tourism related activities; and

WHEREAS, Beaufort County ("County") initiated a formal grant application process, and accepted applications from local entities to receive grant funds from the state A-Tax; and

WHEREAS, applications were received, reviewed and scored by the state accommodations tax advisory board, which has made award recommendations to County Council for approval and appropriation of funds; and

WHEREAS, County Council finds that it is in the best interest of its citizens, residents, visitors and tourists to provide the recommended funds to local entities and projects as set forth in the attached "Exhibit A" which is incorporated herein by reference.

NOW, THEREFORE, BE IT ORDAINED BY BEAUFORT COUNTY COUNCIL, that appropriations shall be made in the form of grant awards to local entities from Beaufort County's state A-Tax Funds as set forth in the attached Exhibit “A”.

DONE this _____ Day of _____, 2024

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Joseph Passiment, Jr. Chairman

ATTEST:

Sarah Brock, Clerk to Council

Time	Contact Person	Email	Organization	Event/Project	Amount Requested	Recommended	Awarded	
							Last Year	Amount (2022-2023)
1 12:15pm	Robb Wells	robbs@beaufortsc.org	Greater Beaufort-Port Royal CVB	Tourism Marketing FY 2023-2024	\$ 195,000.00	\$ 195,000.00	yes	\$ 180,000.00
2 12:30pm	Peach Morrison	Peach@SouthCarolinaLowcountry.com	SC Lowcountry & Resort Islands Tourism Commission	Promotion of Beaufort County & the Lowcountry	\$ 93,300.00	\$ 93,300.00	yes	\$ 72,545.00
3 1pm	Tim Waz	sports@beaufortsc.org	Beaufort Area Sports Council	Beaufort Area Sports Marketing & Sales FY 2023-2024	\$ 60,000.00	\$ 60,000.00	yes	\$ 25,000.00
4 1:07pm	Jon Rembold	irembold@bcgov.net	Beaufort County Airports	Destination Marketing	\$ 50,000.00	\$ 40,000.00	no	
5 1:14pm	Ron Tucker	beaufortfilm@gmail.com	Beaufort Film Society	18th Beaufort International Film Festival	\$ 60,000.00	\$ 60,000.00	yes	\$ 30,000.00
6 1:21pm	Denise Bullitt	sankofainspirit@gmail.com	Festivals: Gullah Festival, Shrimp Festival, & Taste of Beaufort, etc.	Beaufort Festivals & Events Advertising fy 2023-2024	\$ 60,000.00	\$ 60,000.00	yes	
7 1:28pm	Denise Bullitt	lroper@cityofbeaufort.org	Gullah Traveling Theater	GTI Decoration Day	\$ 60,000.00	\$ 30,000.00	yes	\$ 30,000.00
8 1:35pm	Leah Arnold	leah_arnold@islandrecenter.org	HHI Recreation Assoc.	Jeep Island, Oyster Festival & Wingfest	\$ 10,000.00	\$ -	no	
9 1:42pm	David Coyle	dhcoyle@roadrunner.com	Hilton Head Choral Society	Marketing for Tourism/Visitor Development	\$ 5,000.00	\$ 2,500.00	yes	\$ 4,000.00
10 1:49pm	Jeff Gerber	circlemstr@gmail.com	Hilton Head Hospitality Association	Hilton Head Wine and Food Festival	\$ 10,000.00	\$ 10,000.00	yes	\$ 10,000.00
11 1:56pm	Robert Lee/Lindsey Harrell	Bob.Lee@BeaconAllied.com	Hilton Head Island Concours d'Elegance, Inc.	Hilton Head Island Concours d'Elegance & Motorign Festival	\$ 38,000.00	\$ 38,000.00	yes	\$ 40,000.00
12 2:03pm	Robin Storey/George Banino	hhilandtrust@hhilandtrust.org	Hilton Head Island Land Trust	Raptor CAM, Website, Marketing	\$ 23,600.00	\$ 20,000.00	no	
13 2:10pm	Alan Jordan/Susan Hartmann	ajordan@hhsa.org	Hilton Head Symphony Orchestra	HHSO Marketing Programs	\$ 25,000.00	\$ 25,000.00	yes	\$ 25,000.00
14 2:17pm	Ashlee Houck	Ashlee@bfthospitality.com	Beaufort Area Hospitality Association	Beaufort Oyster Festival 2024	\$ 30,000.00	\$ 30,000.00	yes	\$ 20,000.00
15 2:34pm	Ashlee Houck	Ashlee@bfthospitality.com	Beaufort Area Hospitality Association	New Years Eve Fireworks 2024	\$ 35,000.00	\$ 35,000.00	yes	\$ 20,000.00
16 2:41pm	Andrea Gannon	agannon@artshhi.com	Arts Center of Coastal Carolina	Tourism Marketing of Unincorporated Areas of Beaufort County	\$ 20,000.00	\$ 20,000.00	yes	\$ 6,000.00
17 2:48pm	Katherine Lang	klang.beaufort@gmail.com	Beaufort History Museum	Promoting "New" Beaufort History Museum	\$ 15,000.00	\$ 4,200.00	no	
18 2:55pm	Caprice Wilborn	cwblufftongullah843@gmail.com	Bluffton Gullah Cultural Heritage Center	Bluffton Gullah Cultural Heritage Center	\$ 250,000.00	\$ 25,000.00	no	
19 3:02pm	Rex Garniewicz	rgarniewicz@coastaldiscovery.org	Coastal Discovery Museum	Coastal Discovery Museum: Cultural and Ecotourism	\$ 37,500.00	\$ 36,000.00	yes	\$ 34,500.00
20 3:09pm	Nancy Ludtke	nifuskie@aol.com	Daufuskie Island Historical Foundation	Brochure Printing	\$ 7,000.00	\$ 7,000.00	no	
21 3:16pm	Stacy Applegate / Angela Dore	stacy@freedmanartsdistrict.org	Freedman Arts District, Inc.	Chalk It Up!	\$ 30,000.00	\$ 30,000.00	no	
22 3:23pm	Linda Miller	angelaarenee.dore@gmail.com	Friends of Hunting Island State Park, Inc.	Restoration & Construction of Exhibit space for 1st Order 1875 Fresnel Lens	\$ 40,000.00	\$ 30,000.00	no	
23 3:30pm	Blake White	FQHiorp@gmail.com	Lean Ensemble Theater	Lean Ensemble Theater Marketing	\$ 6,000.00	\$ 3,000.00	no	
24 3:37pm	Barry Fleming	blake@leanensemble.org	Lowcountry Golf Course Owners Association	Golf Tourism Connected TV Advertising Campaign	\$ 25,000.00	\$ 7,500.00	yes	\$ 20,000.00
25 3:44pm	Eric Turpin	bfleminggolf@gmail.com	NIBCAA	Hilton Head Gullah Celebration	\$ 50,000.00	\$ 35,000.00	yes	\$ 50,000.00
26 3:51pm	Kate Schaefer	eturpin@nibcaa.org	Open Land Trust	Old Sheldon Church Road Trail	\$ 45,000.00	\$ -	no	
27 3:58pm	Jon Black	kate@openlandtrust.org	Historic Campbell Chapel	Campbell Chapel Community Development	\$ 130,874.00	\$ -	no	
28 4:05pm	Ahmad Ward	jblack9469@gmail.com	Historic Mitchellville Freedom Park	Marketing and Site Preparation/Design for Juneteenth Celebration	\$ 35,000.00	\$ 35,000.00	yes	\$ 35,000.00
29 4:12pm	Pamela Courtney	award@exploremitchelville.org	Historic Port Royal Foundation	First Annual Port Royal International Storytelling Festival	\$ 25,000.00	\$ 5,000.00	yes	\$ 5,950.00
30 4:29pm	Charlene M. Spearen	pamelacourtney@gmail.com	Penn Center	40th Annual Heritage Days Celebration	\$ 30,000.00	\$ 30,000.00	no	\$ 19,500.00
31 4:36pm	Kat Armstrong	cspearen@penncenter.com	Port Royal Sound Foundation	Native Gardens Exhibit and Greenhouse	\$ 55,400.00	\$ 20,000.00	yes	\$ 91,000.00
32 4:43pm	Dan Durbin	karmstrong@portroyalsoundfoundation.org	Second Founding of America	Beaufort History Walk - A Community Volksmarch	\$ 2,088.64	\$ -	no	
33 4:50pm	Ginnie Kozak	DHD3495@GMAIL.COM	Technical College of the Lowcountry	Mather School Museum and Interpretive Center Accessibility Project	\$ 375,000.00	\$ -	no	\$ 40,000.00
34 4:57pm	Pinky Harriott	vkozak@tcl.edu	USCB Center of the Arts	USCB Center for the Arts ADA Upgrades	\$ 160,000.00	\$ -	no	
35 5:04pm	Yolanda Bryant	pharriott@uscb.edu	Gullah Roots Historical Foundation	Daufuskie Island GullahFest	\$ 25,000.00	\$ 9,000.00	no	
36 5:11pm	Jeremy Sponseller	gullahrootsfoundation@gmail.com	Fripp Island Public Service District	Fripp Island Inlet Bridge Repair	\$ 500,000.00	\$ -	no	
37 5:18pm	Eileen Newton	jeremysponseller@fipisd.org	Friends of Port Royal Cypress Wetlands, Inc.	Guided Nature Tours	\$ 11,400.00	\$ 4,500.00	no	
					\$ 2,630,162.64	\$ 1,000,000.00		



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
<i>An ordinance authorizing the Interim County Administrator to enter into a lease agreement with the South Carolina Department of Transportation (SCDOT) for property located under the Cross Island Parkway adjacent to the Broad Creek Boat Landing parcel R552 010 000 0650 0000.</i>
MEETING NAME AND DATE:
Public Facilities & Safety Committee Meeting January 22, 2024
PRESENTER INFORMATION:
Jared Fralix, P.E., Assistant County Administrator, Infrastructure (5 Minutes)
ITEM BACKGROUND:
On May 7, 2002 Beaufort County and The Town of Hilton Head Island executed an Intergovernmental Agreement associated with the construction of a boat ramp off Broad Creek. Recently, the Town of Hilton Head Island and the County have been working with SCDOT to formalize use of the property located under the Cross Island Parkway that has been in use for approximately 20 years. SCDOT requested a public interest finding from FHWA so the County can lease the property gratis.
PROJECT / ITEM NARRATIVE:
SCDOT and the County have finalized a lease agreement for the property located under the Cross Island Parkway associated with the Broad Creek Boat Landing parcel # R552 010 000 0650 0000 . SCDOT will lease this property to the County at no cost (gratis).
FISCAL IMPACT:
N/A
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends approval of <i>an ordinance authorizing the Interim County Administrator to enter into a lease agreement with the South Carolina Department of Transportation (SCDOT) for property located under the Cross Island Parkway adjacent to the Broad Creek Boat Landing parcel R552 010 000 0650 0000.</i>
OPTIONS FOR COUNCIL MOTION:
<i>Motion to approve/deny an ordinance authorizing the Interim County Administrator to enter into a lease agreement with the South Carolina Department of Transportation (SCDOT) for property located under the Cross Island Parkway adjacent to the Broad Creek Boat Landing parcel R552 010 000 0650 0000.</i> An approval vote by Committee would move the item to full County Council for three readings and a public hearing to approve the ordinance.

ORDINANCE 2024/_____

AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT WITH THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION (SCDOT) FOR PROPERTY LOCATED UNDER THE CROSS ISLAND PARKWAY ADJACENT TO THE BROAD CREEK BOAT LANDING PARCEL R552 010 000 0650 0000

WHEREAS, Beaufort County (“County”) and the Town of Hilton Head Island (“Town”) entered into an Intergovernmental Agreement on May 7, 2002 to construct a boat ramp off Broad Creek on parcel # R550 010 000 0650 0000; and

WHEREAS, the County completed the boat ramp in the 2003 time frame and the public has been utilizing the boat ramp and area under the Cross Island Parkway for approximately 20 years; and

WHEREAS, the South Carolina Department of Transportation (“SCDOT”) has ownership interests in the property located under the Cross Island Parkway adjacent to the County boat ramp on parcel #R550 010 000 0650 0000. The County recently approached SCDOT about transferring ownership interests to the County, but SCDOT needs to retain ownership for bridge/highway maintenance purposes. SCDOT offered to lease the property gratis. More specific lease information is provided on attached Exhibit “A”; and

WHEREAS, County Council finds that it is in best interest of the citizens and residents of Beaufort County for the Interim County Administrator to enter into a lease agreement with the South Carolina Department of Transportation (SCDOT) for property located under the Cross Island Parkway adjacent to the Broad Creek Boat Landing parcel R552 010 000 0650 0000.

NOW, THEREFORE, BE IT ORDAINED that Beaufort County Council hereby authorizes the Interim County Administrator to enter into a lease agreement with the South Carolina Department of Transportation (SCDOT) for property located under the Cross Island Parkway adjacent to the Broad Creek Boat Landing parcel R552 010 000 0650 0000.

ADOPTED this _____ day of _____, 20____.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock,
Clerk to Council

Exhibit “A”

Final Lease SCDOT to Beaufort County January 2024

STATE OF SOUTH CAROLINA)
)
 COUNTY OF BEAUFORT) **LEASE AGREEMENT**

This Lease Agreement is made this _____ day of _____, 2024, by and between the South Carolina Department of Transportation (SCDOT) (“Lessor”) and Beaufort County, its successors and/or assigns (“Lessee”).

1. Lease and Use of Premises

- a) Lessor hereby leases to Lessee and Lessee hereby leases from Lessor the following described property (hereinafter referred to as “the Premises”) for use as parking:

ALL AND SINGULAR, all that certain piece, parcel or lot of land, situate, lying and being in the town of Hilton Head Island in Beaufort County, South Carolina, containing approximately 2.05 acres and being shown on highway plans for US Route 278, File 7.558, Sheets 13 & 32, Tract 41 and for Road S-80 under File 7.558, sheet 16 as portions of Tracts 113, 114, 116, and 121, and designated as “Lease Area” on the attached Exhibit A, and also being shown on “Dufuskie Island at Cross Island, Overall Site Plan prepared by Davis & Floyd, dated October 2023; on the attached Exhibit B. Said property being acquired by the South Carolina Department of Transportation by General Warranty Deed from Plantation Land Company, Inc. dated August 5, 1994, and recorded on January 26, 1995, in Book 30042 at Page 325 in the Office of the Register of Mesne Conveyances for Beaufort County. Adjacent to TMS Number R552-010-000-0309-0000 and R552-010-000-0650-0000.

- b) Restricted Use of Premises

- 1) Lessee’s use of the Premises shall be subordinate at all times to SCDOT’s use of the Premises for Highway Purposes. As used herein, the term “Highway Purposes” means the operation, use, maintenance, construction, or reconstruction of the highway facilities, including but not limited to the piers, columns, and other structural support of the highways and bridge facilities. Lessee shall use and maintain the Premises at all times in a manner that will not interfere with the use of the Premises and SCDOT facilities thereon for Highway Purposes.

- 2) Lessee shall use and manage the Premises exclusively for public purposes, specifically as follows:

- (i) to make parking available for passenger vehicles for patrons of Cross Island Boat Landing; and to install and maintain a ferry embarkation dock near, but not under the bridge on Premises;

- (ii) for park and recreational uses; and

(iii) for pedestrian, bicycle, and vehicular access, ingress, and egress, including walking, jogging, and biking paths and/or trails to other property of the Lessee or to parking, park, and recreational uses on the Premises.

(iv) at no time shall any vehicle or recreational vehicle be used as living and/or sleeping quarters while parked on the Premises. Lessee will be responsible for operation, security, landscaping, trash, ice and snow removal and all maintenance of the parking and recreational park facilities.

3) SCDOT has complete authority to require that the Lessee install approved protective barriers at bridge piers and at low elevation structures of any bridge affected by construction plans and improvements prepared and approved in accordance with Paragraph 6) of this Section. SCDOT can regulate or prohibit the type of machinery and use of the Premises in any manner necessary to insure protection of highway structures.

4) Vehicular access to any portion of the Premises affected by construction plans and improvements prepared and approved in accordance with Paragraph 6) of this Section will be restricted by Lessee with fences, bollards or other means to prevent regular use of vehicles larger than a passenger vehicle (16' height limitation), but to allow access by emergency vehicles, fire trucks and SCDOT's maintenance vehicles and trucks whenever necessary.

5) No use will be made of the space within ten feet (10') of any bridge pier or column. To the extent any piers or columns are affected by construction plans and improvements prepared and approved in accordance with Paragraph 6) of this Section, said piers or columns shall be protected by Lessee, at no expense to SCDOT, with protective devices suitable to and approved by SCDOT's District Six Engineering Administrator, or his or her designee (the "DEA"). No flexible pavement will be utilized within five feet (5') of any bridge pier or column. Exceptions upon approval of SCDOT's District Six Engineering Administrator or designee may include:

- (a) Install and maintain parking spaces as needed
- (b) Install and maintain walkways, both surface and raised as needed

6) All construction plans and improvements to the Premises must be preapproved by the DEA, who may be contacted as follows:

SCDOT District Six Engineering Administrator
6355 Fain Boulevard
North Charleston, SC 29406
843-740-1667(Office); 843-740-1663 (Fax)

Any outstanding issues with respect to plans, improvements, modifications, etc. of the individual Premises that cannot be resolved by the DEA and the Lessee shall be elevated to the Deputy Secretary for Engineering in Columbia. The Deputy Secretary for Engineering shall review and make the final determination.

7) Unless approved by the DEA in accordance with Paragraph 6 of this Section, the following modifications to the Premises shall not be allowed:

- (a) Change in site grades or fill elevation;
- (b) Trenching for drain structures; or
- (c) Additional storm water drainage discharged into bridge ponds.
- (d) Additional off-site storm water drainage from private parcels

8) Without the prior written approval of the DEA, the Lessee shall not do any of the following on the Premises:

- a) change or divert, or fill drainage under or around bridge structures;
- b) mine, remove soil or any ground materials; or

- c) install signs, displays or lighting.
 - d) additional off-site storm water drainage from private parcels
- 9) No flammable, explosive or hazardous materials of any kind shall be allowed on the Premises.
- 10) The operation and use of the Premises by Lessee shall not permit objectionable smoke, fumes, steam, vapor, or odors to rise above the grade line of the highway.
- 11) The Premises shall be subject to the SCDOT's superior right at all times:
- a) Entry for emergency inspections and/or repairs. If SCDOT, in its sole discretion, determines that emergency inspection and/or repairs are necessary in the interests of public safety, SCDOT, its agents, contractors, and employees, shall have the right to enter the Premises without notice to Lessee for the purposes of inspection and/or repair.
 - b) Entry for non-emergency situations. In cases other than such emergencies, SCDOT, its agents, contractors and employees, shall have the right to enter the Premises upon no less than 48 hours prior notice for any reason including maintenance, repair and inspection of the Premises or the highway or bridge facilities. Lessee shall remove or have removed at its own cost any vehicles or other obstructions to such work.
 - c) Responsibility for damages or injuries. Except in the case of gross negligence or willful misconduct, neither SCDOT, nor its agents or employees, shall be held responsible for costs or damages to the Lessee, or anyone claiming through Lessee, for damages to property or injuries to persons arising from the work described in subparagraphs a) and b) directly above.
2. Rental and Covenant to pay rent. Lessee shall pay SCDOT rent at the rate of \$1.00 per year. As additional rent, Lessee shall be responsible for maintaining the Premises in a safe, clean and attractive condition, to include without limitation regular mowing.
3. Term of Lease. The lease term will run for a thirty (35) year period beginning at 12:00AM on _____, and ending at 12:00am on _____, unless otherwise terminated in accordance with this Lease.
4. Security Deposit. There will be no security deposit required.
5. Condition of the Premises. The Lessee acknowledges that it has examined and knows the condition of the Premises and that no representations as to the condition or repair of the Premises have been made to Lessee by SCDOT. SCDOT makes no warranties or representations as to the condition of the Premises or the fitness of the Premises for Lessee's intended use. Should the Premises be deemed to be unsuitable for parking at any time during the term of this Lease by any governmental or regulatory authority through no fault of Lessee, Lessee may immediately terminate this Lease without penalty.
6. Repairs, improvements, or modifications. The Lessee shall keep the Premises in a good and safe state of repair. The Lessee shall make no repairs, modifications, or improvements on the Premises without the prior written consent of the DEA.
7. Outdoor Advertising. No outdoor advertising shall be allowed on the Premises.
8. Responsibility for Claims. Lessee acknowledges its responsibility for acts of its employees and officials within the limits of the S.C. Tort Claims Act. Lessee shall reimburse SCDOT for any and all damages to the highway and bridge facilities arising out of the use of the Premises for Lessee's purposes caused by the negligent or intentional acts of the City.

9. Insurance. The Lessee will obtain and keep in effect during the term of the Lease a policy of Commercial General Liability insurance with minimum limits of liability of \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate to cover any and all liability that the Lessee or Lessor may incur as a result of the Lessee's occupancy of the Premises and such policy shall name Lessor as an additional named insured. Proof of insurance must be provided to the Lessor.

10. Taxes and Insurance. The Lessee agrees to pay all taxes, insurance, water and other utilities imposed or charged upon the Premises or upon the Lessor and Lessee in respect thereof. At the execution of this Lease there are no taxes due and owing on the Premises for which the Lessee is responsible. If at any time during the term of this Lease any taxes are assessed against the Premises for which Lessee is responsible, Lessor shall notify Lessee upon receipt of such notice at the Lessor's Property Management Office and Lessee shall make payment for such taxes directly to the entity assessing the taxes and provide the Lessor a copy of the paid receipt.

11. Compliance with Laws. The Lessee agrees to use the Premises for legal purposes only and agrees to comply with all local, state and federal laws and ordinances governing the use and occupancy thereof.

12. Default Remedies. If any rental installment shall be due and remain unpaid ten (10) business days after the due date, or if default shall be made in any of the covenants and terms of this Lease Agreement on the part of the Lessee, then it shall be lawful for the Lessor to re-enter the Premises and to again have, possess and enjoy the same. Lessor shall give Lessee written notice of any default other than failure to pay rent and an opportunity to cure the default within fifteen (15) days. If the default cannot be cured within fifteen (15) days and Lessee promptly commences and diligently pursues a cure of the default, Lessor will grant Lessee a reasonable time to cure, not to exceed thirty (30) days. If not cured, Lessor may terminate this lease.

13. Termination.

a) Either party may elect to terminate this Lease Agreement for "Just Cause" (as hereinafter defined) at any time during the life of the Lease upon ninety (90) days written notice given to the other party. The parties will incur no damages, liabilities, or responsibilities by reason of such termination. "Just Cause" shall mean the need for major structural repairs or major maintenance to be made to the bridge structure located within the Premises.

b) Lessor shall also have the right to terminate this Lease Agreement pursuant to the provisions of Paragraphs (6), (12), (16) (b).

c) Termination shall not operate to relieve Lessee from its responsibility for any charges payable pursuant to this Lease or for any damages to the Premises or Lessor's improvements on the Premises.

d) In lieu of terminating for Just Cause, if the repairs can be made within six (6) months, Lessee can agree to vacate the Premises until repairs are complete and rent shall abate for an equal period and add the equal number of months onto the tail end of the Lease.

14. Lessee's Duty as to Condition of Premises upon Termination or Default.

a) Upon termination or default of the Lease, the Lessee shall vacate the Premises and leave it in good and clean condition, free of vehicles and debris. Failure to clean and clear the Premises will result in direct action for damages should Lessor incur any expenses for cleaning or clearing the Premises, including attorney's fees and costs in bringing such action.

b) Upon expiration or earlier termination of the Lease, Lessor may, at their option, request the removal of any improvements made by the Lessee. If such request is made, the removal shall be accomplished by the Lessee in a manner prescribed by Lessor at no cost to the Lessor. If such request is not made, any modifications or improvements to the Premises made by Lessee shall become the property of Lessor and shall be surrendered

to Lessor upon the expiration or prior termination of this Lease and Lessee shall not be required to remove any modifications or improvements made to the Premises.

15. Assignment. The Lessee may not assign or sublet the Premises; provided, however, the County may rent monthly and daily parking passes to the general public in compliance with all applicable federal, state, and local laws. Charges for parking shall be limited to an amount necessary to recoup the County’s cost of improvements, maintenance, security and regulating/management of parking.

16. Lease Subject to Other Rights. This Lease is being made subject to any and all existing public utility rights of user, reservations, easements, rights of way, control of access, zoning ordinances and restrictions or protective covenants that may appear of record or on the Premises, other than those hereby released. It is understood and agreed by the parties hereto that Lessor holds Control of Access rights along the boundary line of many of its properties. The Premises being subject to the Lessor’s superior right at all times, Lessor retains the right to enter the Premises at any reasonable time for any reason including maintenance of the Premises or its improvements on the Premises without any liability or cause for complaint by Lessee, or anyone claiming through Lessee, and Lessor shall not be held responsible for costs or damages to the Lessee, or anyone claiming through Lessee, except to the extent caused by the willful conduct or gross negligence of Lessor, its officers, employees, agents and contractors.

a) The Lessee shall not mine, remove soil or any ground materials from the subject property other than in conjunction with work that is permitted in paragraphs 1 (b) (ii) and by encroachment permit, without specific written permission from the Lessor’s local District Engineering Administrator. Lessor shall have and retain all mineral and timber rights to the land.

b) Lessee’s operation on the Premises shall not interfere in any way with the Lessor’s use of the Premises for highway purposes and if such interference takes place, Lessor shall have the right to immediately terminate this Lease without any liability to the Lessee for such termination and Lessee shall compensate Lessor for any damages to Lessor’s property by reason of Lessee’s operations.

17. Hazardous Waste. Lessee shall be responsible for the cleanup of any hazardous waste contamination caused by their use of the premises without liability to the Lessor.

18. Relocation Benefits. Lessee acknowledges that Lessee will not qualify for relocation benefits upon the termination of this Lease.

19. Notices. Any notice by either party to the other shall be valid only if it is in writing and delivered personally or by certified mail to the addresses shown below, unless the other party is notified in writing of a new address:

If to Lessor:

**South Carolina Department of
Transportation**
955 Park Street
Columbia, SC 29202
Attn: Property Management

If to Lessee:

Beaufort County
104 Industrial Village Rd,
Beaufort, SC 29902
Attn: Right of Way Manager

20. Use of Generated Revenues. Lessee shall dedicate and expend any revenues generated under this lease solely for maintenance and/or improvements to the Premises, security, and/or regulation and management of parking on the Premises.

21. Entire Agreement. This Lease contains the entire agreement of the parties and no representations, inducements, promises or agreements, oral or otherwise, between the parties not stated herein, shall be of any force or effect.

22. Applicable Law. This Lease shall be governed by and interpreted in accordance with the laws of the State of South Carolina.

23. Severability. If any clause or provision of this Lease is illegal, invalid or unenforceable, under present or future laws effective during the term hereof, then it is the intention of the parties hereto that the remainder of this Lease shall not be affected thereby and it is also the intention of both parties that in lieu of each clause or provision as similar in terms to such illegal, invalid or unenforceable clause or provision as may be possible and be legal, valid and enforceable; provided however, that both parties must agree in writing to such substitute language and provisions before such will become binding on either party.

24. Counterparts. This Lease may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Faxed signatures are acceptable with the understanding that the parties will use their best efforts to promptly deliver original signatures to the other parties.

25. Non-discrimination Clause. The parties covenant that the use of these premises pursuant to this Agreement shall in no way discriminate on the grounds of race, religion, color, sex, age, disability or national origin.

REMAINDER INTENTIONALLY LEFT BLANK

Signed, sealed and delivered
in the presence of

SOUTH CAROLINA DEPARTMENT OF
TRANSPORTATION
“LESSOR”

Witness

By: _____ (L.S.)
Christy A. Hall, PE, Secretary of Transportation

Witness

By: _____ (L.S.)
Madeleine Hendry, Acting Deputy Secretary for
Finance and Administration

THE STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

)
) PROBATE
)

Personally appeared before me _____ and
made oath that s(he) saw the within named South Carolina Department of Transportation, by
its duly authorized officers, Christy A. Hall, PE, Secretary of Transportation and Madeleine
Hendry, Acting Deputy Secretary for Finance and Administration, sign, seal with its corporate
seal, and as its act and deed delivered the within written instrument, and that s(he) with
_____ witnessed the execution thereof.

SWORN to before me this _____
day of _____, 2024

Witness

Notary Public for South Carolina

Printed Name of Notary

My Commission Expires: _____

LESSEE SIGNATURE ON FOLLOWING PAGE

Signed, sealed and delivered in the presence of

BEAUFORT COUNTY
"LESSEE"

Witness

By _____ (L.S.)

Its: _____

THE STATE OF SOUTH CAROLINA

COUNTY OF BEAUFORT

)
)
)

PROBATE

Personally appeared before me _____ and made oath that s(he) saw the within named _____, by its duly authorized officers, _____, sign, seal with its corporate seal, and as its act and deed delivered the within written instrument, and that s(he) with _____ witnessed the execution thereof.

SWORN to before me this _____ day of _____, 2024

Witness

Notary Public for South Carolina

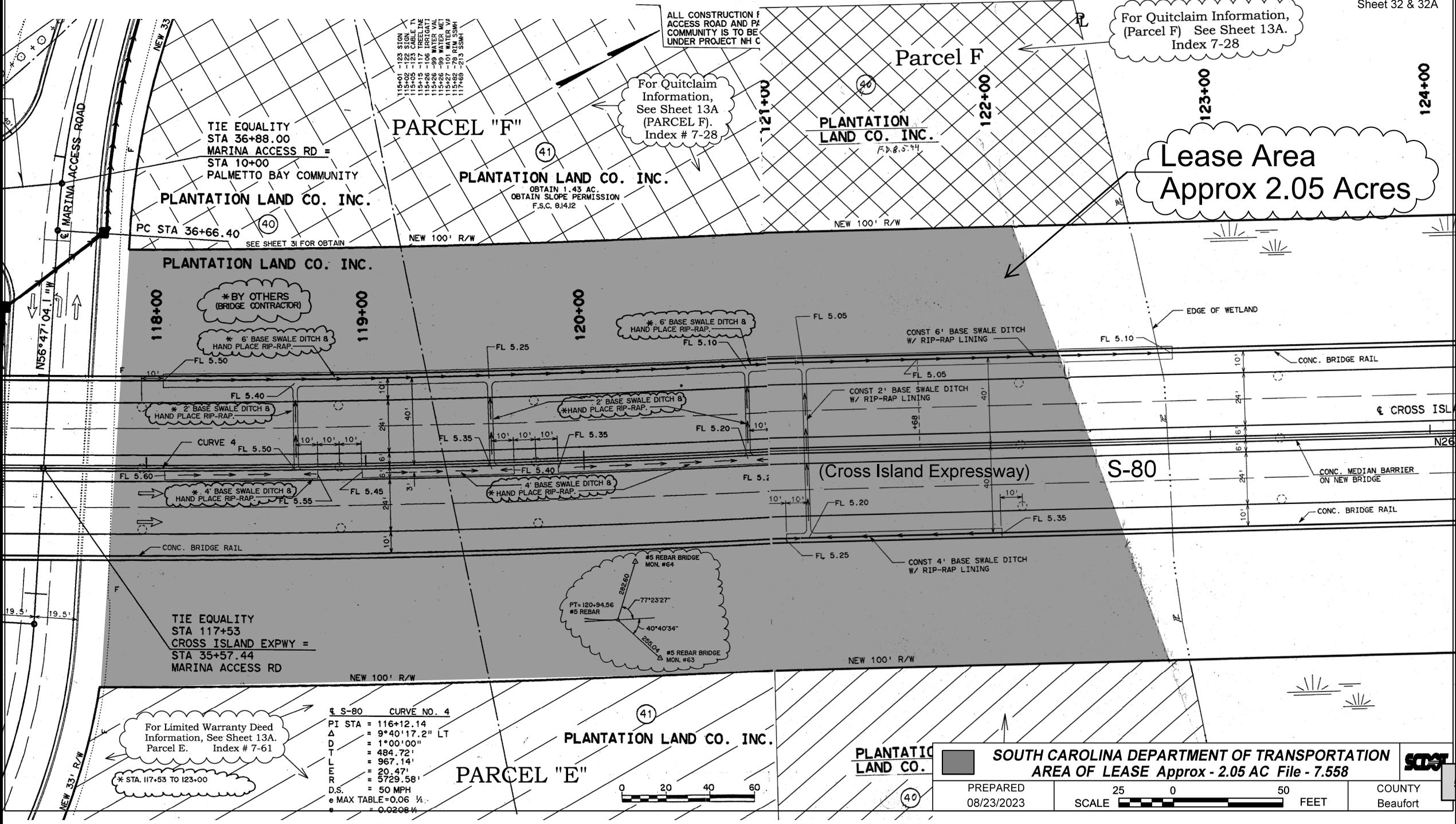
Printed Name of Notary

My Commission Expires: _____

EXHIBIT "A"

THIS EXHIBIT IS A GRAPHIC REPRESENTATION OF THE "LEASE AREA" AND IS IN DIRECT REFERENCE TO ENGINEERING PLANS, A COPY OF WHICH CAN BE OBTAINED FROM SCDOT HEADQUARTERS; 955 PARK STREET, COLUMBIA, SC 29201. ADDITIONALLY, UPON COMPLETION OF CONSTRUCTION, A RECORDABLE RIGHT OF WAY PLAT SHALL BE SUBMITTED TO THE REGISTER OF DEEDS IN COMPLIANCE WITH SCDOT STANDARD DRAWING 809-105-00.

Beaufort
File 7.558 S-80
Sheet 32 & 32A



ALL CONSTRUCTION OF ACCESS ROAD AND PALMETTO BAY COMMUNITY IS TO BE UNDER PROJECT NH C

For Quitclaim Information, (Parcel F) See Sheet 13A. Index 7-28

For Quitclaim Information, See Sheet 13A (PARCEL F). Index # 7-28

Lease Area
Approx 2.05 Acres

TIE EQUALITY
STA 36+88.00
MARINA ACCESS RD =
STA 10+00
PALMETTO BAY COMMUNITY
PLANTATION LAND CO. INC.

PARCEL "F"
PLANTATION LAND CO. INC.
OBTAIN 1.43 AC.
OBTAIN SLOPE PERMISSION
F.S.C. 814.12

Parcel F
PLANTATION LAND CO. INC.
FD 8.5.94

PLANTATION LAND CO. INC.

* BY OTHERS (BRIDGE CONTRACTOR)

* 6' BASE SWALE DITCH & HAND PLACE RIP-RAP.

* 6' BASE SWALE DITCH & HAND PLACE RIP-RAP.

* 2' BASE SWALE DITCH & HAND PLACE RIP-RAP.

* 2' BASE SWALE DITCH & HAND PLACE RIP-RAP.

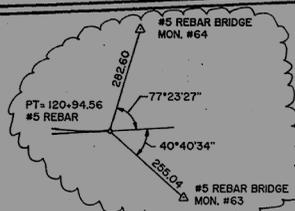
* 4' BASE SWALE DITCH & HAND PLACE RIP-RAP.

* 4' BASE SWALE DITCH & HAND PLACE RIP-RAP.

(Cross Island Expressway)

S-80

TIE EQUALITY
STA 117+53
CROSS ISLAND EXPWY =
STA 35+57.44
MARINA ACCESS RD



For Limited Warranty Deed Information, See Sheet 13A. Parcel E. Index # 7-61

S-80 CURVE NO. 4
PI STA = 116+12.14
Δ = 9°40'17.2" LT
D = 1°00'00"
T = 484.72'
L = 967.14'
E = 20.47'
R = 5729.58'
D.S. = 50 MPH
e MAX TABLE = 0.06
e = 0.0208 1/4

PARCEL "E"

PLANTATION LAND CO. INC.

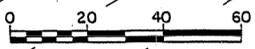
PLANTATION LAND CO.

SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION
AREA OF LEASE Approx - 2.05 AC File - 7.558

PREPARED
08/23/2023

SCALE 25 0 50 FEET

COUNTY
Beaufort





BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
A RESOLUTION TO ACCEPT THE MILITARY ENHANCEMENT PLAN FUND GRANT FROM THE SOUTH CAROLINA DEPARTMENT OF VETERANS' AFFAIRS FOR THE AMOUNT OF \$3,392,328 FOR THE LAUREL BAY ROAD PATHWAY PROJECT
MEETING NAME AND DATE:
Public Facilities and Safety Committee – January 22, 2024
PRESENTER INFORMATION:
Jared Fralix, Assistant County Administrator - Infrastructure
ITEM BACKGROUND:
The South Carolina Department of Veterans' Affairs provided a grant opportunity through the Military Enhancement Plan Fund which are distributed to projects including, but not limited to, recreational purposes, educational purposes, and facilities for military personnel. As the 2018 One Cent Transportation Sales Tax project for Laurel Bay Road Pathway resides between two military installations, Laurel Bay housing complex and Marine Corps Air Station (MCAS Beaufort), the County sought after the grant to leverage funds for the Sidewalks and Multi-Use Pathways within the 2018 One Cent Transportation Sales Tax program.
PROJECT / ITEM NARRATIVE:
The Laurel Bay Road Pathway Project will support Marines, sailors, and their respective families through enhanced connections to the local federal military installations. The project scope includes a new 3.6-mile long 10 FT multi-use pathway with a grass buffer on the northern side of Laurel Bay Road, replacing the existing 5 FT sidewalk.
FISCAL IMPACT:
The grant is an 80/20 match: 80% from SCDVA and 20% Local Match. The grant award is for a total of \$3,392,328 that will be deposited in the 2018 One Cent Transportation Sales Tax account 4705-80-0000-43765 and used for the Laurel Bay Road Pathway project. With a total project cost, plus contingency equaling \$4,950,940.79, the County's match is \$1,558,612.79 from account number 4705-80-0000-54500.
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends to approve the Resolution to accept the Military Enhancement Plan Fund Grant from the South Carolina Department of Veterans' Affairs for the amount of \$3,392,328 for the Laurel Bay Road Pathway project.
OPTIONS FOR COUNCIL MOTION:
Motion to approve/deny the Resolution to accept the Military Enhancement Plan Fund Grant from the South Carolina Department of Veterans' Affairs for the amount of \$3,392,328 for the Laurel Bay Road Pathway project. <i>Next Steps: Move forward to County Council to approve/deny the Resolution to accept the Military Enhancement Plan Fund Grant from the South Carolina Department of Veterans' Affairs for the amount of \$3,392,382 for the Laurel Bay Road Pathway project.</i>

RESOLUTION 2024 /__

A RESOLUTION TO ACCEPT THE MILITARY ENHANCEMENT PLAN FUND GRANT FROM THE SOUTH CAROLINA DEPARTMENT OF VETERANS’ AFFAIRS FOR THE AMOUNT OF \$3,392,328 FOR THE LAUREL BAY ROAD PATHWAY PROJECT

WHEREAS Beaufort County Council adopted a One percent (1%) Transportation Sales Tax Ordinance on November 13, 2017, enumerating twenty-four (24) pathways projects to be funded for a total of Ten Million Dollars (\$10,000,000); and

WHEREAS the One Cent Sales Tax Referendum question to approve the one (1%) percent sales tax was passed on November 6, 2018; and

WHEREAS the total cost of all the pathway projects will exceed the available funding from the sales tax referendum therefore, sought to leverage funds to complete the projects; and

WHEREAS Beaufort County was awarded \$3,392,328 from the South Carolina Department of Veterans’ Affairs Military Enhancement Plan Fund Grant for the Laurel Bay Road Pathway Project; and

WHEREAS Beaufort County will execute the grant’s requirements during the duration of the project while completing all applicable reporting.

NOW THEREFORE, BE IT RESOLVED, THAT THE COUNTY COUNCIL OF BEAUFORT COUNTY, SOUTH CAROLINA hereby approves the acceptance of the Military Enhancement Plan Fund Grant from the South Carolina Department of Veterans’ Affairs for the amount of \$3,392,328 for the Laurel Bay Road Pathway Project.

Adopted this ____ day of _____, 2024.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock, Clerk to Council



State of South Carolina
Department of Veterans' Affairs
1800 St. Julian Place, Suite 305, Columbia, South Carolina 29204
Phone: (803) 734-0200 • Fax (803) 734-4014

December 8, 2022

Brittane Fields
Beaufort County Transportation
2266 Boundary Street
Beaufort, SC 29901

Dear Ms. Fields,

I am pleased to inform you that the Military Enhancement Fund proposal for the Laurel Bay Road Pathway Project has been approved in the amount of \$3,392,328. We are happy to assist in providing military families with enhanced safety and quality of life, as well as aiding resilience and military value for MCAS Beaufort.

Sandy Claypoole at sandy.claypoole@scdva.sc.gov will coordinate with you on the disbursement of funds.

Sincerely,

A handwritten signature in blue ink, appearing to read "Will Grimsley EdD".

Will Grimsley EdD
MG, US Army (Ret)
Secretary of Veterans' Affairs

ORDINANCE NO. 2022/ 26

**AN ORDINANCE TO APPROPRIATE EXCESS FUNDS COLLECTED FROM THE 2018
TRANSPORTATION SALES TAX**

WHEREAS, On November 13th 2017, by ordinance number 2017/34, Beaufort County Council ("County Council") adopted enabling legislation which provided for the levy and collection of a one cent transportation sales tax; and

WHEREAS, the tax was approved in a referendum vote; and

WHEREAS, the tax was estimated to collect \$120,000,000 before it was to be terminated; and

WHEREAS, the tax collections were actually \$135,449,734.75, creating a surplus of \$15,449,734.75; and

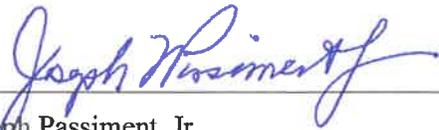
WHEREAS, the \$120 million referendum included three (3) project categories; US 278 Corridor Traffic Improvements (\$80 million) , Lady’s Island Corridor Traffic Improvements (\$30 million) and Sidewalks and Multi-Use Pathways (\$10 million); and

WHEREAS, In May 2019, County Council passed Resolution 2019/22 prioritizing the Sidewalks and Multi-Use Pathways projects to 14 out of the 24 locations as the total cost of all the projects exceeded the available funding from the referendum; and

WHEREAS, County Council finds that it is in the best interest of its citizens, residents, visitors and tourists to appropriate the surplus funds to the Sidewalks and Multi-Use Pathway program starting with the remainder of the prioritized 14 pathways and then moving to the remainder of the 24 pathways as funds are available;

NOW, THEREFORE, BE IT ORDAINED BY BEAUFORT COUNTY COUNCIL, in meeting duly assembled, that the surplus in 2018 sales tax referendum revenues of \$15,449,734.75 be appropriated to be used for the Sidewalks and Multi-Use Pathway program;

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: 
Joseph Passiment, Jr.

ATTEST:

Sarah Brock, Clerk to Council

Chronology:
Third and Final Reading: May 23, 2022 Vote: 9/0
Public Hearing: May 9, 2022
Second Reading: May 9, 2022 Vote: 11/0
First Reading: April 25, 2022 Vote: 11/0

RESOLUTION 2019 / 22

A RESOLUTION ESTABLISHING PRIORITIES FOR THE PATHWAYS PROJECTS USING THE 2018 ONE CENT SALES TAX REFERENDUM FUNDS.

WHEREAS, Beaufort County Council adopted a One percent (1%) Transportation Sales Tax Ordinance on November 13, 2017 enumerating twenty-four (24) pathways projects to be funded for a total of Ten Million Dollars (\$10,000,000); and

WHEREAS, the Referendum question to approve the one (1%) percent sales tax was passed on November 6, 2018; and

WHEREAS, the total cost of all the pathway projects will exceed the available funding from the sales tax referendum; and

WHEREAS, County Council wishes to establish a priority of pathway projects by Council District, in order to distribute the available funding as evenly as possible and to maximize available funding; and

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Beaufort County Council, duly assembled, establishes the pathway priority for the 2018 One Cent Transportation Sales Tax funds on the following projects enumerated in the transportation referendum:

District 1:

Stuart Point Road

Big Estate Road

District 2:

Middle Road

District 3:

Dr. Martin Luther King, Jr. Road

Meridian Road

District 4:

Broad River Drive

Ribaut Road to Parris Island Gateway

Depot Road

District 5:

Salem Road/Old Salem Road

Broad river Blvd/Riley Road

Burton Hill/Old Salem Road

District 9:

Burnt Church Road

Bluffton Parkway

Ulmer Road/Shad Road

Adopted this 28th day of May, 2019.

COUNTY COUNCIL OF BEAUFORT COUNTY

By:  _____

Stewart H. Rodman, Chairman
Beaufort County Council

ATTEST:

 _____
Sarah Brock, Clerk to Council.



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

Item 1.

ITEM TITLE:
APPROVAL OF AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND TO PROVIDE FUNDING FOR THE PURCHASE OF TAX MAP SERIAL NUMBER TMS R600-036-000-0013-0000 AND ALSO KNOWN AS 76 MAY RIVER ROAD (FUNDING: SOUTHERN BEAUFORT COUNTY LIBRARY IMPACT FEES; BALANCE - \$4.2M)
MEETING NAME AND DATE:
COUNTY COUNCIL; JANUARY 8 TH , 2023 @ 5PM
PRESENTER INFORMATION:
CHUCK ATKINSON, ACA DEVELOPMENT AND RECREATION 10 MINUTES
ITEM BACKGROUND:
BEAUFORT COUNTY LIBRARY BOARD VOTED TO RECOMMEND APPROVAL OF THE PURCHASE AT IT'S NOVEMBER 2023 MEETING. <i>THE COMMUNITY SERVICES AND LAND USE COMMITTEE VOTED TO RECOMMEND APPROVAL OF THE PURCHASE AT IT'S DECEMBER 11, 2023 MEETING.</i>
PROJECT / ITEM NARRATIVE:
THE BEAUFORT COUNTY LIBRARY SYSTEM HAS FOR MANY YEARS INCLUDED THE CONSTRUCTION OF A PRICHARDVILLE AREA LIBRARY IN ITS MASTER PLAN AND HAS COLLECTED IMPACT FEE'S FOR THE PURPOSE OF ACCOMPLISHING THIS GOAL. THE PROPERTY LOCATED AT 76 MAY RIVER ROAD IS A 9.83 ACRE PROPERTY WITH FRONTAGE ALONG MAY RIVER ROAD. COMPLETED DUE DILIGENCE DOCUMENTATION INCLUDES A TREE AND TOPO SURVEY, BOUNDARY SURVEY, CURRENT APPRAISAL, WETLANDS DELINIATION LETTER, AND A CLEAN PHASE 1 ENVIRONMENTAL ASSESSMENT. THE FEE SIMPLE PURCHASE OF THIS PROPERTY WILL MEET THE SIZE AND GEOGRAPHIC NEEDS OF THE COUNTY'S LIBRARY SYSTEM. THE PURCHASE PRICE IS \$2,000,000 PLUS CLOSING COSTS AND WILL BE FUNDED WITH BEAUFORT COUNTY LIBRARY IMPACT FEES.
FISCAL IMPACT:
THE PURCHASE PRICE IS \$2,000,000 PLUS CLOSING COSTS AND WILL BE FUNDED WITH BEAUFORT COUNTY LIBRARY IMPACT FEES.
STAFF RECOMMENDATIONS TO COUNCIL:
STAFF RECOMMENDS APPROVAL OF THE ORDINANCE AUTHORIZING THE PURCHASE OF 76 MAY RIVER ROAD FOR THE PURPOSE OF CONSTRUCTING A NEW 16,000 +/- SQUARE FOOT LIBRARY.
OPTIONS FOR COUNCIL MOTION:
RECOMMEND APPROVAL / DENIAL OF AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND TO PROVIDE FUNDING FOR THE PURCHASE OF TAX MAP SERIAL NUMBER TMS R600-036-000-0013-0000 AND ALSO KNOWN AS 76 MAY RIVER ROAD.

ORDINANCE 2024/_____

AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS, TO PROVIDE FUNDING FOR THE PURCHASE OF REAL PROPERTY IDENTIFIED AS TMS R600-036-000-0013-0000 AND ALSO KNOWN AS 76 MAY RIVER ROAD.

WHEREAS, Seller wishes to sell and Purchaser wishes to purchase fee simple interest on property currently identified as R600-036-000-0013-0000 consisting of +/- 9.83 acres and also known as 76 May River Road (“Property”); and

WHEREAS, the fee simple purchase of the Property has been demonstrated to meet the size and geographic needs of the county’s library system; and

WHEREAS, the Property is within unincorporated Beaufort County, is surrounded by properties with a similar use, and has frontage on May River Road; and

WHEREAS, the County has negotiated terms for the sale and purchase of the Property and the County agrees to purchase the Property in the amount of \$2,000,000 plus closing costs with funds from Beaufort County Library Impact Fees; and

WHEREAS, the proposed purchase of the Property was presented to the Beaufort County Library Board at the November 2023 meeting and the Board unanimously recommended approval of the purchase; and

WHEREAS, County Council finds that it is in the best interest of the citizens and residents of Beaufort County for the Interim County Administrator to execute the necessary documents for the fee simple acquisition and purchase of the Property.

NOW, THEREFORE, BE IT ORDAINED by Beaufort County Council, duly assembled, authorizing the Interim County Administrator to execute the necessary documents and provide funding in the amount of \$2,000,000 plus closing costs from Beaufort County Library Impact Fees for the purchase of real property with an address of 76 May River Road.

DONE this ____ day of _____ 2024.

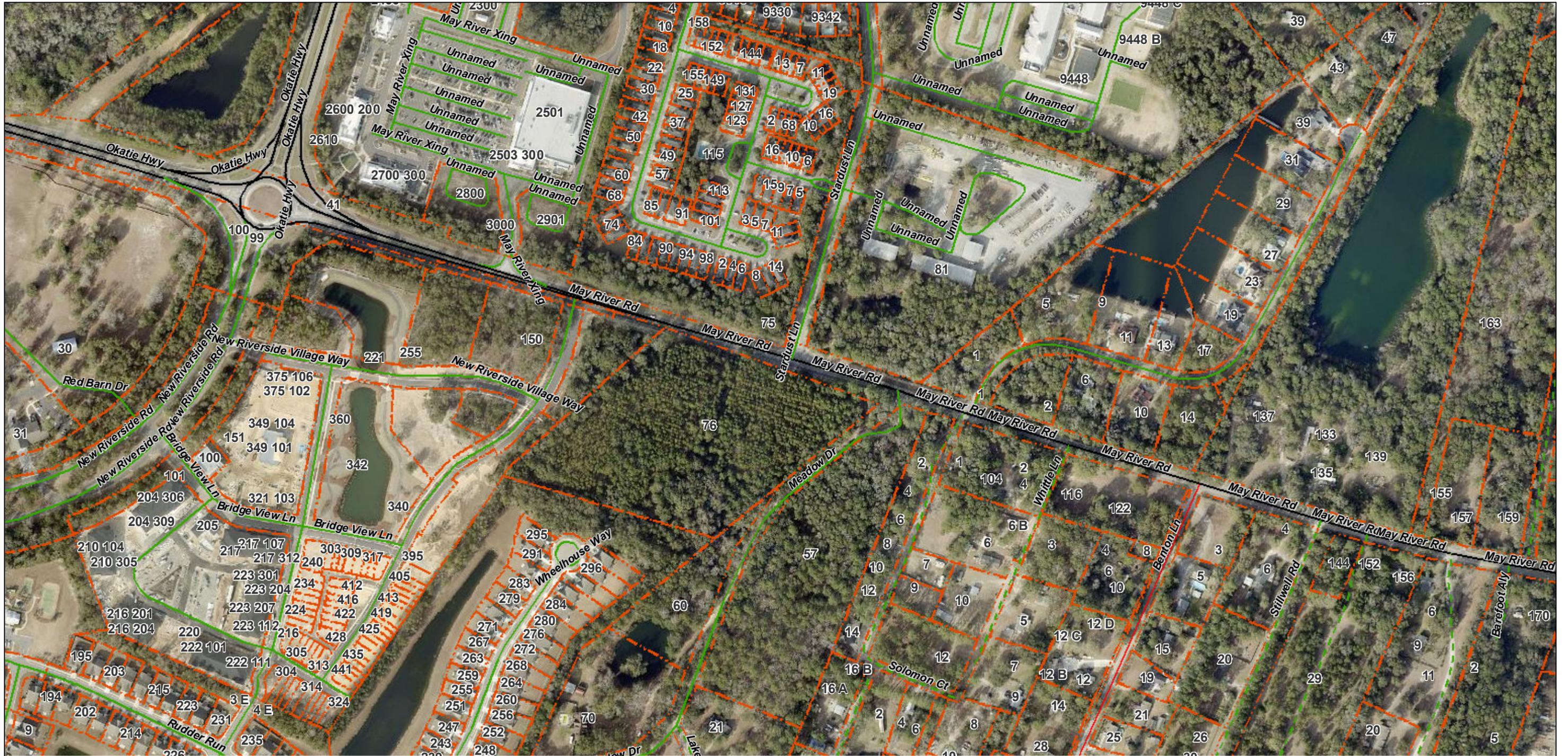
COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock, Clerk to Council

ArcGIS Web Map

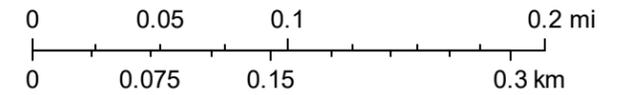


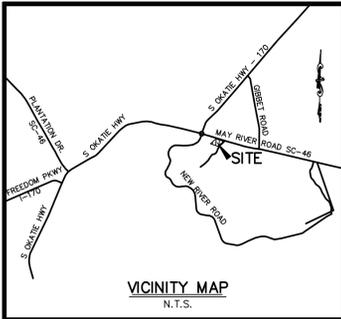
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Road Classifications

- STATE, PAVED
- COUNTY, PAVED
- PRIVATE, PAVED
- PRIVATE, UNPAVED
- LiveParcels

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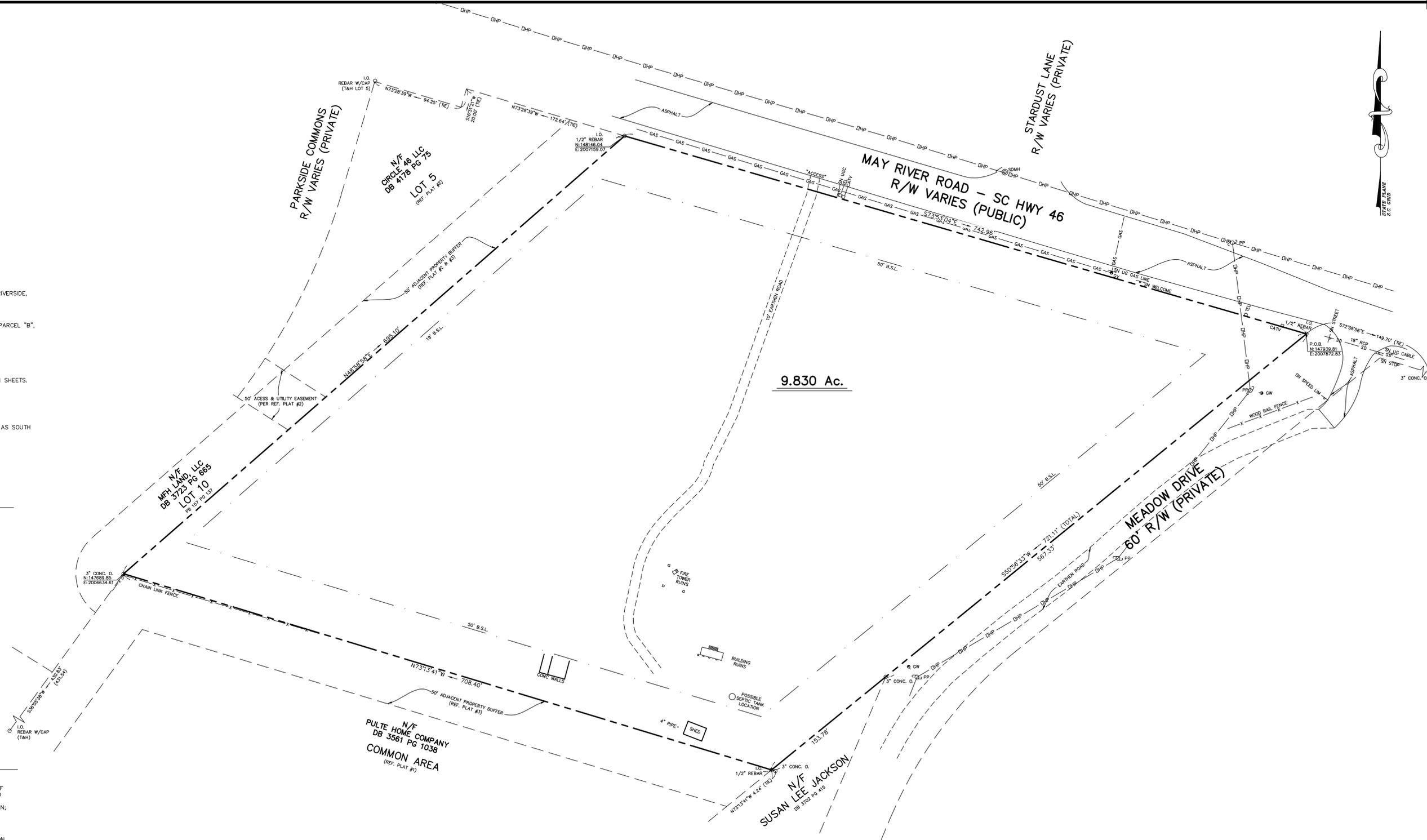


- REFERENCE PLAT:
- 1) THE LANDINGS, PHASE 3B, AT NEW RIVERSIDE, A PORTION OF PARCEL 4B-1 DATED: 03/05/2020, BY: ROBERT K MORGAN, III, S.C.R.L.S. NO. 26957, RECORDED: PLAT BOOK 154, PAGE 111, DATE: 07/30/2020.
 - 2) SUBDIVISION PLAT, NEW RIVERSIDE VILLAGE, DATED: 10/06/2021, BY: ROBERT K MORGAN, III, S.C.R.L.S. NO. 26957, RECORDED: PLAT BOOK 157, PAGE 137, DATE: 10/15/2021.
 - 3) MINOR SUBDIVISION, PARCEL 4B-1 & 4B-2, FORMERLY PARCEL 4B, R610 Q36 000 0385 000, A PORTION OF NEW RIVERSIDE, DATED: 10/19/2016, BY: ROBERT K MORGAN, III, S.C.R.L.S. NO. 26957, RECORDED: PLAT BOOK 145, PAGE 85, DATE: 11/23/2016.
 - 4) PROPOSED BOUNDARY RECONFIGURATION OF PARCEL "A" & PARCEL "B", MEADOW DRIVE, NEAR PRITCHARDVILLE, DATED: 03/14/2006, BY: FORREST F. BAUGHMAN, S.C.R.L.S. NO. 4922, RECORDED: PLAT BOOK 112, PAGE 99 DATE: 03/24/2006.
- REFERENCE PLANS:
- 1) S.C. 170/S.C. 46 ROUNDABOUT, PALMETTO BLUFF, LLC, PLAN SHEETS, DATED: 07/17/2006, BY: DOYLE K. KELLY, JR., S.C.P.E. NO. 19083, THOMAS & HUTTON ENGINEERING CO.
- REFERENCE DEED:
- 1) INVESTMENT TRUST CORPORATION TO H.L. TILGHMAN, ET AL, AS SOUTH CAROLINA COMMISSION OF FORESTRY, RECORDED: DEED BOOK 48, PAGE 241 DATE: 01/03/1934

LEGEND:

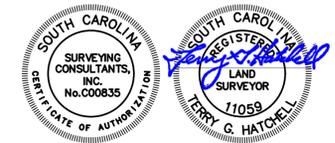
CONC. O.	CONCRETE MONUMENT, OLD (FOUND)
I.O.	IRON PIPE, OLD (FOUND)
I.N.	IRON REBAR, NEW (SET)
AC	ACRE
B.S.L.	BUILDING SETBACK LINE
CATV	CABLE TELEVISION JUNCTION BOX
GV	GAS VALVE
NTS	NOT TO SCALE
N/F	NOW OR FORMERLY
PP	POWER POLE
R/W	RIGHT OF WAY
SN	SIGN
SDMH	STORM DRAIN MANHOLE
TEL	TELEPHONE JUNCTION BOX
RCP	REINFORCED CONCRETE PIPE
---	FENCE LINE
---	OVERHEAD POWERLINE
---	STORM DRAIN LINE
---	GAS LINE

- NOTES
- 1) I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO OBVIOUS, APPARENT OR VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.
 - 2) AS OF THE DATE OF THIS SURVEY THIS PROPERTY IS LOCATED IN ZONE X, NOT A SPECIAL FLOOD HAZARD AREA AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP 45013C0405G, COMMUNITY NO. 450025, MAP DATED 03/23/2021. FLOOD HAZARD ZONE AND BASE ELEVATION SHOULD BE VERIFIED BY PROPER TOWN OR COUNTY BUILDING INSPECTIONS DEPARTMENT.
 - 3) BUILDING SETBACKS WHICH EXIST FOR THIS LOT, SHOWN ON THIS SURVEY, WERE TAKEN FROM BEAUFORT COUNTY ZONING REGULATIONS. SETBACKS SHOWN SHOULD BE VERIFIED THRU THE APPROPRIATE ARCHITECTURAL REVIEW BOARD OR BUILDING AGENCY. SURVEYING CONSULTANTS DOES NOT CERTIFY TO THE BUILDING SETBACKS SHOWN.
 - 4) UNDERGROUND UTILITIES SHOWN HEREON WERE MARKED BY OTHERS (UNKNOWN SOURCE) AND ARE APPROXIMATE. SURVEYING CONSULTANTS DOES NOT CERTIFY TO THE LOCATION OF ANY UNDERGROUND OR ABOVE GROUND UTILITY. ALL UTILITY LOCATIONS MAY NOT BE SHOWN. OTHER UTILITIES THAN THOSE SHOWN MAY EXIST ON OR NEAR THIS PARCEL.
 - 5) NO SUBSURFACE OR ENVIRONMENTAL INVESTIGATION OR WETLAND SURVEYS WERE PERFORMED FOR THIS PLAT. THEREFORE THIS PLAT DOES NOT REFLECT THE EXISTENCE OR NONEXISTENCE OF WETLANDS, CONTAMINATION, OR OTHER CONDITIONS WHICH MAY AFFECT THIS PROPERTY.
 - 6) THE HORIZONTAL DATUM SHOWN IS BASED ON SOUTH CAROLINA STATE PLANE COORDINATES ESTABLISHED BY GPS LOCATIONS OF THE SOUTH CAROLINA VRS SYSTEM ON 05/18/2022.
 - 7) NO OBVIOUS OR APPARENT ENCROACHMENTS OR OTHER SIGNIFICANT OBSERVATIONS WERE OBSERVED, EXCEPT AS SHOWN HEREON. AN ENCROACHMENT IS A LEGAL CONDITION, NOT A MATTER OF SURVEY. THEREFORE, THE SURVEYOR DOES NOT LABEL ENCROACHMENTS AS SUCH. ALSO, THERE MAY BE POSSIBLE ENCROACHMENTS THAT ARE NOT VISIBLE AND/OR OBVIOUS ON THE SUBJECT PROPERTY.



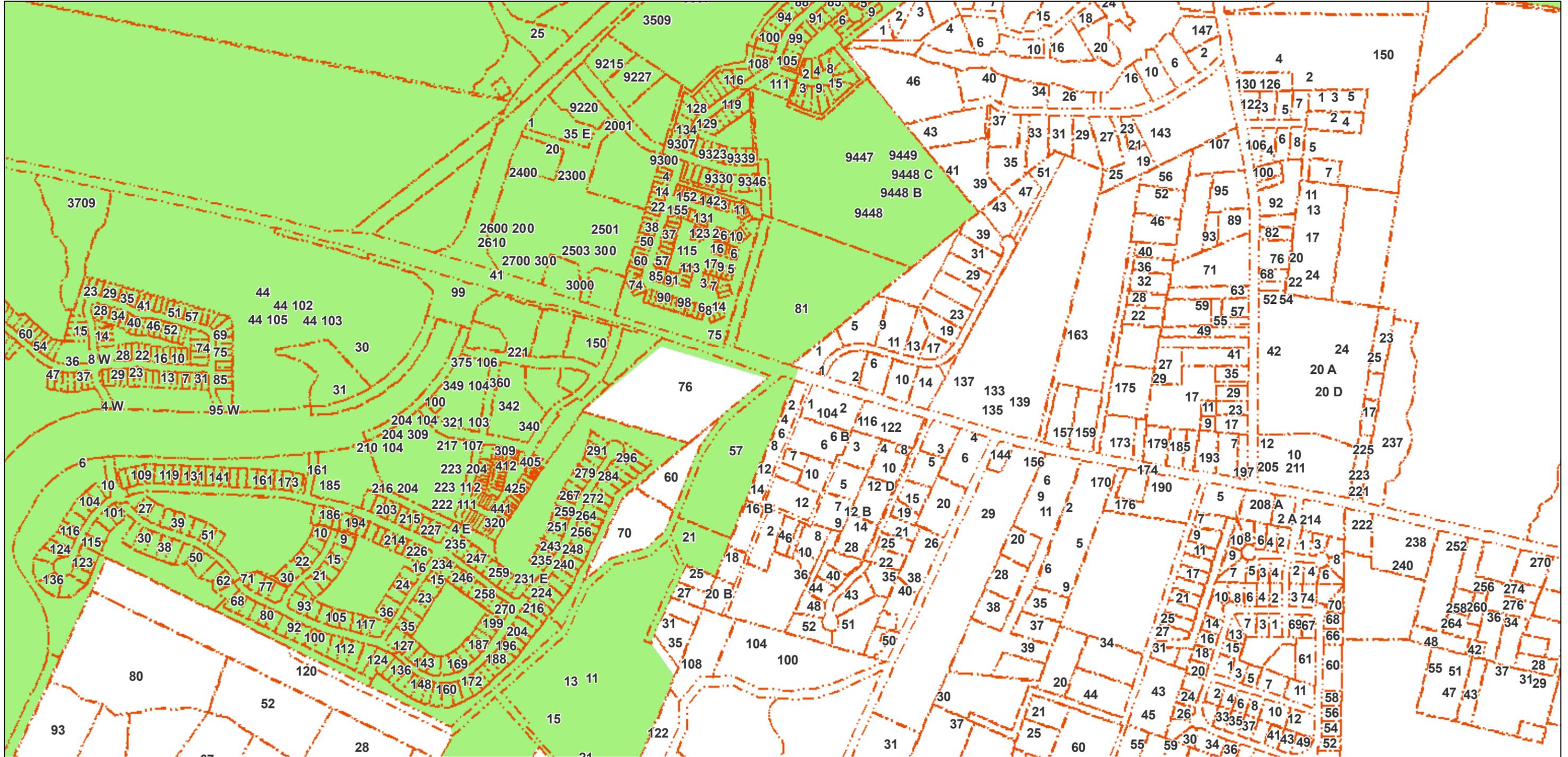
BOUNDARY SURVEY
9.83 ACRES
#76 MAY RIVER ROAD
TAX I.D. NO. R600-036-000-0013-0000
 TOWN OF BLUFFTON, BEAUFORT COUNTY, SOUTH CAROLINA
 SCALE: 1"=50' DATE: 03/22/2023 JOB NO: SC220058A

PREPARED FOR: MART PROPERTY LLC
 ADDRESS: #76 MAY RIVER ROAD
 TAX PARCEL I.D. NO. R600-036-000-0013-0000



SG SURVEYING CONSULTANTS
 17 Sherington Drive, Suite C, Bluffton, SC 29910
 SC Telephone: (843) 815-3304 FAX: (843) 815-3305
 GA Telephone: (912) 828-2775
 www.SurveyingConsultants.com
 Email: SC@SurveyingConsultants.com
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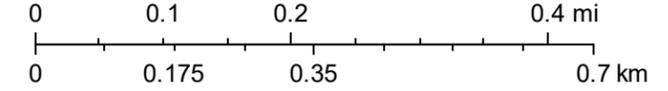
ArcGIS Web Map



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- LiveParcels
- Municipal Boundaries
 - City of Beaufort
 - Town of Port Royal
 - Town of Bluffton
 - Town of Yemassee
 - Town of Hilton Head
 - City of Hardeeville
 - Town of Ridgeland





BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
<i>ZONING MAP AMENDMENT/REZONING REQUEST FOR 57 ACRES (R200 004 000 0301 0000, R200 004 000 0302 0000, R200 004 000 0300 0000, R200 004 000 0063 0000) LOCATED AT 1, 2, 3, 4 BENNETT POINT DRIVE FROM PLANNED UNIT DEVELOPMENT (PUD) TO T2 RURAL (T2R).</i>
MEETING NAME AND DATE:
<i>Community Services and Land Use Committee Meeting, October 9, 2023</i>
PRESENTER INFORMATION:
<i>Robert Merchant, AICP, Director, Beaufort County Planning and Zoning (10 minutes needed for item discussion)</i>
ITEM BACKGROUND:
<i>This rezoning application went before the Beaufort County Planning Commission at their September 7, 2023, meeting. At that time, the Commission voted unanimously to recommend approval of the proposed amendment to County Council.</i>
PROJECT / ITEM NARRATIVE:
<i>The applicants are seeking to amend the zoning of four undeveloped parcels from the Pleasant Point PUD to T2R. The parcels make up the "Texas Tract" which was originally platted and approved for 179 single family lots. This was then reduced to four lots that remain in a Conservation Easement. This easement states that the tract cannot be further subdivided and each parcel is limited to one dwelling unit.</i>
FISCAL IMPACT:
<i>Not applicable</i>
STAFF RECOMMENDATIONS TO COUNCIL:
<i>Staff recommends approval of the proposed zoning amendment.</i>
OPTIONS FOR COUNCIL MOTION:
<i>Approval of the application as submitted;*</i> <i>Approval of the application with a reduction in the area proposed to be rezoned;*</i> <i>Approval of a rezoning to a more restricted base zone than requested in the application;*</i> or <i>Denial of the application.*</i> <i>*Council's decision must be based on the standards in Section 7.3.40 C of the Community Development Code (Attachment 1 to this AIS) and must clearly state the factors considered in making its decision and the basis or rationale for the decision. (7.4.90 B.3)</i>

Attachment A.

CDC Section 7.3.40 B.7 Zoning Map Amendment (Rezoning) provides:

The County Council's decision shall be based on the standards in Subsection 7.4.30 C and shall be one of the following:

1. Approval of the application as submitted;
2. Approval of the application with a reduction in the area proposed to be rezoned;
3. Approval of a rezoning to a more restricted base zone than requested in the application;
4. Denial of the application.

CDC Section 7.3.40 C. Zone Map Amendment Review Standards.

The advisability of an amendment to the Official Zoning Map is a matter committed to the legislative discretion of the County Council and is not controlled by any one factor. In determining whether to adopt or deny a proposed Zone Map Amendment, the County Council shall weigh the relevance of and consider whether and the extent to which the proposed amendment:

1. Is consistent with and furthers the goals, and policies of the Comprehensive Plan and the purposes of this Development Code. In areas of new development, a finding of consistency with the Comprehensive Plan shall be considered to meet the standards below, unless compelling evidence demonstrates the proposed amendment would threaten the public health, safety, and welfare if the land subject to the amendment is classified to be consistent with the Comprehensive Plan;
2. Is not in conflict with any provision of this Development Code, or the Code of Ordinances;
3. Addresses a demonstrated community need;
4. Is required by changed conditions;
5. Is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zone and uses for the land;
6. Would not adversely impact nearby lands;
7. Would result in a logical and orderly development pattern;
8. Would not result in adverse impacts on the natural environment—including, but not limited to, water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment; and
9. Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities).

CDC Section 7.4.90 B.3 provides:

County Council's decision shall clearly state the factors considered in making the decision and the basis or rationale for the decision.



MEMORANDUM

TO: Alice Howard, Chair, Community Services and Land Use Committee of County Council

FROM: Robert Merchant, Beaufort County Planning and Zoning Department

DATE: October 9, 2023

SUBJECT: ZONING MAP AMENDMENT/REZONING REQUEST FOR 57 ACRES (R200 004 000 0301 0000, R200 004 000 0302 0000, R200 004 000 0300 0000, R200 004 000 0063 0000) LOCATED AT 1, 2, 3, 4 BENNETT POINT DRIVE FROM PLANNED UNIT DEVELOPMENT (PUD) TO T2 RURAL (T2R).

STAFF REPORT:

A. BACKGROUND:

Case No. CDPA-000031-2023

Owner/Applicant: Gregory Bennett, Marvin Black, J. Craig Floyd, David Salsbury

Property Location: 1, 2, 3, and 4 Bennett Point Drive

District/Map/Parcel: R200 004 000 0301 0000, R200 004 000 0302 0000, R200 004 000 0300 0000, R200 004 000 0063 0000

Property Size: 57 acres

Current Future Land Use Designation: Preserved Land

Current Zoning District: Planned Unit Development (PUD) (Pleasant Point)

Proposed Zoning District: T2 Rural (T2R)

B. SUMMARY OF REQUEST: The applicants are seeking to amend the zoning of four undeveloped parcels from the Pleasant Point PUD to T2R. The parcels make up the “Texas Tract” which was originally platted and approved for 179 single family lots. This was then reduced to four lots that remain in a Conservation Easement. This easement states that the tract cannot be further subdivided and each parcel is limited to one dwelling unit.

C. EXISTING ZONING: The parcels are currently zoned PUD.

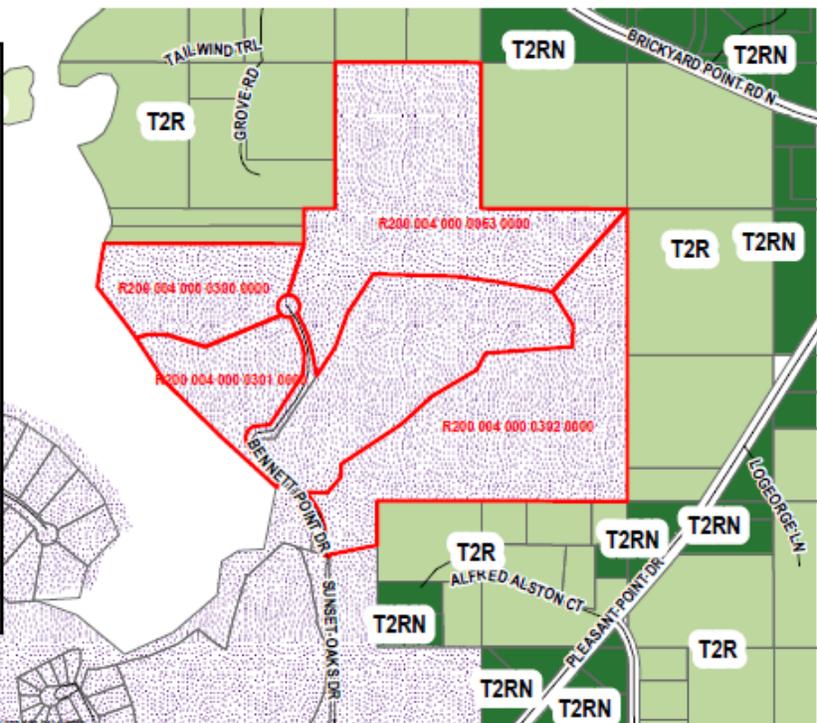
D. PROPOSED ZONING: The T2 Rural zoning is intended to preserve the rural character of Beaufort County. This Zone applies to areas that consist of sparsely settled lands in an open or cultivated state.

It may include large lot residential, farms where animals are raised or crops are grown, parks, woodland, grasslands, trails, and open space areas. Its density is one dwelling unit per three acres.

- E. COMPREHENSIVE PLAN FUTURE LAND USE MAP:** These four lots are designated Preserved Land. The Comprehensive Plan states that this land use category includes all public parks; and public and private lands that are preserved through conservation easements.
- F. TRAFFIC IMPACTS:** According to Section 6.3.20.D of the CDC, “*An application for a rezoning shall include a TIA where the particular project or zoning district may result in a development that generates 50 trips during the peak hour or will change the level of service of the affected street.*” The applicant does not require a TIA.
- G. SCHOOL CAPACITY IMPACTS:** The School District will not be affected by the proposed rezoning.
- H. STAFF RECOMMENDATION:** Staff recommends approval of the rezoning request.
- I. PLANNING COMMISSION RECOMMENDATION:** This rezoning application went before the Beaufort County Planning Commission at their September 7, 2023, meeting. At that time the Commission voted unanimously to recommend approval of the proposed amendment to County Council.
- J. ATTACHMENTS**
- Zoning Map (existing and proposed)
 - Texas Tract Conservation Easement

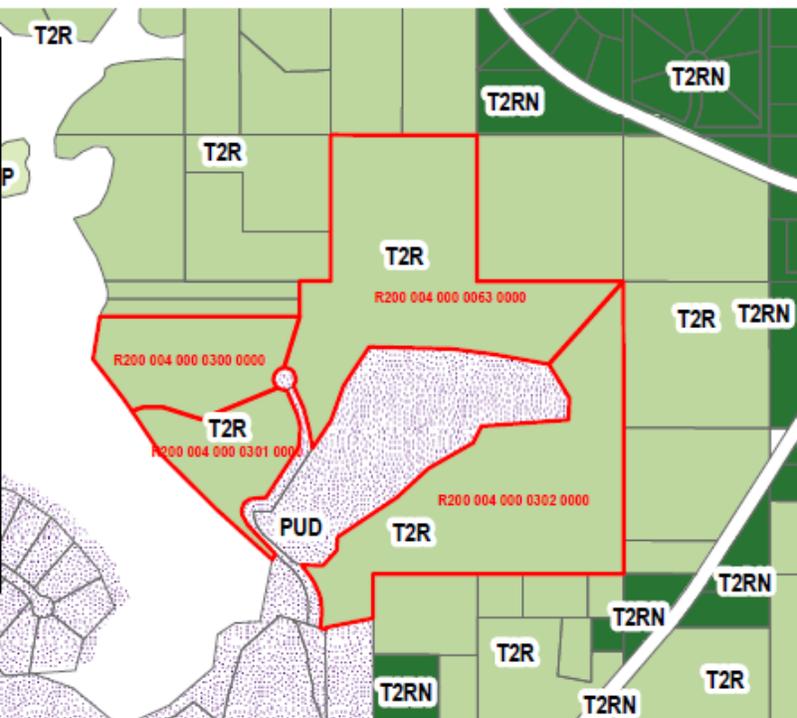
Existing Zoning

- Legend**
- R200 4 300, 301, 302, 63
 - Zone Districts**
 - FBCode**
 - C3 Neighborhood Mixed Use [C3NMU]
 - C4 Community Center Mixed Use [C4CCMU]
 - C5 Regional Center Mixed Use [C5RCMU]
 - Military [Mil]
 - Existing Planned Unit Development [PUD]
 - S1 Industrial [S1]
 - Seabrook-Stuart Point Mixed Use [SSPMU]
 - Seabrook-Stuart Point Residential [SSPR]
 - T1 Natural Preserve [T1NP]
 - T2 Rural [T2R]
 - T2 Rural Neighborhood [T2RN]
 - T3 Edge [T3Edge]
 - T3 Hamlet Neighborhood [T3HN]
 - T3 Neighborhood [T3N]
 - T4 Hamlet Center [T4HC]
 - T4 Neighborhood Center [T4NC]



Proposed Zoning

- Legend**
- R200 4 300, 301, 302, 63
 - FBCode**
 - C3 Neighborhood Mixed Use [C3NMU]
 - C4 Community Center Mixed Use [C4CCMU]
 - C5 Regional Center Mixed Use [C5RCMU]
 - Military [Mil]
 - Existing Planned Unit Development [PUD]
 - S1 Industrial [S1]
 - Seabrook-Stuart Point Mixed Use [SSPMU]
 - Seabrook-Stuart Point Residential [SSPR]
 - T1 Natural Preserve [T1NP]
 - T2 Rural [T2R]
 - T2 Rural Neighborhood [T2RN]
 - T3 Edge [T3Edge]
 - T3 Hamlet Neighborhood [T3HN]
 - T3 Neighborhood [T3N]
 - T4 Hamlet Center [T4HC]
 - T4 Neighborhood Center [T4NC]



ORDINANCE 2023/_____

ZONING MAP AMENDMENT/REZONING REQUEST FOR 57 ACRES (R200 004 000 0301 0000, R200 004 000 0302 0000, R200 004 000 0300 0000, R200 004 000 0063 0000) LOCATED AT 1, 2, 3, 4 BENNETT POINT DRIVE FROM PLANNED UNIT DEVELOPMENT (PUD) TO T2 RURAL (T2R).

WHEREAS, the Texas Tract is currently zoned Planned Unit Development with the current allowed use to consist of one dwelling unit per parcel due to a Conservation Easement; and

WHEREAS, the owners have requested to rezone to T2 Rural; and

WHEREAS, the Beaufort County Planning Commission considered the request on September 7, 2023, voting unanimously to recommend that County Council approve the request; and

WHEREAS, County Council now wishes to amend the zoning map to change the zoning of the properties from Planned Unit Development to T2 Rural.

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

The zoning map of the County is hereby amended to change the zoning of the properties located at 1, 2, 3, 4 Bennett Point Drive (R200 004 000 0301 0000, R200 004 000 0302 0000, R200 004 000 0300 0000, R200 004 000 0063 0000) from Planned Unit Development to T2 Rural.

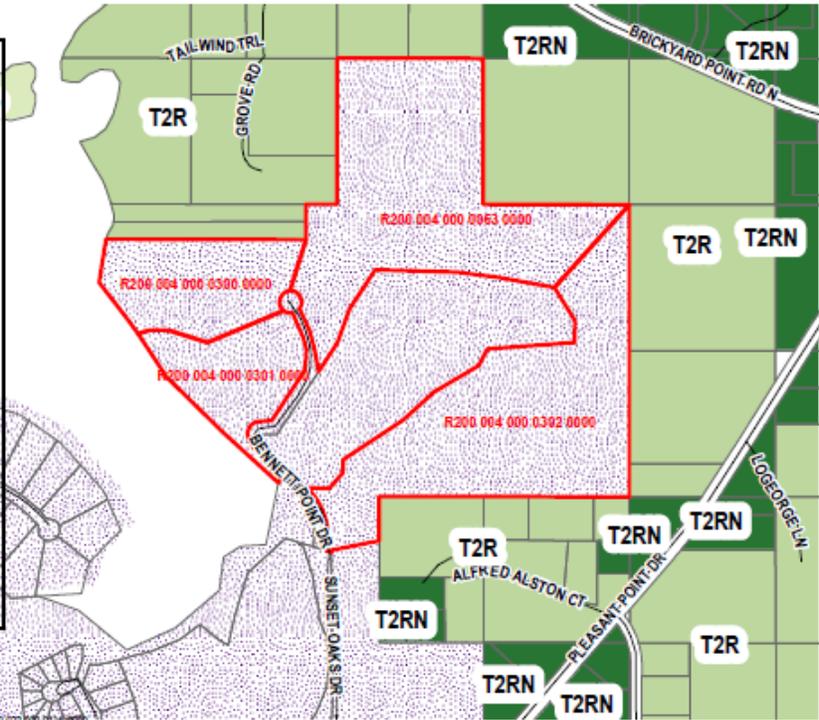
Ordained this ____ day of _____, 2023

Joseph Passiment, Chairman

Sarah Brock, Clerk to Council

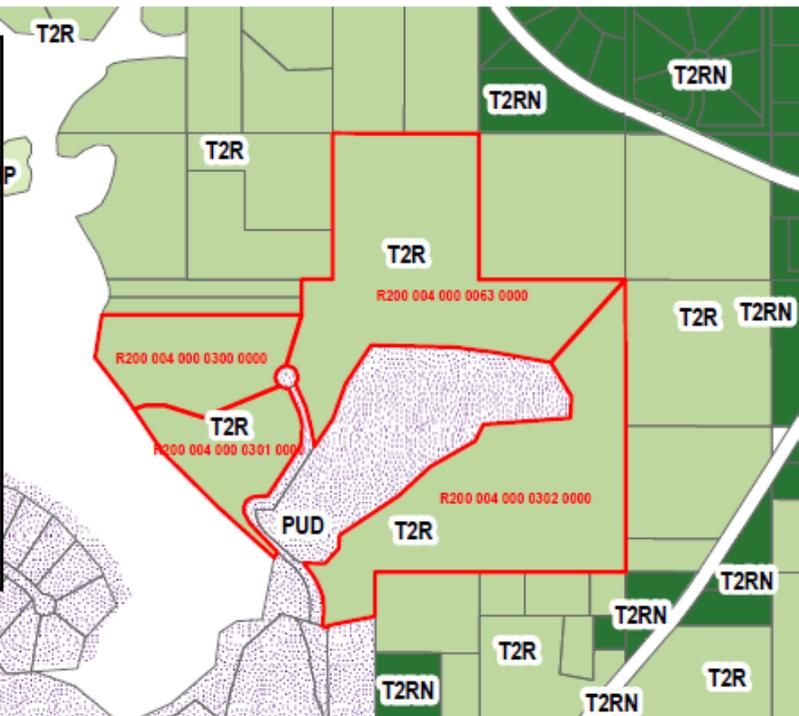
Existing Zoning

- Legend**
- R200 4 300, 301, 302, 63
 - Zone Districts**
 - FBCode**
 - C3 Neighborhood Mixed Use [C3NMU]
 - C4 Community Center Mixed Use [C4CCMU]
 - C5 Regional Center Mixed Use [C5RCMU]
 - Military [Mil]
 - Existing Planned Unit Development [PUD]
 - S1 Industrial [S1]
 - Seabrook-Stuart Point Mixed Use [SSPMU]
 - Seabrook-Stuart Point Residential [SSPR]
 - T1 Natural Preserve [T1NP]
 - T2 Rural [T2R]
 - T2 Rural Neighborhood [T2RN]
 - T3 Edge [T3Edge]
 - T3 Hamlet Neighborhood [T3HN]
 - T3 Neighborhood [T3N]
 - T4 Hamlet Center [T4HC]
 - T4 Neighborhood Center [T4NC]



Proposed Zoning

- Legend**
- R200 4 300, 301, 302, 63
 - FBCode**
 - C3 Neighborhood Mixed Use [C3NMU]
 - C4 Community Center Mixed Use [C4CCMU]
 - C5 Regional Center Mixed Use [C5RCMU]
 - Military [Mil]
 - Existing Planned Unit Development [PUD]
 - S1 Industrial [S1]
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 - Seabrook-Stuart Point Residential [SSPR]
 - T1 Natural Preserve [T1NP]
 - T2 Rural [T2R]
 - T2 Rural Neighborhood [T2RN]
 - T3 Edge [T3Edge]
 - T3 Hamlet Neighborhood [T3HN]
 - T3 Neighborhood [T3N]
 - T4 Hamlet Center [T4HC]
 - T4 Neighborhood Center [T4NC]





BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
RECOMMEND APPROVAL FOR THE INTERIM COUNTY ADMINISTRATOR TO ENTER INTO A CONTRACT WITH BRYX TO PROVIDE A UNIFIED STATION ALERTING SYSTEM (\$2,318,680.50)
MEETING NAME AND DATE:
Finance, Administration, and Economic Development Committee January 22, 2024
PRESENTER INFORMATION:
Hank Amundson – Special Assistant to the County Administrator Bruce Kline – Fire Chief – Lady’s Island/St.Helena Fire District <i>5 Minutes</i>
ITEM BACKGROUND:
<p>The Station Alerting System was one of the first items placed on the list of priorities for the use of ARPA funds. Chief Kline has been involved and championing this initiative for years. The system provides unified alerting system initiated through the County and HHI dispatch centers, that alerts fire and EMS stations in a targeted, slowly ramping manner as to only call specific units as needed and to do so in a way that protects the health and wellbeing of the first responders. The system will provide an enhanced level of service to all citizens of Beaufort County, while providing our emergency response personnel with accurate incident alerting through a variety of devices.</p> <p>This system uses lights, sounds and data screens to better alert and inform responders of a situation. Additionally, it unifies the systems by which our Fire and EMS stations are dispatched.</p> <p><i>These funds are already appropriated, and the procurement kept the expense within the amount allocated. We are seeking contract approval.</i></p>
PROJECT / ITEM NARRATIVE:
<p>The procurement process for the Unified Fire Department Alerting System project initially began in September 2022 with a project meeting with representatives from Lady’s Island, Hilton Head Island Fire and Rescue, Bluffton Fire District, the Sheriff’s Office, and County staff to discuss the overall project, responsibilities, and procurement requirements. As a result of the meeting, and guidance from the Procurement Services Director, the team agreed to move forward with a two-step RFQ/RFP process. Once the firms were selected based on qualifications, the selected firms would be sent a request for proposal (RFP). Procurement services along with the project committee created RFQ 101922 and received five responses for review on October 23, 2022.</p> <p>The RFQ evaluation committee consisting of representatives from the Fire Departments (Ladies Island, Hilton Head Island, Bluffton Fire District), the Sheriff’s Office, and the County’s IT department staff reviewed the five responses and after evaluation of their responses selected the top three firms (Byrx, Purvis, Motorola) to participate in the RFP process. See the attached scoring summary for RFQ 101922. Procurement Services emailed the three firms a copy of RFP 042523 and invited all firms to visit the facilities covered in the RFP. Procurement services received the RFP responses on April 25, 2023, and shared the responses with the evaluation committee. The evaluation committee reviewed and evaluated the three responses and decided to interview the top two firms, Bryx, and Purvis. Note, Motorola solution was determined to be too costly to pursue. After the interviews with</p>

the two firms the evaluation committee decided to request a “Best and Final Offer from” Purvis the top-rated firm. See the attached scoring summary for RFP 042523. Purvis provided their “Best and Final Offer on June 9, 2023. On June 13, 2023, The evaluation committee held a meeting to discuss and evaluate Purvis’ response. At this point the evaluation committee was not completely satisfied with Purvis’ Best and Final Offer” and requested additional time to review. Although Purvis received the highest ranking from the initial response, the evaluation committee wanted additional time to review and to request a” Best and Final Offer” from Bryx to compare the two solutions before moving forward. Procurement Services requested a ‘Best and Final Offer from Bryx with a due date of July 26, 2023. Some key factors and concerns about the Purvis proposal was their ability to meet the time frame based on previous projects, the cost of third-party software requirements for AutoCAD, and that the redundancy provided with their product was not what Hilton Head Fire and Rescue were requesting. Additionally, the Purvis system required major network expansion and hardware installation. The Bryx proposal offers new technology and is cloud based, which the committee believes to be the way that technology is heading. The committee met on August 8, 2023 to discuss both final offers and decided to send both firms questions that would only apply to each firms’ solutions that needed to be answered. The answers to the questions from both firms were due on September 20, 2023. On September 27, 2023, the evaluation committee met and requested additional time to review the final offers and complete their final scoring. On October 18, 2023, Procurement Services scheduled an Evaluation Committee Teams meeting for discussion and scoring based on both Purvis and Bryx “Best and Final Offers”. The evaluation committee completed their final scoring and recommended Bryx as the highest-ranking firm and to move forward with contract negotiations. The evaluation committee determined that Bryx’s “Best and Final Offer provided the best solution for the project and determined that recommending the contract award to Bryx would be in the best interest of the County, and to be the most advantageous, taking into consideration the available budget and evaluation factors set forth in the RFP.

FISCAL IMPACT:

The initial ARPA ordinance allocated \$2.5 Million to this project. This proposal is under budget.
 The current proposal is valued at \$2,318,680.50 this includes 4 years of service and maintenance. This leaves \$181,319.50 remaining for contingencies, our request has been for 2.5 million from ARPA.

STAFF RECOMMENDATIONS TO COUNCIL:

Staff requests approval of this procurement and resulting contract for service with BRYX to provide Unified Station Alerting System.

OPTIONS FOR COUNCIL MOTION:

Motion to approve and move to County Council for final approval.
 Mot to County Council meeting to be held on February 12th

Beaufort County, South Carolina Fire Station Alerting System
 RFP 042523
Summary Score Sheet

Final Scores after Best and Final Offers

Evaluators	Name of Company	Name of Company
	<u>Bryx</u>	<u>Purvis</u>
Amundson	97	55
Fister	90	80
Kline	82	90
Zsamar	58	82
Boulware	90	98
Hill	100	60
TOTALS:	517	465

- 1. Bryx 517
- 2. Purvis 465

Comments from the evaluation committee members:

1. Bryx has 10 years experience, but none in SC.
2. Purvis has 50 years experience , with 8-10 installs in SC.
3. There is concern that Purvis will not be able to meet the allotted time frame
 Many of their similar projects took longer than a year and they were only dealing with setting up one call center.
4. The redundancy provided with the Purvis system is not what Hilton Head Island Fire and Rescue was requesting. While there is redundancy it is not full redundancy with the same capabilities as the primary network.
5. While this is new technology, it is also the way that technology is heading.
6. The system can be up and running relatively quickly, the parts are available and are not proprietary and can be replaced quickly.
- 7 . The redundancy provided with Bryx system is what HHI Fire Rescue was requesting. The redundancy would be seamless with the same capabilities as the primary network.
8. There is not a module that needs to be installed for the Bryx system in the dispatch center, which is a plus and will serve each center well.
9. Purvis pricing is higher than our current budget and estimated at over \$200k higher than Bryx. This will need to be checked.

Beaufort County Boards & Commissions

Southern Carolina Alliance Board of Directors

RECOMMEND APPROVAL OF THE REAPPOINTMENT OF **MIKE ALSKO** TO THE SOUTHERNCAROLINA ALLIANCE BOARD OF DIRECTORS FOR A THREE-YEAR TERM WITH THE EXPIRATION DATE OF 2027.

Planning Commission

RECOMMEND APPROVAL OF THE REAPPOINTMENT OF **PETER COOK** TO THE BEAUFORT COUNTY PLANNING COMMISSION FOR A THREE-YEAR TERM WITH THE EXPIRATION DATE OF FEBRUARY 2027.

DISTRICT 6

TERM TO BE SERVED: 2nd - VOTE NEEDED: 8/11

Sheldon Fire District Board

RECOMMEND APPROVAL OF THE REAPPOINTMENT OF **ROBERT SMALLS** TO THE BEAUFORT COUNTY SHELDON FIRE DISTRICT BOARD FOR A FOUR-YEAR TERM WITH THE EXPIRATION DATE OF FEBRUARY 2028.

DISTRICT 1

TERM TO BE SERVED: 3rd - VOTE NEEDED: 10/11

RECOMMEND APPROVAL OF THE REAPPOINTMENT OF **GREGGORY GILBERT** TO THE BEAUFORT COUNTY SHELDON FIRE DISTRICT BOARD FOR A FOUR-YEAR TERM WITH THE EXPIRATION DATE OF FEBRUARY 2028.

DISTRICT 1

TERM TO BE SERVED: 7th - VOTE NEEDED: 10/11

RECOMMEND APPROVAL OF THE REAPPOINTMENT OF **RUDOLPH GLOVER** TO THE BEAUFORT COUNTY SHELDON FIRE DISTRICT BOARD FOR A FOUR-YEAR TERM WITH THE EXPIRATION DATE OF FEBRUARY 2028.

DISTRICT 1

TERM TO BE SERVED: 5th - VOTE NEEDED: 10/11

RECOMMEND APPROVAL OF THE REAPPOINTMENT OF **GEORGE WILLIAMS** TO THE BEAUFORT COUNTY SHELDON FIRE DISTRICT BOARD FOR A FOUR-YEAR TERM WITH THE EXPIRATION DATE OF FEBRUARY 2028.

DISTRICT 1

TERM TO BE SERVED: 6th - VOTE NEEDED: 10/11

Disabilities and Special Needs Board

RECOMMEND APPROVAL TO THE GOVERNOR'S OFFICE OF THE REAPPOINTMENT OF **FRANKIE MIDDLETON** TO THE BEAUFORT COUNTY DISABILITES AND SPECIAL NEEDS BOARD FOR A FOUR-YEAR TERM WITH THE EXPIRATION DATE OF FEBRUARY 2028. MISSING COI

DISTRICT 4

TERM TO BE SERVED: 3rd - VOTE NEEDED: 10/11

Accommodations Tax

RECOMMEND APPROVAL OF THE APPOINTMENT OF **KEN GUERRA** TO THE BEAUFORT COUNTY ACCOMMODATIONS TAX (2% STATE) BOARD FOR A FOUR-YEAR TERM WITH THE EXPIRATION DATE OF FEBRUARY 2028.

- ❖ APPROVED BY DALE BUTTS, DENISE CHRISTMAS, BRYCEN CAMPBELL, AND BOARD'S CHAIR MR. SULLIVAN
- ❖ DISTRICT 3
- ❖ TERM TO BE SERVED: 1ST - VOTE NEEDED: 6/11
- ❖ OCCUPATION: CHIEF MARKETING OFFICER (FRIPP ISLAND GOLF & BEACH RESORT)

Bluffton Township Fire District

RECOMMEND APPROVAL OF THE APPOINTMENT OF **NATALIE MAJORKIEWICZ** TO THE BEAUFORT COUNTY BLUFFTON TOWNSHIP FIRE DISTRICT BOARD FOR A FOUR-YEAR TERM WITH THE EXPIRATION DATE OF FEBRUARY 2028.

- ❖ RECOMMENDED BY RESIGNING BOARD'S CHAIR LOUIS POINDEXTER
- ❖ APPROVED BY COUNCIL MEMBER TABERNIK
- ❖ DISTRICT 9
- ❖ TERM TO BE SERVED: 1ST - VOTE NEEDED: 6/11
- ❖ OCCUPATION: DIRECTOR OF FINANCE (TOWN OF BLUFFTON)

RECOMMEND APPROVAL OF THE REAPPOINTMENT OF **ELAINE LUST** TO THE BEAUFORT COUNTY BLUFFTON TOWNSHIP FIRE DISTRICT BOARD FOR A FOUR-YEAR TERM WITH THE EXPIRATION DATE OF FEBRUARY 2028.

- DISTRICT 8
- TERM TO BE SERVED: 4th - VOTE NEEDED: 10/11

Zoning Board of Appeals

RECOMMEND APPROVAL OF THE REAPPOINTMENT OF **JANE FREDERICK** TO THE BEAUFORT COUNTY ZONING BOARD OF APPEALS FOR A THREE-YEAR TERM WITH THE EXPIRATION DATE OF FEBRUARY 2027.

- DISTRICT 3
- TERM TO BE SERVED: 2ND - VOTE NEEDED: 8/11

Airports Board

RECOMMEND APPROVAL OF THE REAPPOINTMENT OF **MARK BAILEY** TO THE BEAUFORT COUNTY AIRPORTS BOARD FOR A TWO-YEAR TERM WITH THE EXPIRATION DATE OF FEBRUARY 2026.

- DISTRICT
- TERM TO BE SERVED: 4th - VOTE NEEDED: 10/11

Parks and Recreation Board

RECOMMEND APPROVAL OF THE REAPPOINTMENT OF **PHILIP KISER** TO THE BEAUFORT COUNTY PARKS AND RECREATION BOARD FOR A FOUR-YEAR TERM WITH THE EXPIRATION DATE OF FEBRUARY 2028.

- DISTRICT 9
- TERM TO BE SERVED: 3RD - VOTE NEEDED: 10/11

Beaufort County Boards & Commissions

Item 4.

Design Review Board

RECOMMEND APPROVAL OF THE REAPPOINTMENT OF **KRIS FELDMANN** TO THE BEAUFORT COUNTY DESIGN REVIEW BOARD FOR A FOUR-YEAR TERM WITH THE EXPIRATION DATE OF FEBRUARY 2028.

DISTRICT 8

TERM TO BE SERVED: 2nd - VOTE NEEDED: 8/11

Stormwater Management Utility Board

RECOMMEND APPROVAL OF THE REAPPOINTMENT OF **JAMES CLARK** TO THE BEAUFORT COUNTY STORMWATER MANAGEMENT UTILITY BOARD FOR A FOUR-YEAR TERM WITH THE EXPIRATION DATE OF FEBRUARY 2028.

DISTRICT 4

TERM TO BE SERVED: 3RD - VOTE NEEDED: 10/11

Lady's Island/St. Helena Island Fire District Commission

RECOMMEND APPROVAL TO THE GOVERNOR'S OFFICE OF THE REAPPOINTMENT OF **SCOTT DENNIS** TO THE BEAUFORT COUNTY LADY'S ISLAND/ST. HELENA ISLAND FIRE DISTRICT COMMISSION FOR A FOUR-YEAR TERM WITH THE EXPIRATION DATE OF FEBRUARY 2028.

DISTRICT 3

TERM TO BE SERVED: 2nd - VOTE NEEDED: 8/11

Beaufort County Transportation Committee

RECOMMEND APPROVAL OF THE REAPPOINTMENT OF **VIRGINIA KOZAK** TO THE BEAUFORT COUNTY VIRGINIA KOZAK FOR A FOUR-YEAR TERM WITH THE EXPIRATION DATE OF FEBRUARY 2028.

DISTRICT

TERM TO BE SERVED: 2nd - VOTE NEEDED: 8/11



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
Recommend Approval of Contract Award to APAC Atlantic, Inc. of Savannah, GA, for IFB # 042523HXD Taxiway F Rehabilitation and Construction Project (\$3,488,760)
MEETING NAME AND DATE:
Public Safety and Facilities Committee – January 22, 2024
PRESENTER INFORMATION:
Jon Rembold, Airports Director 5 minutes
ITEM BACKGROUND:
<p>Council Resolution 2022/25 accepted FAA AIP Grant 47, which funded the design of the Taxiway project. The design is complete, and an acceptable bid was received. The project is ready for award and construction.</p> <p>A total of one (1) bid for this project was received on May 3, 2023. APAC Atlantic was the only bidder. The County Purchasing Department, the project’s design team, and the FAA have completed the evaluation of the bid. Their bid is acceptable, and the project team recommends a contract award.</p> <p>The Airports Board reviewed this recommendation of contract award at its regular May 18, 2023, meeting and recommended approval.</p>
PROJECT / ITEM NARRATIVE:
<p>Taxiway F Rehabilitation and Construction - The scope of the project is to strengthen Taxiway F, including all ancillary improvements such as markings, etc. Taxiway F is the primary commercial airline taxiway and is, therefore, critical to the safe and efficient operation of the airport.</p> <p>Purchasing has not submitted a draft contract to Legal. This will occur after contract award.</p>
FISCAL IMPACT:
This project will be funded by an FAA grant (90%) and an SC Aeronautics Grant (10%). Initial funds will be drawn from GL Account 5402-90-0000-57130.
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends approval of contract to APAC Atlantic, Inc. of Savannah, GA, for IFB # 042523HXD Taxiway F Rehabilitation and Construction Project at the Hilton Head Island Airport in the amount of \$3,171,600.00 plus a 10% contingency for a total of \$3,488,760.00.
OPTIONS FOR COUNCIL MOTION:
<p>Motion to approve/deny the contract award to APAC Atlantic, Inc. for IFB # 042523HXD Taxiway F Rehabilitation and Construction Project at the Hilton Head Island Airport in the amount of \$3,171,600.00 plus a 10% contingency for a total of \$3,488,760.00</p> <p><i>Next Steps: Move forward to Council for Approval on February 12, 2024</i></p>

HILTON HEAD ISLAND AIRPORT (HXD) PROGRAM NARRATIVE

3-45-0030-XXX-2023 (BIL)

Taxiway F Strengthening (Construction): The project includes construction and construction administration services for the strengthening of Taxiway F from 75,000 pounds dual wheel gear to 120,000 pounds dual wheel gear bearing capacity. The project will include the overlay of the existing runway, grooving of the overlay, new pavement markings, construct paved shoulders along the taxiway, required edge light adjustments, sediment/erosion control.

Construction Administration Services (Talbert, Bright & Ellington)	\$154,883.00
Construction (APAC-Atlantic, Inc.)	\$3,171,600.00
TOTAL	\$3,326,483.00
FAA BIL	\$2,993,835.00
SCAC	\$332,648.00
Local	\$0.00
TOTAL	\$3,326,483.00

Estimated Cost: \$3,326,483.00

FAA BIL Cost: \$2,993,835.00

Project	Total	Federal	State	Local
Taxiway F Strengthening (Construction)	\$3,326,483.00	\$2,993,835.00	\$332,648.00	\$0.00

TALBERT, BRIGHT & ELLINGTON

Engineering & Planning Consultants

May 3, 2023

Mr. Jon Rembold, C.M.
Airports Director
Hilton Head Island Airport
120 Beach City Road
Hilton Head Island, SC 29926

RE: Bid Summary and
Contract Award Recommendation
Taxiway 'F' Strengthening
Hilton Head Island Airport
Hilton Head Island, South Carolina
TBE Project No. 2119-2101

Dear Mr. Rembold,

A total of one (1) responsive bid was received for the above project on May 3, 2023. A copy of the bid tabulation is attached and a summary of the bid results is provided below:

<u>Bidder</u>	<u>Total Bid Amount</u>
APAC-Atlantic, Inc., Savannah, GA	\$3,171,600.00

We have reviewed the bids received and have found APAC-Atlantic, Inc to be the lowest responsive bidder. APAC-Atlantic, Inc. is also proposing to subcontract 5.15% of the total bid amount to certified DBE firms, which exceeds the 5.1% DBE goal established for this project.

We recommend award of the construction contract for this project to APAC-Atlantic, Inc. for the total bid amount of \$3,171,600.00. The Engineer's Estimate of Probable Construction Cost for this project was \$2,883,300.00.

If you should have any questions concerning this matter, please do not hesitate to contact us.

Sincerely,

J. Andrew Shook, P.E.



Attachment

cc: Mr. Dave Thomas (w/attachment)

BID TABULATION
TAXIWAY 'F' STRENGTHENING
HILTON HEAD ISLAND AIRPORT
TBE PROJECT NO. 2119-2101
 MAY 3, 2023

BASE BID					APAC-ATLANTIC, INC. SAVANNAH, GA		ENGINEER'S ESTIMATE	
					LICENSE NO.: 12050			
ITEM NO.	SPEC NO.	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXT. TOTAL	UNIT PRICE	EXT. TOTAL
1	C-100	CONTRACTOR QUALITY CONTROL PROGRAM (CQCP)	1	LS	\$95,000.00	\$95,000.00	\$75,000.00	\$75,000.00
2	C-102	TEMPORARY FILTER SOCK	4,000	LF	\$5.10	\$20,400.00	\$4.00	\$16,000.00
3	C-102	TEMPORARY CONSTRUCTION ENTRANCE	2	EA	\$5,000.00	\$10,000.00	\$3,000.00	\$6,000.00
4	C-102	TEMPORARY FILTER SOCK INLET PROTECTION	6	EA	\$375.00	\$2,250.00	\$800.00	\$4,800.00
5	C-105	MOBILIZATION	1	LS	\$312,000.00	\$312,000.00	\$230,800.00	\$230,800.00
6	P-101	VARIABLE DEPTH COLD MILLING	5,000	SY	\$25.00	\$125,000.00	\$20.00	\$100,000.00
7	P-101	CRACK REPAIR - WIDTH 1/4" TO 2"	5,000	LF	\$3.20	\$16,000.00	\$4.00	\$20,000.00
8	P-101	CRACK REPAIR - WIDTH GREATER THAN 2"	100	LF	\$250.00	\$25,000.00	\$60.00	\$6,000.00
9	P-152	SHOULDER BUILDUP	11,900	LF	\$3.00	\$35,700.00	\$20.00	\$238,000.00
10	P-401	BITUMINOUS ASPHALT SURFACE COURSE	5,000	TN	\$430.00	\$2,150,000.00	\$235.00	\$1,175,000.00
11	P-603	EMULSIFIED ASPHALT TACK COAT	4,100	GAL	\$6.00	\$24,600.00	\$4.00	\$16,400.00
12	P-610	CONCRETE MANHOLE RIM PROTECTION	7	EA	\$12,650.00	\$88,550.00	\$800.00	\$5,600.00
13	P-620	TEMPORARY MARKING	6,900	SF	\$4.50	\$31,050.00	\$3.00	\$20,700.00
14	P-620	PAVEMENT MARKING (REFLECTORIZED)	6,900	SF	\$2.00	\$13,800.00	\$5.00	\$34,500.00
15	P-620	PAVEMENT MARKING (NON-REFLECTORIZED BLACK)	10,800	SF	\$0.75	\$8,100.00	\$5.00	\$54,000.00
16	HA	HERBICIDE APPLICATION	1	LS	\$2,575.00	\$2,575.00	\$5,000.00	\$5,000.00
17	T-901	TEMPORARY SEEDING (MULCHED)	5	AC	\$1,695.00	\$8,475.00	\$1,600.00	\$8,000.00
18	T-901	PERMANENT SEEDING (MULCHED)	4	AC	\$3,180.00	\$12,720.00	\$2,400.00	\$9,600.00
19	T-904	PERMANENT BAHIA SOD	106,000	SF	\$1.08	\$114,480.00	\$8.00	\$848,000.00
20	L-125	ADJUST EXISTING TAXIWAY LIGHT	33	EA	\$2,300.00	\$75,900.00	\$300.00	\$9,900.00

TOTAL BASE BID AMOUNT

\$3,171,600.00

\$2,883,300.00

DBE SUBCONTRACTOR AMOUNT

\$163,300.00

\$0.00

DBE PERCENTAGE OF BASE BID AMOUNT

5.15%

0.00%

I HEREBY CERTIFY THIS TABULATION OF BIDS TO BE CORRECT.

TALBER, BRIGHT & ELLINGTON, INC.

5/3/2023

DATE



COUNTY COUNCIL OF BEAUFORT COUNTY
PROCUREMENT SERVICES DEPARTMENT
102 Industrial Village Road, Bldg 2—Post Office Drawer 1228
Beaufort, South Carolina 29901-1228

David L. Thomas
Procurement Services
Director
843.255.2305
dthomas@bcgov.net

September 5, 2023

APAC Atlantic Inc.
47 Telfair Place
Savannah Georgia 31415

Victoria Moyer
Contract Manager
843-255-2295
victoria.moyer@bcgov.net

RE: IFB 042523 Hilton Head Island Airport Taxiway F Strengthening

Jessica Snowden
Sr. Administrative Specialist
843-255-2350
jessica.snowden@bcgov.net

In reference to the email conversation dated August 25, 2023 concerning extending your bid prices for 180 days, February 29, 2024. This letter serves as official acceptance of the bid pricing extension. To confirm your agreement kindly sign this letter and return it to Victoria Moyer at your earliest convenience.

If you have any questions, please contact Victoria Moyer at 843-255-2295

Regards,

Dave Thomas
Dave Thomas, CPPO
Procurement Services Director
Beaufort County Procurement Services

Authorized Name and Title to Bind
Contract
Ralph Hamilton, Estimating Manager

September 5, 2023

Date



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
Recommendation to approve Talbert, Bright and Ellington (TBE) Work Authorization 2119-2304 to prepare an Environmental Assessment in support of the St. James Baptist Church Project. (\$366,816)
MEETING NAME AND DATE:
Public Facilities & Safety Committee – January 22, 2024
PRESENTER INFORMATION:
Jon Rembold, Airports Director 5 minutes
ITEM BACKGROUND:
<p>This property acquisition has been discussed for several years, and recent coordination with project stakeholders established the need to move forward in the project process. The initial step in the FAA eligibility process is this environmental assessment.</p> <p>The Airports Board reviewed this Work Authorization at its regular meeting on January 18, 2024, and recommended approval.</p>
PROJECT / ITEM NARRATIVE:
St. James Baptist Church is located in the Runway Protection Zone (RPZ) of Hilton Head Island Airport. FAA safety regulations discourage the location of gathering places such as churches and schools in the RPZ. Acquisition of the property is a grant-eligible project per the FAA. To meet NEPA regulations, an environmental assessment must be completed.
FISCAL IMPACT:
The total value of this Work Authorization shall not exceed \$366,816.00. This project will be funded by a future FAA grant (90%). The final 10% will be paid with airport funds and/or SCAC grant funds. Funds will be drawn from 5402-90-0000-57130
STAFF RECOMMENDATIONS TO COUNCIL:
Approve Talbert, Bright and Ellington (TBE) Work Authorization 2119-2304.
OPTIONS FOR COUNCIL MOTION:
Motion to approve /deny Talbert, Bright, and Ellington (TBE) Work Authorization 2119-2302 to prepare an Environmental Assessment in support of the St. James Baptist Church Project.
Next Step: Move forward to Council for Approval on February 12, 2024

**HILTON HEAD ISLAND AIRPORT
HILTON HEAD ISLAND, SOUTH CAROLINA
WORK AUTHORIZATION 23-04
December 21, 2023
PROJECT NO.: TBE NO. 2119-2304**

It is agreed to undertake the following work in accordance with the provisions of our Contract for Professional Services.

Description of Work Authorized: St. James Baptist Church is located at 209 Dillon Road. The first of three buildings on the lot was constructed in 1886 as a missionary branch of the nearby First African Baptist Church; this building later burned at an unknown date. A subsequent church building was constructed and organized as the St. James Baptist Church, though it too later fell into disrepair and was demolished. The current St. James Baptist Church building was built in 1972 and substantially renovated in 2005. The Cherry Hill School is located at 210 Dillon Road and was constructed in 1934. The building is currently owned by the St. James Baptist Church, located directly across Dillon Road. In 1954, a larger public school was constructed for African-American children, and the St. James Baptist Church congregation purchased the school building in 1961 for use as a community gathering space. The Cherry Hill School is located within the boundary of the Mitchelville/Fish Haul archaeological site and was listed on the National Register of Historic Places (NRHP) on November 21, 2012.

In addition, the St. James Baptist Church property meets the five requirements set forth in National Register Bulletin (NRB) 38¹ for significance as a Traditional Cultural Property (TCP). The church property is a tangible place, is important to the Gullah community today, has been important to the Gullah cultural group for over 100 years, and has definable boundaries (in this case, the current real property legal boundary). Although the St. James Baptist Church building does not retain integrity of design, materials, or workmanship due to modern alterations, the overall property retains its integrity of relationship and condition as a TCP.

Over the years, the church has been asked several times to consider relocating from its current location to a site outside of the Runway 03/21 runway protection zone and approach and departure surfaces to Hilton Head Island Airport. To date, members of the congregation have refused to move. However, recently deacons of the church have approached both Beaufort County and the Town of Hilton Head Island in reference to moving their facility to site next to the Church's cemetery on Union Church Road outside of the runway protection zone and approach and departure surfaces. This request to relocate the church was elevated by the congregation to the United States Secretary of Transportation.

¹U.S. Department of the Interior National Park Service Cultural Resources National Register, History and Education (1990; Revised 1992; 1998), "National Register Bulletin 38, Guidelines for Evaluating and Documenting Traditional Cultural Properties."

This resulted in a visit to the church by the Associate Administrator of Airports for the Federal Aviation Administration (FAA) on September 8, 2023. Based on the visit and ongoing correspondence between Beaufort County, Town of Hilton Head Island, FAA and the church, environmental analysis of the relocation site will be included in the environmental documentation.

This work authorization presents Talbert, Bright & Ellington, Inc.'s (TBE) scope of services relating to the preparation of an environmental assessment (EA) for the previously described project.

In fulfilling this scope of work, numerous objectives will be achieved including environmental inventory, evaluation, and analysis; state, federal, and local agency coordination; draft and final environmental documentation; and a public workshop (if deemed necessary). The environmental documentation will be prepared in accordance with the National Environmental Policy Act of 1969 (NEPA), Council on Environmental Quality (CEQ), FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Projects* (April 28, 2006), FAA Order 1050.1F – *Environmental Impacts: Policies and Procedures* (July 16, 2015), and *1050.1F Desk Reference* (July 2015). The Federal Aviation Administration (FAA) has agreed to review and approve the documentation.

It is the intent of this environmental assessment (EA) process to review no more than three build alternatives, in addition to the no build alternative. Determination of potential impacts to water quality, the unknown extent of wetlands or jurisdictional waters of the United States, impact on adjacent residential development from noise, and possible controversial development because of adjacent neighborhood, are issues that will be addressed during the preparation of this EA.

The following tasks are required to achieve the aforementioned output.

TASK 1: PROJECT MANAGEMENT

Project goals and objectives will be determined through coordination and consultation with the **COUNTY**, in order to create a chart of activities and a milestone schedule. These two items will provide the **COUNTY** and **TBE** with a sequential scheme of events and the anticipated dates to achieve the project goals.

ASSUMPTIONS:

1. *For budgeting purposes, it was assumed that the project should take 6 months to perform the necessary field work, not including review by resource and regulatory agencies and public review or coordination with the South Carolina State Historic Preservation office (SCSHPO) or Advisory Council on Historic Preservation (ACHP).*
2. *If additional field work is required by the resource agencies (for example, a Phase II Cultural Resources Survey), the schedule below will be modified under a contract amendment.*

Work Item	Time (Days)	Cumulative Time (Days)
Notice to Proceed	0	0
Scoping Meeting	1	1
Field Work	45	46
Document Preparation/In-house Review	60	101
FAA/Client Review	TBD	TBD
Draft Document Finalization	30	131

DELIVERABLES:

1. *A flow chart of activities and milestone schedule.*
 2. *Attendance at three (3) meetings, not including the public workshop and public information meetings or meeting with the SCSHPO or ACHP.*
- A. PUBLIC INFORMATION MEETINGS – Public information meetings will be scheduled at the beginning of the project to inform the public of the purpose of the project and after the noise analysis has been completed. Each meeting will utilize an informal/open house format for a period of two hours to maximize the opportunity for interested citizens to participate. The meeting will be publicized via the Hilton Head Airport web site and media. TBE will provide handouts, display boards, sign-in sheets, and comment forms, as well as a recorder for oral comments.

ASSUMPTIONS:

1. *Two (2) public information meetings will be conducted.*
2. *Four (4) TBE team members will attend each meeting.*
3. *Beaufort County will handle meeting logistics (location, advertising for meetings, etc.).*

DELIVERABLES:

1. *Handouts (200 per meeting for a total of 400), displays (maximum of 8, four (4) per meeting), sign-in sheets (one [1] set per meeting for a total of four [4]), comment forms (200 per meeting for a total of 400).*
2. *A summary of each meeting, copy of comments received, and transcript of recorded comments.*

TASK 2 SECTION 163 DETERMINATION

TBE will prepare a Section 163 Determination in accordance with Section 163 of the FAA Reauthorization Act of 2018, which regulates the uses of properties acquired by airport sponsors using FAA funds.

DELIVERABLE

1. *Electronic copies of the Section 163 Determination will be provided to the Beaufort County and FAA.*

TASK 3: STATE, FEDERAL, AND LOCAL AGENCY COORDINATION

Coordination will include ongoing public relation activities to ensure that the agencies are kept informed of the project's progress. Activities to be conducted for this task are as follows:

- A. Continuing research and communication with state, federal, and local environmental agencies.
- B. Preparation of a scoping letter for federal, state, and local agencies advising of the **COUNTY**'s intent to proceed with the preparation of an environmental assessment.

ASSUMPTIONS:

1. *A scoping meeting with state, federal, and local agencies will not be held.*
2. *One (1) scope meeting will be held with the SCSHPO.*

DELIVERABLE:

1. *TBE will prepare the scoping letter.*
2. *A scoping meeting with state, federal, and local agencies will not be held.*

TASK 4: ENVIRONMENTAL INVENTORY, EVALUATION, AND ANALYSIS

The environmental inventory, evaluation, and analysis will be conducted in accordance with the requirements of the National Environmental Policy Act of 1969 (NEPA), Council on Environmental Quality (CEQ), FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Projects* (April 28, 2006), FAA Order 1050.1F – *Environmental Impacts: Policies and Procedures* (July 16, 2015), and *1050.1F Desk Reference* (July 2015).

Prior to initiation of the environmental analysis, **TBE** will notify the **COUNTY** and **FAA** of agency concerns resulting from the project agency early coordination process. The required level of detail for each environmental issue will also be discussed. Existing data will be collected from the appropriate agencies; and, through field and map examination, data will be analyzed, and used to determine the potential impacts of the proposed project. Mitigation measures, including avoidance and minimization options, will be investigated for impacts (unless herein noted otherwise).

- A. **AIR QUALITY** – Coordination with the South Carolina Department of Health and Environmental Control Division of Air Quality (SCDHEC-DAQ) to determine whether an air quality analysis and/or air quality permit shall be required, as well as a request for air quality conformity. Using the Aviation Emissions and Air Quality Handbook and required FAA Aviation Environmental Design Tool (AEDT) 2c, potential air quality impacts due to construction will be analyzed to determine general conformity with de minimis emission levels.

ASSUMPTIONS:

1. *Beaufort County is considered an attainment area for National Ambient Air Quality Standards (NAAQS) pollutants.*
2. *FAA Emissions and Dispersion Modeling System (EDMS) input and emission levels for the proposed project will not be prepared.*
3. *FAA Aviation Environmental Design Tool (AEDT) 2c will be used to determine potential construction impacts to air quality.*
4. *No monitoring of existing air quality or modeling will be performed as part of this scope of services.*

B. BIOLOGICAL RESOURCES –

1. **Biotic Communities** – A survey of biotic communities that may be affected directly or indirectly by the proposed project will be performed. This survey will be performed in conjunction with Task B.2 – Endangered and Threatened Species of Flora and Fauna. A brief description of the biotic communities will be prepared for inclusion in the environmental document.
2. **Endangered and Threatened Species of Flora and Fauna** – Reference information on threatened, endangered, and other rare species and critical habitats, as listed by the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS), will be reviewed. Utilizing the reference information collected, field investigations will be conducted to identify habitat that may support the listed species. The location of previously sighted species, critical habitat, and habitat suitable for the legally protected species will be identified on an overlay map. A Section 7 (Endangered Species Act) Biological Assessment will be prepared and forwarded to USFWS and NMFS in conjunction with the draft environmental document regardless of species present. Final agency concurrence with the results of the biological assessment and required mitigation measures will be summarized in the final environmental document, as required.

ASSUMPTION:

1. *The site will be visited twice by an experienced biologist, for plant flowering periods.*
2. *The results of the biological assessment will be submitted to the USFWS for concurrence.*
3. *Should it be determined by USFWS that additional site visits will be necessary; these will be performed under a contract amendment.*

- C. **CLIMATE** – In response to Executive Order 13514 Focused on Federal Leadership in Environmental, Energy, and Economic Performance (October 5, 2009), the CEQ developed Federal Greenhouse Gas Accounting and Reporting Guidance (October 6, 2010), which serves as the federal government’s official greenhouse gas (GHG) reporting protocol. GHGs result primarily from combustion of fuels, and there is a direct relationship between fuel combustion and metric tons of carbon dioxide (CO₂). A discussion of potential impacts will be provided.

ASSUMPTION:

1. *No modeling will be performed as part of this scope of services.*

D. COASTAL RESOURCES –

1. **Coastal Zone Management Program** – Because the study area is located in the South Carolina Coastal Zone, coordination will be conducted with the SCDHEC Office of Coastal Resource Management (OCRM) to ensure consistency with the *South Carolina Coastal Management Program*. In particular, potential direct or indirect impacts to the designated critical areas will be identified. Mitigation measures will be investigated and summarized as necessary. During the preparation of the final environmental document, a final mitigation plan will be prepared, if deemed necessary.
2. **Coastal Barriers** – Coastal barriers protected under the Coastal Barrier Resource Act will be identified. In addition, early coordination will be conducted with the review agencies to identify potential impacts and mitigative measures, if necessary.

E. DEPARTMENT OF TRANSPORTATION ACT, SECTION 4(f) – An early inventory will be conducted to determine the presence of Section 4(f) properties (i.e., parks, recreation areas, wildlife and waterfowl refuges, and/or historic and archaeological sites).

F. FARMLAND – Soil data (prime, unique, and statewide important) will be evaluated. Information will be submitted on Form AD-1006, Farmland Conversion Impact Rating, Land Evaluation – Site Assessment, to the NRCS for review and comment. Based on the response from the NRCS, an estimate of direct and indirect impacts will be determined on: (1) number of acres that will be directly displaced; (2) areas where agricultural and timberland operations may be disrupted; and (3) indirect effects, such as those related to changes in land use.

1. **Soils** – A soils map of the site will be prepared. Descriptions of each of the soils indicated and their development limitation will be provided. Information regarding the need for potential fill material and clearing and grading will be determined.

ASSUMPTIONS:

1. *Construction requirements (such as, but not limited to, excavation and fill amounts) will be based on preliminary schematics and preliminary engineering.*
2. *Soils will be identified using U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) mapping*
3. *Geotechnical investigation of existing soil conditions will not be performed.*

G. HAZARDOUS MATERIALS, SOLID WASTE, AND POLLUTION PREVENTION –

1. **Hazardous Materials/Waste Sites** – A Level I Environmental Site Assessment will be conducted to include a thorough review of the history (50-year maximum) of the proposed project to identify environmental concern for contamination or liability from hazardous materials. In addition, a review of published data and a physical site inspection will be conducted. Documentation of investigation methods used, results obtained (e.g., site overview, site history, regulatory compliance history, site features, and site walkover survey), and a summary of findings and recommendations for further investigation, if necessary, will be provided.

ASSUMPTIONS:

1. *No subsurface investigations will be conducted.*
 2. *A Level II - Environmental Site Assessment will not be conducted.*
 3. *The Phase I ESA performed for the EA will be used for the purchase of the SJBC property.*
2. **Solid Waste Impact** – Proposed development, which relates only to airfield development (runways, taxiways, and related items), will not normally include any direct relationship to solid waste collection, control, or disposal other than that associated with the construction itself.
 3. **Pollution Prevention** – Agencies are required to comply with applicable pollution control standards, in the prevention, control, and abatement of environmental pollution; and consult with the federal, state, and local agencies concerning the best techniques and methods available for the prevention, control, and abatement of environmental pollution. Pollution prevention strategies should be outlined in the Airport's Stormwater Pollution Prevention Plan and Spill Prevention, Control, and Countermeasures Plan. These strategies will be discussed.

- H. HISTORIC, ARCHITECTURAL, ARCHAEOLOGICAL, AND CULTURAL RESOURCES – A cultural resources survey, to determine the nature and distribution of historical, archaeological, and architectural resources within the study area, will be conducted. This survey will attempt to identify cultural resources and evaluate identified resources for their potential to meet the criteria of significance of the National Register of Historic Places (NRHP). This investigation will involve thorough background research and limited field investigations that will include, at a minimum, a photo-inventory of structures that are likely to be impacted (physically or aesthetically) and that appear to be at least 50 years old. In addition, sufficient information to complete a Standing Structures Form will be collected for each historic structure. This information will provide the basis for the evaluation of the structure with respect to the criteria of significance of the NRHP.

The cultural resources survey will meet the guidelines set forth by the State Historic Preservation Office (SHPO). The background research is designed to provide a description of the kinds of cultural resources likely to be present in the study area. In addition, this research will outline those aspects of the cultural heritage, evident in the study area, which are significant in the development of the region. This information is necessary to properly evaluate the eligibility of an identified cultural resource for the NRHP. This research will involve the review of historic maps of the region and reports on file with the SHPO and other cultural resource agencies. Field inspection will be limited; a historic-architectural survey team will examine standing structures within the study area and an archaeological team will perform a cursory overview of the study area in search of prehistoric, archaeological, and paleontological resources. A Phase I Cultural Resources Report will be prepared and forwarded to the SHPO requesting compliance with the National Historic Preservation Act of 1966, as amended.

ASSUMPTIONS:

1. *FAA will be responsible for correspondence with Indian Tribes regarding the project.*
 2. *No consultation with the Indian Tribes will be conducted. Should it be determined that consultation is required, this will be prepared as an amendment to this contract.*
 3. *Six (6) meetings with the SCSHPO are anticipated to determine the requirements of the Memorandum of Understanding (MOU).*
 4. *The Phase I Cultural Resources Survey of the 4.25-acre St. James Church Relocation Tract, Union Cemetery Road prepared in April 2020 will be included as part of the environmental documentation.*
 5. *Comments for the aforementioned report will be included as part of the scope of services for the preparation of the environmental assessment.*
 6. *If the SHPO determines that a Phase II Cultural Resources Survey is necessary, this task will be performed under a contract amendment.*
 7. *A MOU is required and will be prepared during the design phase of the proposed project.*
- I. COMPATIBLE LAND USE – Existing land use within the study area (study area – 0.5 miles around HXD and the proposed project site) will be inventoried by windshield surveys. Land use plans and zoning codes will be collected and reviewed. Land use types, to be identified, will include residential, commercial, industrial, and noise sensitive sites (parks, schools, churches, etc.). In addition, community facilities and existing utilities will be inventoried. Information collected will be reviewed. Evaluation of existing land use and land use planning will include impacts to existing zoning, conformance with adopted comprehensive plans, impacts to neighborhoods, and cumulative impacts.

ASSUMPTION:

1. *Available land use and zoning data will be provided by the COUNTY and Town of Hilton Head Island.*

- J. NATURAL RESOURCES AND ENERGY SUPPLY – In general terms, the potential energy consumption required to implement the project during construction and throughout its life will be determined. Energy conservation measures will be evaluated, if necessary.
- K. NOISE – The proposed project is not anticipated to have an adverse impact on the surrounding community from noise generated by additional aircraft using HXD. However, a noise analysis will be performed using the Aviation Environmental Design Tool (AEDT) 2c to determine the potential impact of noise on the surrounding community for the existing and proposed conditions. Noise contours will be produced ranging from 65 dB DNL to 80 dB DNL at 5 dB increments and plotted on the Airport Layout Plan or an aerial image of the Airport.

ASSUMPTIONS:

1. *FAA Aviation Environmental Design Tool (AEDT) 2c will be used to determine potential impacts.*
 2. *No monitoring of existing noise will be performed as part of this scope of services.*
- L. SOCIOECONOMIC IMPACTS, ENVIRONMENTAL JUSTICE, AND CHILDREN’S HEALTH AND SAFETY RISKS –
1. **Socioeconomic Impacts** – The impact of the proposed project on potential relocation of residences and/or businesses, changes in surface transportation patterns, disruption of planned development, and significant changes in the potential employment base will be analyzed. Should potential relocations occur, provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, will be utilized to determine compliance.
 2. **Environmental Justice** – Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (February 11, 1994) states that to the greatest extent practicable and permitted by law, each federal agency should make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations. A cursory analysis of population impact will be performed.
 8. **Children’s Health and Safety Risks** – Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks (April 23, 1997), directs federal agencies to identify and assess environmental health risks and safety risks that may disproportionately affect children. Environmental health risks and safety risks include risks to health or to safety that are attributable to products or substances that a child is likely to come in contact with or ingest, such as air, food, drinking water, recreational waters, soil, or products they might use or be exposed to. A cursory qualitative analysis of potential risks will be performed.

ASSUMPTION:

1. *A detailed quantitative risk assessment will be performed under a contract amendment, if deemed necessary.*

M. VISUAL EFFECTS –

1. **Light Emissions** – Consideration of the extent to which any lighting associated with the proposed project will create an annoyance to people in the vicinity of the airport will be determined.
2. **Visual Impacts** – Visual impact will be identified by examining the visual viewshed, which takes into account the entire landscape and is comprised of two main aspects: views to and views from. If necessary, mitigative measures to avoid adverse visual impacts will be discussed.

N. WATER RESOURCES –

1. **Wetlands** – Jurisdictional wetland areas will be identified and their size, location, type, and function/value estimated, in consultation with the U.S. Army Corps of Engineers (USACE) and other appropriate federal and state agencies. Available reference materials will be reviewed and field investigations will be conducted. Results of the wetland delineation and proposed mitigation plan, if necessary, will be prepared.

ASSUMPTIONS:

1. *A past wetland jurisdictional determination was conducted in 2012 within the boundary of the airport property, but it has expired in accordance with USACXDE requirements and will be reassessed.*
2. *Surveying of wetland boundaries will be performed by GPS and a jurisdictional determination prepared and submitted to the USACE for verification.*
3. *Permitting and mitigation are not included in this Work Authorization.*

2. **Floodplain** – A topographic map with the project boundaries (with 1-foot contour intervals) will be prepared indicating major land surface features. In addition, the 100-year floodplain and floodway boundaries will be identified and described (no field work or flagging of floodplain boundaries will be conducted). In accordance with Executive Order 11988, floodplain impacts will be identified such as effects to existing floodplain values, support of incompatible floodplain development, etc.

ASSUMPTIONS:

1. *Topographic mapping used in the preparation of the Master Plan Update will be used.*
2. *Floodplain boundaries will not be identified in the field.*
3. *Existing FEMA mapping will be used to identify floodplains.*

3. **Water Quality** – The ambient conditions of streams and other water bodies likely to be impacted by the proposed project will be described. Where available from the review agencies, data for surface water and groundwater quantity and quality will be cited. Potential impacts to water quality will be discussed. Mitigation, in the form of retention/detention basins, runoff channels, etc., will be developed in accordance with **COUNTY** requirements and federal, state, and local stormwater and water quality regulations.
 4. **Wild and Scenic Rivers** – Wild and scenic rivers within the study area will be identified and potential impacts discussed. Opportunities for the proposed project to provide public access to recreational and scenic amenities at such waterways will be investigated. Mitigative measures, if necessary, will be investigated.
- O. **CUMULATIVE IMPACTS** – **TBE** will discuss the secondary and cumulative impacts on a category-by-category basis for those where impacts will be anticipated. This will include land use, water quality, social, economics, wetlands and other topics for which this discussion will be appropriate.

ASSUMPTION:

1. *Indirect and cumulative impact analysis will be performed under a contract amendment, if deemed necessary.*
- P. **IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES** – Discussion of the use of resources will be outlined in this section.
- Q. **PERMITS** – Environmental permits required for construction of the proposed project will be identified and a brief description of regulatory requirements will be provided for each.

TASK 5: DRAFT ENVIRONMENTAL DOCUMENTATION

TBE will prepare a draft environmental assessment (DEA) in accordance with the requirements of National Environmental Policy Act of 1969 (NEPA), Council on Environmental Quality (CEQ), FAA Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Projects* (April 28, 2006), FAA Order 1050.1F – *Environmental Impacts: Policies and Procedures* (July 16, 2015), and *1050.1F Desk Reference* (July 2015), utilizing the technical material previously collected (Task 3). The document will be concise and will include support documents, as necessary. **Four (4)** copies of the preliminary DEA will be distributed for review and comment. Comments will be incorporated and **20** copies of the approved draft document will be prepared for general distribution to the reviewing agencies. The DEA will address the following items:

- A. **PURPOSE AND NEED** – This section will provide a description of the proposed action that addresses, at a minimum:

1. Project purpose
 2. Proposed action
 3. Relationship of the proposed action to applicable federal, state, and local rules and regulations
 4. Public need for the proposed action
- B. ALTERNATIVES – This section will discuss a maximum of three build alternatives, and a no-build alternative. Each alternative will be addressed to demonstrate that feasible options were adequately considered.
- C. AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES – **TBE** will use the environmental inventory previously conducted to describe the environmental setting in the local, regional, and statewide context. This will serve as the background for preparation of the impact analysis section of the draft document. The impact and mitigation portion of the DEA will identify and describe the primary, secondary, and cumulative environmental impacts on the natural, human, and economic resources. Primary impacts are environmental changes occurring as a result of the proposed action. Secondary impacts are those impacts that extend to the surrounding area from the implementation of the proposed action. Cumulative impacts are normally those occurring over a long period of time that is precipitated directly or indirectly from implementation of the proposed action. Mitigation plans, if required for unavoidable adverse impact will also be discussed.
- D. PREPARERS – A list of people responsible for preparation of the draft document will be included in the document.
- E. APPENDICES – Appendices will be included only for analytical information that substantiates an analysis pertinent to the document.

ASSUMPTIONS:

1. *The COUNTY and FAA will review the preliminary DEA document concurrently and will provide comments to TBE.*
2. *TBE will assume one (1) concurrent independent review by the COUNTY and FAA prior to approval of the DEA.*

DELIVERABLES

1. *Four (4) copies of the preliminary DEA for review; and,*
2. *Twenty (20) copies of approved DEA.*

TASK 6: ADVERTISE, CONDUCT PUBLIC HEARING WORKSHOP, AND EVALUATE COMMENTS

A. PUBLIC HEARING WORKSHOP –

1. The **COUNTY** will arrange for the location of the public hearing workshop.
2. **TBE** will prepare the notice of opportunity for a public hearing workshop.
3. **Preparation for the Public Hearing Workshop** – Prepare two (2) sets of color-coded exhibits that identify inventoried resources associated with the proposed action, comment forms, maps and other graphics, and have on hand ten (10) copies of the DEA.
4. **Public Workshop Hearing Attendance** – TBE will attend the public workshop and will provide technical assistance and support to the COUNTY. **TBE** will have a recorder for oral comments.
5. Public comments received during the public comment period before, during, and after the public hearing workshop will be reviewed, categorized, and evaluated by the COUNTY and TBE. Appropriate responses will be included in the final document.

ASSUMPTIONS:

1. *The COUNTY will select and provide the location for the public hearing workshop.*
2. *TBE will provide two (2) copies of the DEA for the public workshop.*
3. *TBE will provide two (2) sets of graphics for identifying the major environmental resources associated with the proposed project.*
4. *TBE will prepare the referenced graphics and written materials normally associated with this task and attend the public hearing workshop.*

TASK 7: FINAL ENVIRONMENTAL DOCUMENTATION

TBE will revise the DEA in accordance with the appropriate regulatory guidance referenced in Task 4. **Four (4)** copies each of the preliminary final environmental assessment (FEA) will be distributed for review and comment. Comments will be incorporated and **10** copies of the approved FEA will be prepared for general distribution to those agencies having provided substantive comments into the FEA. The FEA will include but not be limited to addressing the following issues:

- A. Revise project description to reflect changes as a result of circulation of DEA and input received from the public hearing process.
- B. Revise maps and drawings to reflect changes in location, design, and impact.

- C. Attach written comments received following DEA circulation and public information workshop. Address both verbal and written comments received.
- D. List environmental commitments.

ASSUMPTIONS:

- 1. The **COUNTY** and **FAA** will review the preliminary FEA concurrently and will provide comments to the **TBE**.
- 2. **TBE** will assume one (1) concurrent independent review prior to approval of the FEA.
- 3. **FAA** will prepare the Finding of No Significant Impact (FONSI).

DELIVERABLES:

- 1. **Four (4)** copies of the preliminary FEA for review; and,
- 2. **Ten (10)** copies of approved FEA.

Estimated Time Schedule: Work shall be completed in accordance with the schedule established and agreed upon by the Owner and Engineer.

Cost of Services: The method of payment shall be in accordance with Article 6 of the Master Contract. The basic services work shall be performed in accordance with the Master Contract as a lump sum of **\$296,177.67**, which includes reimbursable expenses. Special Additional Services shall be performed as listed below with a budget of **\$70,638.36**. The total value of this Work Authorization shall not exceed **\$366,816.03** without additional authorization

Agreed as to Scope of Services, Time Schedule and Budget:

APPROVED:
BEAUFORT County

APPROVED:
TALBERT, BRIGHT &
ELLINGTON, INC.

Title

Vice President
Title:

Date:

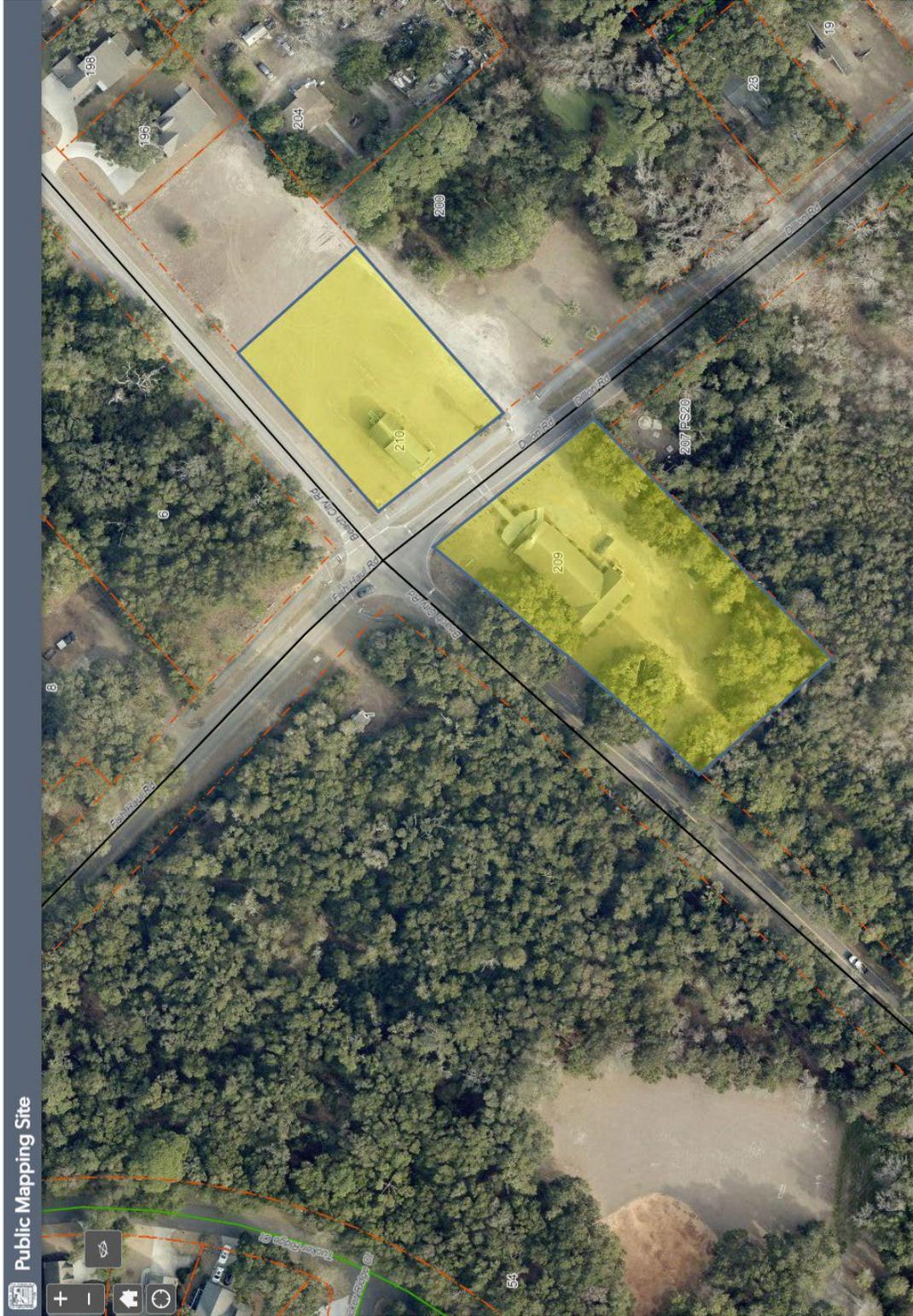
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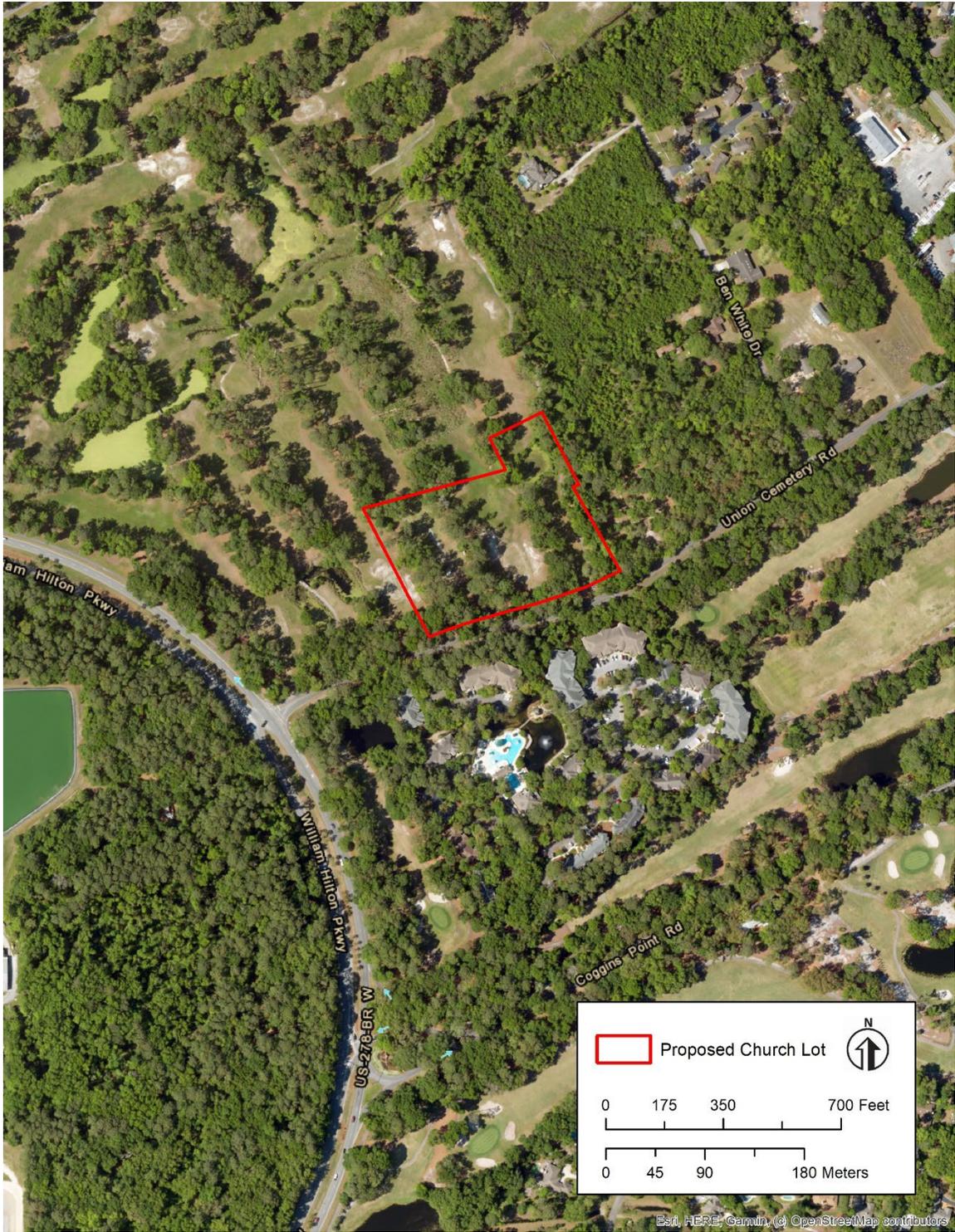
Witness:

Witness:

Talbert, Bright & Ellington, Inc.

Work Authorization 2119-2304





MANHOUR ESTIMATE

SJBC RELOCATION ENVIRONMENTAL DOCUMENTATION
 HILTON HEAD ISLAND AIRPORT
 HILTON HEAD ISLAND, SOUTH CAROLINA
 AIP PROJECT NO:
 SCAC PROJECT NO:
 CLIENT PROJECT NO:
 TBE PROJECT NO: 2119-2304

December 21, 2023

DESCRIPTION	PRIN \$ 290	PM \$ 230	SP \$ 170	E5 \$ 185	E3 \$ 143	E2 \$ 120	E1 \$ 96	PMA III \$ 130	T5 \$ 140	AD4 \$ 85	AD3 \$ 75
<i>PRELIMINARY PROJECT SCOPING</i>											
Develop Project Scope/Contract	4	12	0	0	0	0	0	0	0	0	0
Subconsultant Negotiation and Management	2	8	0	0	0	0	0	0	0	0	0
<i>TASK 1 - PROJECT MANAGEMENT</i>											
Subconsultant Management	0	61	0	0	0	0	0	0	0	0	0
Meetings (3)	24	24	0	0	0	0	0	24	0	0	0
Monthly Status Reports	0	12	0	0	0	0	0	0	0	0	0
Project Management	32	60	0	0	0	0	0	0	0	16	0
Additional Meetings (8)	64	64	0	0	0	0	0	64	0	0	0
Public Information Meeting (1)	16	8	0	0	0	0	0	8	0	8	0
<i>TASK 2 - SECTION 163 DETERMINATION</i>											
Section 163 Documentation	0	4	0	0	0	0	0	0	0	0	0
<i>TASK 3 - STATE, FEDERAL, AND LOCAL AGENCY COORDINATION</i>											
Agency Meetings	0	16	0	0	0	0	0	0	0	0	0
Scoping Letter	0	4	0	0	0	0	0	0	0	0	0
Letter of Intent	0	4	0	0	0	0	0	0	0	0	0
SCSHPO Meeting (1)	8	8	0	0	0	0	0	0	0	0	0
<i>TASK 4 - ENVIRONMENTAL INVENTORY, EVALUATION, AND ANALYSIS</i>											
Air Quality	0	8	4	0	0	0	0	4	0	0	0
Biological Resources	0	4	1	0	0	0	0	2	0	0	0
Climate	0	4	0	0	0	0	0	2	0	0	0
Coastal Resources	0	8	0	0	0	0	0	0	0	0	0
Department of Transportation Act: Section 4(f)	0	1	0	0	0	0	0	0	0	0	0
Farmlands	0	1	0	0	0	0	0	0	0	0	0
Hazardous Materials, Solid Waste, and Pollution Prevention	0	8	1	0	0	0	0	4	4	0	0
Historical, Architectural, Archaeological, and Cultural Resources	0	40	2	0	0	0	0	2	0	0	0
Compatible Land Use	0	4	2	0	0	0	0	2	0	0	0
Natural Resources and Energy Supply	0	8	0	0	0	0	0	4	0	0	0
Noise	4	16	0	0	0	0	0	0	16	8	0
Socioeconomic Impacts, Environmental Justice, and Children's											
Environmental Health and Safety Risks	0	8	1	0	0	0	0	4		0	0
Visual Effects	0	8	0	0	0	0	0	4	0	0	0
Water Resources											
Wetlands	0	8	1	0	0	0	0	4	0	0	0
Floodplains	0	4	1	0	0	0	0	2	0	0	0
Water Quality	0	4	1	0	0	0	0	4	4	0	0
Wild and Scenic Rivers	0	1	1	0	0	0	0	0	0	0	0
Cumulative Impacts	0	4	0	0	0	0	0	2	0	0	0
Irreversible and Irretrievable Commitment of Resources	0	4	1	0	0	0	0	2	0	0	0
Permits	0	4	0	0	0	0	0	2	0	0	0
<i>TASK 5 - DRAFT ENVIRONMENTAL DOCUMENTATION</i>											
Purpose and Need	0	8	4	0	0	0	0	4	0	0	0
Alternatives	8	32	4	0	0	0	0	16	0	0	0
Affected Environment	0	8	4	0	0	0	0	4	0	0	0
Environmental Consequences	0	20	4	0	0	0	0	24	24	0	0
Preparers/Appendices	0	2	4	0	0	0	0	1	0	0	0
Comments and Coordination	0	4	4	0	0	0	0	2	0	0	0
Preliminary Draft Environmental Document	8	16	4	0	0	0	0	16	16	0	0
Final Draft Environmental Document	8	16	4	0	0	0	0	16	16		2
<i>TASK 6 - ADVERTISE, CONDUCT PUBLIC HEARING, AND EVALUATE COMMENTS</i>											

MANHOOR ESTIMATE

SJBC RELOCATION ENVIRONMENTAL DOCUMENTATION
 HILTON HEAD ISLAND AIRPORT
 HILTON HEAD ISLAND, SOUTH CAROLINA
 AIP PROJECT NO:
 SCAC PROJECT NO:
 CLIENT PROJECT NO:
 TBE PROJECT NO: 2119-2304

December 21, 2023

DESCRIPTION	PRIN	PM	SP	E5	E3	E2	E1	PMA III	T5	AD4	AD3
	\$ 290	\$ 230	\$ 170	\$ 185	\$ 143	\$ 120	\$ 96	\$ 130	\$ 140	\$ 85	\$ 75
Prepare Advertisement	0	2	0	0	0	0	0	1	0	0	1
Prepare Public Hearing Exhibits	0	8	16	0	0	0	0	8	16	0	1
Attend Public Hearing	8	8	8	0	0	0	0	8	0	8	0
Prepare Comment Responses	0	8	0	0	0	0	0	8	8	24	0
<i>TASK 7 - FINAL ENVIRONMENTAL DOCUMENTATION</i>											
Revise Draft Environmental Document	0	16	4	0	0	0	0	16	16	0	2
Preliminary Final Environmental Document	8	8	0	0	0	0	0	0	0	0	2
Final Environmental Document	8	16	4	0	0	0	0	16	16	0	0
MANHOOR TOTAL	202	604	80	0	0	0	0	280	136	64	8

DIRECT LABOR EXPENSES:
 CLASSIFICATION

CLASSIFICATION		BILL	EST.	EST.
		RATE	MHRS	COST
Principal	PRIN	\$ 290	202	\$ 58,580
Project Manager	PM	\$ 230	604	\$ 139,018
Senior Planner	SP	\$ 170	80	\$ 13,600
Engineer V	E5	\$ 185	-	\$ -
Engineer III	E3	\$ 143	-	\$ -
Engineer II	E2	\$ 120	-	\$ -
Engineer I	E1	\$ 96	-	\$ -
Project Manager's Assist. III	PMA III	\$ 130	280	\$ 36,400
Technician V	T5	\$ 140	136	\$ 19,040
Admin. Assistant IV	AD4	\$ 85	64	\$ 5,440
Admin. Assistant III	AD3	\$ 75	8	\$ 600
		Total	1,374	\$ 272,677.67

DIRECT EXPENSES:

EXPENSE DESCRIPTION	UNIT	UNIT	EST.	EST.
		RATE	UNITS	COST
Telephone	LS	\$ 250.00	2	\$ 500
Postage	LS	\$ 500.00	2	\$ 1,000
Miscellaneous expenses (prints, faxes, copies)	LS	\$ 500.00	2	\$ 1,000
Travel/Per Diem	LS	\$ 3,000.00	3	\$ 9,000
Draft Environmental Document	EA	\$ 250.00	24	\$ 6,000
Final Environmental Document	EA	\$ 250.00	14	\$ 3,500
Presentation Materials	LS	\$ 2,500.00	1	\$ 2,500
SUBTOTAL				\$ 23,500.00

SCOPE OF SUCONTRACTED SERVICES:

EXPENSE DESCRIPTION	UNIT	UNIT	EST.	EST.
		RATE	UNITS	COST
Brockington & Associates (St. James Church Phase I-1)	LS	\$ 27,979	1	\$ 27,978.80
Brockington & Associates (Union Cemetery Road Property)	LS	\$ 11,726	1	\$ 11,725.56
S&ME (Protected Species Assessments)	LS	\$ 6,000	1	\$ 6,000.00
S&ME (Jurisdictional Waters Assessments)	LS	\$ 6,000	1	\$ 6,000.00
S&ME (Phase I Site Assessments)	LS	\$ 5,500	1	\$ 5,500.00
Ken Weeden & Associates (DBE 2024-2026 Plan)	LS	\$ 7,434	1	\$ 7,434.00
Roy Johnson (Facilitator)	LS	\$ 6,000	1	\$ 6,000.00
SUBTOTAL				\$ 70,638.36

TOTAL COST: \$ 366,816.03



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
Recommend Approval of Contract Award to Beaufort Construction of SC, LLC. for IFB #101823 M.C. Riley Pool Enclosure & Climate Control (\$2,002,000)
MEETING NAME AND DATE:
Public Facilities and Safety Committee – January 22, 2024
PRESENTER INFORMATION:
Eric Larson, PE, Director, Capital Projects (5 mins)
ITEM BACKGROUND:
On June 14, 2023 a proposal was received from C.E. Bourne & Co., Inc., in partnership with Tremco Incorporated. After County Council awarded the contract, the Contractor withdrew their bid due to a change in pricing from a subcontractor. Therefore, Beaufort County requested bids for the M.C. Riley Pool Renovation Phase II, consisting of new HVAC, enclosure panels, and interior renovations on 10/18/23. One bid was received from Beaufort Construction of SC, LLC with a cost of \$2,002,000.00. Staff and the design consultants, Hord, Cope, and Macht and RMF Engineering, have reviewed the detailed bid submittal and found the prices to be fair and reasonable. Engineer’s estimate for the work was \$1,985,000.00.
PROJECT / ITEM NARRATIVE:
Parks and Recreation wishes to replace the HVAC system and construct interior renovations of the MC Riley Pool. This includes enclosing the pool with unmovable panels and create a climate-controlled environment to maximize the efficiency of the new HVAC system. The total funds requested are the bid amount (plus a contingency) (\$2,002,000 + \$200,200 = \$2,202,200) Purchasing has not submitted a draft contract to Legal. This will occur after contract award.
FISCAL IMPACT:
Funding comes from Parks and Recreation Capital Fund, 1040-80-1600-54420. Current account balance is \$3,956,064.35.
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends approval of contract to Beaufort Construction of SC, LLC. for IFB #101823 in the amount of \$2,002,000.00 with a \$200,200 contingency fund for a total of \$2,202,200.00
OPTIONS FOR COUNCIL MOTION:
Motion to approve/deny recommendation of award Beaufort Construction of SC, LLC. for IFB #101823 M.C. Riley Pool Enclosure & Climate Control. <i>Next Step: Move forward to County Council to award Beaufort Construction of SC, LLC. for IFB #101823 M.C. Riley Pool Enclosure & Climate Control.</i>

PRELIMINARY BID TABULATION
PURCHASING DEPARTMENT

Item 7.



Project Name:	MC Riley Pool Enclosure and Climate Control
Project Number:	IFB 101823
Project Budget:	
Bid Opening Date:	18-Oct-23
Time:	3:00:00 PM
Location:	Beaufort County
Bid Administrator:	Dave Thomas
Bid Recorder:	Victoria Moyer

The following bids were received for the above referenced project:

BIDDER	BID FORM	ALL ADDENDA	Bid Bond	SCH OF VALUES	SMBE Docs	Sub Listing	Grand Total Price
Beaufort Construction of SC, LLC	X	X	X	X	X	X	\$2,002,000.00

Beaufort County posts PRELIMINARY bid tabulation information within 2 business days of the advertised bid opening. Information on the PRELIMINARY bid tabulation is posted as it was read during the bid opening. Beaufort County makes no guarantees as to the accuracy of any information on the PRELIMINARY tabulation. The bid results indicated here do not necessarily represent the final compliance review by Beaufort County and are subject to change. After the review, the final award will be made by Beaufort County Council and a certified bid tab will be posted online.

David L. Thomas

Bid Administrator Signature

Bid Recorder

|



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
REQUEST TO PURCHASE (1) NEW CAT MODEL: 926 SMALL WHEEL LOADER (\$224,402.59)
MEETING NAME AND DATE:
Public Facilities Committee Meeting – January 22 nd , 2024
PRESENTER INFORMATION:
Jared Fralix, P.E., Assistant County Administrator, Infrastructure Neil J. Desai, P.E., Public Works Director (5 Minutes)
ITEM BACKGROUND:
Due to age and wear and tear, the equipment is in poor condition (Asset# 23271 2007 John Deere Loader). It is recommended by the Director of Public Works for replacement. The old asset will be disposed of per County Procurement Policy.
PROJECT / ITEM NARRATIVE:
Purchase of One (1) New Cat Model: 926 Small Wheel Loader with all standard equipment.
FISCAL IMPACT:
A quote has been provided from Blanchard in the amount of \$224,402.59. The funding source for this item was approved in the FY 2024 budget for Stormwater Infrastructure account # 5025-90-9020-54200.
STAFF RECOMMENDATIONS TO COUNCIL:
The Public Works Director recommends approving the purchase of the 926 Small Wheel Loader to replace the existing wheel loader due to the age and poor condition of the current equipment model.
OPTIONS FOR COUNCIL MOTION:
Motion to either accept/deny the recommendation to approve the purchase of a 926 Small Wheel Loader. <i>Next Steps - A Majority Vote for Acceptance by Committee would move item forward to final acceptance by full County Council vote.</i>



BEAUFORT COUNTY GOVERNMENT-
PUBLIC WORKS & MAINTENANC
120 SHANKLIN RD
BEAUFORT, SC 29906-8402

Jan 18, 2024

Attention: TODD DAVIS

Dear Todd,

We would like to thank you for your interest in our company and our products and are pleased to quote the following for your consideration.

One (1) New Cat Model: 926 Small Wheel Loaders with all standard equipment in addition to the additional specifications listed below:

We wish to thank you for the opportunity of quoting on your equipment needs. This quotation is valid for 30 days, after which time we reserve the right to re-quote. If there are any questions, please do not hesitate to contact me.

Sincerely,

Wiley Murph
Machine Sales Representative

STANDARD EQUIPMENT

POWERTRAIN -Cat C7.1 ACERT engine --Auto Idle shut down feature --Auto Engine RPM --Power modes (Standard and Performance) --Power by range (High power in range 4) --Tier 4 final/Stage V compliant --Turbocharged and aftercooled --Filtered crankcase breather --Diesel particulate filter --Selective catalyst reduction -Dry type air cleaner -Coolant protection to -34C (-29F) -Fuel priming pump, automatic -Fuel Water separator -Differential lock in front axle -Axle seal guards -Enclosed wet disc full hydraulic brakes -Parking brake, electric -Lubed for life driveshafts -Hydrostatic transmission with electronic control --Operator modes (TC, Hystat, Single Pedal -and Ice) --Directional shift aggressiveness (Fast, -Medium, Slow) --Auto Rimpull control, adjust wheel -torque --Creeper control, adjust ground speed -Single plane cooling package wide 6 fins -per inch density -Hydraulically driven demand cooling fan -S-O-S port, engine, coolant, transmission -oil -

HYDRAULICS -Automatic lift and bucket kickouts, -adjustable in-cab -Bucket and fork modes, adjustable in-cab -Cylinder damping at kickout and -mechanical end stops -Fine mode control (fast, medium, slow) -in Fork Mode -Hydraulic response setting (fast, -medium, slow) -Hydraulic diagnostic connectors and -S-O-S ports -Hydraulic sight gauge, visible -Load sensing hydraulics and steering -Seat mounted hydraulic joystick controls -Cat Payload 250 hours of Demo -

ELECTRICAL -Alternator, 115-amp, heavy duty -12V power supply in cab (2) -Batteries, 1,000 CCA (2) 24 volt system, -disconnect switch -Back up alarm -Emergency shutdown switch -LED rear stop and turn lights -Heavy duty gear reduction starter -Product Link -Remote jump start post -Resettable main and critical function -breakers -Roading lights front and rear -

OPERATOR ENVIRONMENT -75 mm (3 in) retractable seatbelt -Automatic temperature control -Cab, enclosed ROPS/FOPS pressurized -and sound suppressed -Push to Start -8 Inch Touch Screen -Jog Dial with Screen Control -Programmable Joystick -Cup holders -External mirrors with lower -parabolic -Ground level cab door release -Hydraulic control lockout -Interior cab lighting, door -Lunch box storage -Operator warning system indicators -Radio ready speakers -Rear window defrost, electric -Seat mounted electronic implement -controls, adjustable -Sliding glass on the side windows -Column mounted multi function control --lights, wipers, turn signal -Suspension seat, fabric -Tilt steering wheel -Tinted front glass -Wet arm wiper/washer, 2-speed and -intermittent, front -Wet arm wiper washer, rear -Mounting Provision -Gauges --Digital hour meter, odometer and -tachometer --Digital ground speedometer and -direction indicator --Engine coolant temperature gauge --Fuel and diesel exhaust fluid level -indicator --Hydraulic oil temperature gauge --

OTHER STANDARD EQUIPMENT -Large-access enclosure doors with -adjustable close/open force -Parallel lift loader linkage
 -Recovery hitch with pin -Remote mounted lubrication points -Vandalism protection- -lockable compartments -1000 hour Service
 Intervals -(after initial 500) -

MACHINE SPECIFICATIONS

Description	Reference No
926 14A WHEEL LOADER	579-7700
PREP PACK, UNITED STATES	593-8900
STANDARD LIFT, COUPLER READY	593-8911
HYDRAULICS, 3V	593-8913
HYDRAULICS, STANDARD, SL	536-5281
STEERING WHEEL, STANDARD	579-7716
JOYSTICK 3V, STEERING WHEEL	593-8916
DIFFERENTIAL, OPEN REAR	333-6529
ENVIRONMENT, STANDARD	579-7720
WEATHER, STANDARD	611-3020
CAB, STANDARD	578-1363
AIR CONDITIONING, R134A REF	579-7735
ENGINE	593-8993
PUSH START, PASSCODE SECURITY	579-7738
CAMERA, REAR VIEW	579-7761
MIRROR, BASE	423-7168
SEAT, DELUXE, TILT AND TELE	593-8962
LIGHTS, STD, HALOGEN	590-8902
LIGHTS, ROADING, HALOGEN, RH	633-0624
STANDARD RADIO (12V)	590-8872
PRODUCT LINK, CELLULAR PLE643	573-8455
FILM GP, WARNING, PL, ANSI	638-5475
WINDSHIELD ACCESS STEPS	598-2802
TIRES, 20.5R25 MX XTLA * L2	366-6896
FENDERS, STANDARD	593-8950
CTWT, STD, 538LBS, 2PCS	376-0502
TOOLBOX AUX, NONE	519-8081
HYDRAULIC OIL, STANDARD	619-8443
LINES, AUX 3RD, STD LIFT	530-1623
RIDE CONTROL	579-7697
DECAL,HI VIS STEP,HANDRAIL,DLX	615-9210
LIGHTS,WARNING,REVERSE STROBE	616-0040
MIRROR, INTERNAL 2X REAR VIEW	623-6438
QUICK COUPLER,FUSION,HIGH VIS	536-5313
JUMPER LINES, NONE	536-5339
CARRIAGE, CON, FORK, 60", FUS	538-3866
BUCKET-GP, 3.0 YD3, FUS, BOCE	360-3323
VL Access for 3 years	

SELL PRICE	\$223,902.59
EXT WARRANTY	Included
CSA	Included

NET BALANCE DUE	\$223,902.59
SC SALES TAX	\$500.00
AFTER TAX BALANCE	\$224,402.59

WARRANTY

Standard Warranty:	12 Months - Unlimited
Extended Warranty:	926-36 MO/5000 HR POWERTRAIN + HYDRAULICS + TECH
CSA	2 YEARS/1,000 HOURS PARTS KIT,OIL SAMPLING,LABOR,FLUIDS,TT&M

Accepted by _____ on _____

Signature



Cat[®]

926

WHEEL LOADER

FEATURES:

CONFIGURED FOR SUCCESS

- Cat wheel loaders set the standard for productivity, fuel efficiency, operator comfort and low operating costs. The Cat 926 Small Wheel Loader features a high torque C7.1 engine that works in conjunction with an intelligent hydrostatic power train to deliver exceptional fuel efficiency. Meets U.S. EPA Tier 4 Final and EU Stage V emission standards, designed to manage itself so you can concentrate on your work. Extended service intervals to 1000 hours reduce fluid and filter use by up to 45% (compared to previous M Series models) while keeping operating cost low.

ENJOY ALL DAY COMFORT

- Have a seat in the new Cat small wheel loader and enjoy automatic temperature control, class leading sound levels, enhanced all-around visibility and low-effort joystick controls that move with you on a fully adjustable seat suspension. A large spacious operator environment combined with Caterpillar hydraulic cylinder damping and smooth predictable controls make this the most comfortable seat on your jobsite.
- An upgrade to multi-view camera and rear object detection gives you an extra eye on the jobsite while the new optional force feedback joystick steering keeps you feeling confident on those long shifts. The operator not present function helps to isolate the machine if you leave the environment; while seat belt notifications give you a gentle reminder to buckle up.

EFFICIENTLY POWERFUL

- Experience the difference with an intelligent hydrostatic power train and industry leading fuel savings through a lower maximum engine speed working in combination with a new auto engine RPM mode. This provides efficiency as standard with a boost in power when you need it. Optimize traction and minimize wheel slip with a new Auto Wheel Torque system tuned to provide peak performance while maximizing tire life and keeping operating costs low. Track your production and accurately hit your load targets with Cat Payload. 250 hours of Cat Payload demonstration will be included as standard with an optional subscription for extended use.

WORK MADE EASY

- Move more with the Caterpillar patented quick loading performance series buckets and optimized Z-bar linkage with enhanced forward visibility that combines the digging efficiency of a traditional Z-bar with tool carrier capabilities. The parallel lift and high tilt forces throughout the working range allow you to confidently handle loads with precise control.
- Multi-function work has never been easier with dedicated pumps for each system and a flow sharing implement valve governed by an intelligent power management system. Simultaneously lift, steer, and drive without compromise. Upgrade to autolube and tire pressure monitoring to make service easy and get to work quicker. Light the way with auto roading lights that come on at night fall.

CUSTOMIZE YOUR EXPERIENCE

- Meet your application requirements and individual preferences with Caterpillar industry first Hystat™ Operator Modes featuring four unique power train settings. Select classic torque converter for smooth rollout, conventional hystat for aggressive engine braking, an ice mode that maximizes your control on slippery underfoot, and an all new single pedal mode for simplified use.
- Fine tune machine performance with adjustments at your fingertips through programmable joysticks, soft touch buttons, and a new jog dial that works in combination with a standard touch screen display. Quickly recall attachment profiles that maintain key settings for versatility on the jobsite and optimal efficiency.

PURPOSE BUILT SPECIALITY MODELS

- Configure your Cat small wheel loader to meet the needs of your applications with a full range of options. The 926 features the following application specific arrangements that are configured for success:
 - Waste Handler
 - Aggregate Handler
 - Ag Handler (Europe Only)

UPGRADES AND SERVICES

- Enjoy a full range of upgrades and accessories to configure your small wheel loader for a broader range of applications.
- Utilize readily available services and maintenance parts, including a range of self-service options (SSO) and dealer installed kits.

Purpose Built: Handlers Arrangements

A complete range of optional equipment and work tool attachments gives you the versatility to configure a handler package to be successful in your business. Get with Caterpillar to configure yours.

Aggregate Handler



- **Increased Payload:** Additional counterweight improves stability without reducing ground clearance or departure angle to maximize performance.
- **Long Life Sand and Gravel Buckets:** Performance series buckets deliver higher fill factors and better material retention for significant productivity and fuel efficiency improvements. Buckets feature a long floor, open throat, curved side bars and additional serviceable wear plates including corner guards.
- **Protect your Power Train:** Increase your fording depth with optional elevated breathers. Remote mounted high on the machine for the front and rear axles and hydrostatic gear box. Allows settling pond cleanout without contamination.

Waste Handler



- **Guard Your Investment:** Choose from a complete range of optional guarding to protect your machine from the harsh environment of a waste handling application. Machine guarding is purpose built to protect the machine's major components.
- **Breathe Clean:** Maximize your engine life and extend filter cleaning intervals with a turbine pre-cleaner. Keep cool with a reversing fan to purge the single plane, widely spaced core cooling package and brush-less sealed alternator. Breathe clean with a powered pre-cleaner for the operator environment.
- **Maximize Tire Life:** Fine tune your wheel torque to match the underfoot conditions and maximize performance while extending tire life. Standard auto wheel torque is ideal for waste handling applications.

Specifications

Engine

Engine Model	Cat® C7.1*	
Performance Mode	Automatic	
Rated Gross Power		
Rated Engine Speed	1,800 rpm	
SAE J1995	127 kW	170 hp
SAE J1995 (DIN)	172 mph (PS)	
Rated Engine Power		
ISO 14396	125 kW	168 hp
ISO 14396 (DIN)	170 mhp (PS)	
Rated Net Power		
SAE J1349 at Minimum Fan Speed	123 kW	165 hp
ISO 9249 at Minimum Fan Speed	123 kW	165 hp
ISO 9249 (DIN) at Minimum Fan Speed	167 mhp (PS)	

*Meets U.S EPA Tier 4 Final, EU Stage V off-highway, and Japan 2014 emission standards.

- Advertised power is tested per the specified standard in effect at the time of manufacture.

Engine (continued)

Maximum Gross Torque		
Engine Speed	1,400 rpm	
SAE J1995	824 N-m	608 lbf-ft
ISO 14396	815 N-m	601 lbf-ft
Maximum Net Torque		
SAE J1349	804 N-m	593 lbf-ft
ISO 9249	807 N-m	595 lbf-ft
Displacement	427 in ³	7.01 L
Bore	4 in	105 mm
Stroke	5 in	135 mm

- Net power ratings are tested at the reference conditions for the specified standard and denote power available at the flywheel when engine is equipped with alternator, air cleaner, emission components and fan at specified speed.
- No derating required up to 3000 m (10,000 ft) altitude. Auto derate protects hydraulic and transmission systems.

CONFIGURED FOR SUCCESS:

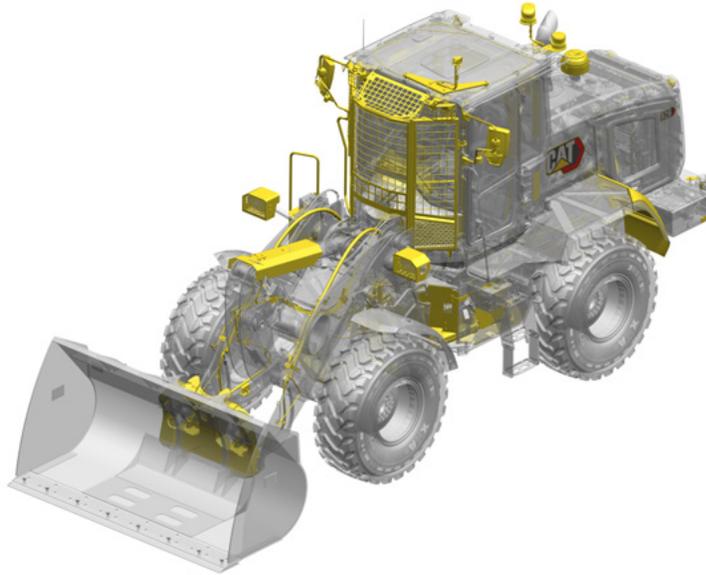
Machine upgrades, either as a do-it-yourself option or dealer installed.

Guards

- Windshield
- Tilt cylinder
- Lights
- Fender deflectors
- Drive shaft
- Hitch
- Steering cylinders
- Side power train
- Lower power train
- Crank case

Debris Management

- Reversing fan
- Sealed alternator
- Turbine engine precleaner
- Powered cab precleaner

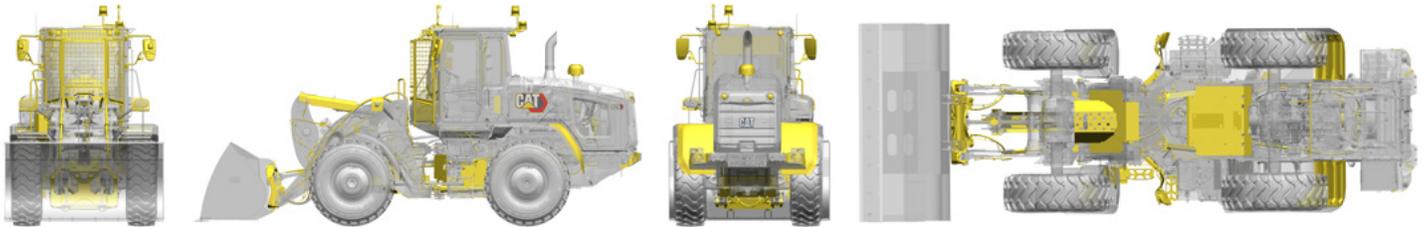


Operator Environment

- Bluetooth Key Fob
- Multi View Camera
- Internal Mirrors
- Washing Platform

Other Options

- Autolube
- Coupler: Fusion and ISO 23727:2009
- Auxiliary hydraulics: 3rd and 4th
- Window washing access
- Ride control
- Fenders: extended and full coverage
- Counterweights
- Rear object detection
- Blue Angel certification
- Beacon: Warning and Seatbelt
- LED auxiliary lights
- Cat Payload Printer
- Tire Pressure Monitoring
- Polycarbonate windshield
- 4-point harness



WORK TOOL ATTACHMENTS FOR EVERY JOB:

Get more from your machine with Cat attachments. Choose from a wide variety of options and tailor your machine to different tasks and conditions.



General Purpose Buckets



Light Material Buckets



High Dump Buckets



Pallet Forks



Construction Forks



Angle and Pickup Brooms



Snow Pushes



Snow Plows

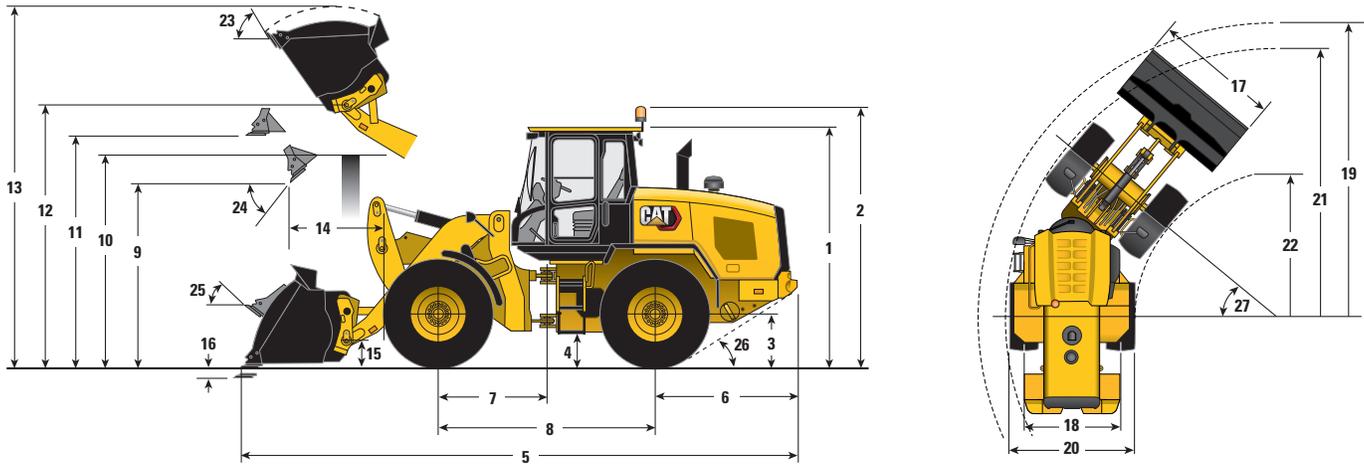


Millyard Forks



Material Handling Arms

Dimensions and Operating Specifications (All dimensions are approximate. Dimensions vary with bucket and tire choice.)



	Standard Lift		High Lift	
** 1 Height: Ground to Cab	3340 mm	10'11"	3340 mm	10'11"
** 2 Height: Ground to Beacon	3707 mm	12'2"	3707 mm	12'2"
** 3 Height: Ground to Axle Center	685 mm	2'3"	685 mm	2'3"
** 4 Height: Ground Clearance	397 mm	1'4"	397 mm	1'4"
* 5 Length: Overall	7388 mm	24'3"	8065 mm	26'6"
6 Length: Rear Axle to Bumper	1958 mm	6'5"	1958 mm	6'5"
7 Length: Hitch to Front Axle	1500 mm	4'11"	1500 mm	4'11"
8 Length: Wheelbase	3000 mm	9'10"	3000 mm	9'10"
* 9 Clearance: Bucket at 45°	2881 mm	9'5"	3378 mm	11'1"
** 10 Clearance: Load over Height	3351 mm	11'0"	3550 mm	11'8"
** 11 Clearance: Level Bucket	3576 mm	11'9"	4073 mm	13'4"
** 12 Height: Bucket Pin	3903 mm	12'10"	4400 mm	14'5"
** 13 Height: Overall	5072 mm	16'8"	5569 mm	18'3"
* 14 Reach: Bucket at 45°	928 mm	3'1"	1261 mm	4'2"
15 Carry Height: Bucket Pin	382 mm	1'3"	582 mm	1'11"
** 16 Dig Depth	100 mm	3.9"	135 mm	5.3"
17 Width: Bucket	2550 mm	8'4"	2550 mm	8'4"
18 Width: Tread Center	1930 mm	6'4"	1930 mm	6'4"
19 Turning Radius: Over Bucket	5903 mm	19'4"	6226 mm	20'5"
20 Width: Over Tires	2540 mm	8'4"	2540 mm	8'4"
21 Turning Radius: Outside of Tires	5402 mm	17'9"	5402 mm	17'9"
22 Turning Radius: Inside of Tires	2851 mm	9'4"	2851 mm	9'4"
23 Rack Angle at Full Lift		53°		51°
24 Dump Angle at Full Lift		50°		49°
25 Rack Angle at Carry		41°		47°
26 Departure Angle		33°		33°
27 Articulation Angle		40°		40°
* Tipping Load – Straight (ISO 14397-1:2007)	8771 kg	19,337 lb	6449 kg	14,218 lb
* Tipping Load – Full Turn (ISO 14397-1:2007)	7567 kg	16,682 lb	5508 kg	12,143 lb
* Breakout	11 558 kg	25,481 lb	9714 kg	21,416 lb
* Operating Weight	12 688 kg	27,972 lb	13 049 kg	28,767 lb

*Vary with bucket.

**Vary with tire.

Dimensions listed are for a machine configured with 1.9 m³ (2.5 yd³) general purpose Fusion™ bucket, bolt-on cutting edge, standard counterweights, additional guarding, 80 kg (176 lb) operator and 20.5 R25 (L-3) XHA2 tires.

The following information applies to the machine at the time of final manufacture as configured for sale in the regions covered in this document. The content of this declaration is valid as of the date issued; however, content related to machine features and specifications are subject to change without notice. For additional information, please see the machine's Operation and Maintenance Manual.

For more information on sustainability in action and our progress, please visit <https://www.caterpillar.com/en/company/sustainability>.

Engine

- The Cat® C7.1 engine meets U.S EPA Tier 4 Final, EU Stage V off-highway, and Japan 2014 emission standards.
- Cat diesel engines are required to use ULSD (ultra-low sulfur diesel fuel with 15 ppm of sulfur or less) or ULSD blended with the following lower-carbon intensity fuels** up to:
 - ✓ 20% biodiesel FAME (fatty acid methyl ester)*
 - ✓ 100% renewable diesel, HVO (hydrogenated vegetable oil) and GTL (gas-to-liquid) fuels

Refer to guidelines for successful application. Please consult your Cat dealer or “Caterpillar Machine Fluids Recommendations” (SEBU6250) for details.

**Engines with no aftertreatment devices can use higher blends, up to 100% biodiesel (for use of blends higher than 20% biodiesel, consult your Cat dealer).*

***Tailpipe greenhouse gas emissions from lower-carbon intensity fuels are essentially the same as traditional fuels.*

Air Conditioning System

- The air conditioning system on this machine contains the fluorinated greenhouse gas refrigerant R134a (Global Warming Potential = 1430). The system contains 1.9 kg (4.2 lb) of refrigerant which has a CO₂ equivalent of 2.717 metric tonnes (2.99 tons).

Paint

- Based on best available knowledge, the maximum allowable concentration, measured in parts per million (PPM), of the following heavy metals in paint are:
 - Barium < 0.01%
 - Cadmium < 0.01%
 - Chromium < 0.01%
 - Lead < 0.01%

Sound Performance

With cooling fan speed at 70% of maximum value:

Operator Sound Pressure Level (ISO 6396:2008) – 68 dB(A)*

Exterior Sound Power Level (ISO 6395:2008) – 101 dB(A)**

*Measurements were conducted with properly installed and maintained cab doors and windows closed.

**European Union Directive 2000/14/EC and UK Noise Regulation 2001 No. 1701.

Oils and Fluids

- Caterpillar factory fills with ethylene glycol coolants. Cat Diesel Engine Antifreeze/Coolant (DEAC) and Cat Extended Life Coolant (ELC) can be recycled. Consult your Cat dealer for more information.
- Cat Bio HYDO™ Advanced is an EU Ecolabel approved biodegradable hydraulic oil.
- Additional fluids are likely to be present, please consult the Operations and Maintenance Manual or the Application and Installation guide for complete fluid recommendations and maintenance intervals.

Features and Technology

- The following features and technology may contribute to fuel savings and/or carbon reduction. Features may vary. Consult your Cat dealer for details.
 - Tire Pressure Monitoring
 - Cat Production Measurement
 - Auto Wheel Torque Control
 - Auto Engine RPM
 - Extended Maintenance Intervals
 - Intelligent Hystat Transmission
 - Performance Series Buckets
 - Engine Idle Shutdown
 - Variable Displacement Pumps

Recycling

- The materials included in machines are categorized as below with approximate weight percentage. Because of variations of product configurations, the following values in the table may vary.

Material Type	Weight Percentage
Steel	67.08%
Iron	12.92%
Rubber	6.63%
Nonferrous Metal	3.42%
Other	3.10%
Fluid	2.13%
Plastic	1.51%
Uncategorized	1.39%
Mixed Metal	1.01%
Mixed-Metal and Nonmetal	0.79%
Mixed Nonmetallic	0.01%
Total	100.00%

- A machine with higher recyclability rate will ensure more efficient usage of valuable natural resources and enhance End-of-Life value of the product. According to ISO 16714:2008 (Earthmoving machinery – Recyclability and recoverability – Terminology and calculation method), recyclability rate is defined as percentage by mass (mass fraction in percent) of the new machine potentially able to be recycled, reused or both.

All parts in the bill of material are first evaluated by component type based on a list of components defined by the ISO 16714:2008 and Japan CEMA (Construction Equipment Manufacturers Association) standards. Remaining parts are further evaluated for recyclability based on material type.

Because of variations of product configurations, the following value in the table may vary.

Recyclability – 95%

STANDARD EQUIPMENT

OPERATOR ENVIRONMENT

- 75 mm (3 in) retractable seatbelt
- Automatic temperature control
- Cab, enclosed ROPS/FOPS pressurized and sound suppressed
- Push to Start
- 8 Inch Touch Screen
- Jog Dial with screen control
- Programmable Joystick
- Cup holders
- External mirrors with lower parabolic
- Ground level cab door release
- Hydraulic control lockout
- Interior cab lighting, door
- Lunch box storage
- Operator Not Present system
- Radio ready speakers
- Rear window defrost, electric
- Seat mounted electronic implement controls, adjustable
- Sliding glass on side window
- Column mounted multi function control lights, wipers, turn signal
- Suspension seat, fabric
- Tilt steering wheel
- Tinted front glass
- Wet arm wiper/washer, 2-speed and intermittent, front
- Wet arm wiper washer, rear
- Mounting Provision
- Digital hour meter, odometer and tachometer
- Digital ground speedometer and direction indicator
- Engine coolant temperature gauge
- Fuel and diesel exhaust fluid levels
- Hydraulic oil temperature gauge

POWER TRAIN

- Cat C7.1 engine
- Auto idle shut down feature
- Auto Engine RPM
- Tier 4 Final/EU Stage V compliant
- Turbocharged and aftercooled
- Filtered crankcase breather
- Diesel particulate filter
- Selective catalyst reduction
- Dry type air cleaner
- Coolant protection to -34 °C (-29 °F)
- Fuel priming pump, automatic
- Fuel water separator
- Differential lock in front axle
- Axle seal guards
- Enclosed wet disc full hydraulic brakes
- Parking brake, electric
- Lubed for life driveshafts
- Hydrostatic transmission with electronic control
- Operator modes (TC, Hystat, Single Pedal and Ice)
- Directional shift aggressiveness (fast, medium, slow)
- Auto Wheel Torque control, adjust wheel torque
- Creeper control, adjust ground speed
- Single plane cooling package, wide 6 fins per inch density
- Hydraulically driven demand cooling fan
- Scheduled Oil Sampling (S-O-SSM) port, engine, coolant, transmission

HYDRAULICS

- Automatic lift and bucket kickouts, adjustable in-cab
- Bucket and fork modes, adjustable in-cab
- Cylinder damping at kickout and mechanical end stops
- Fine mode control (fast, medium, slow)
- Hydraulic response setting (fast, medium, slow)
- Hydraulic diagnostic connectors and S-O-S ports
- Hydraulic sight gauge, visible
- Load sensing hydraulics and steering
- Seat mounted hydraulic joystick controls
- Cat Payload 250 hours of Demo

ELECTRICAL

- Alternator, 115-amp, heavy duty
- 12V power supply in cab (2)
- Batteries, 1,000 CCA (2) 24-volt system, disconnect switch
- Back up alarm
- Emergency shutdown switch
- LED rear stop and turn lights
- Heavy duty gear reduction starter
- Product Link™ Elite
- Remote jump start post
- Resettable main and critical function breakers
- Roading lights front and rear

OTHER

- Large-access enclosure doors with adjustable close/open force
- Parallel lift loader linkage
- Recovery hitch with pin
- Remote mounted lubrication points
- Lockable compartments
- 1000-hour Service Intervals (after initial 500)

OPTIONAL EQUIPMENT

OPERATOR ENVIRONMENT

- Joystick steering – 25 mph (40 kph) capable
- Radio packages
- Telescoping Steering Column
- Deluxe seat – fully adjustable fabric air suspension seat with mid seat backrest
- Premium seat – fully adjustable leather and fabric air suspension with high backrest and air lumbar support. Seat is heated and ventilated on bottom cushion and backrest.
- Rear Object Detection
- Multi View Camera
- Front View Camera, roof mounted
- Heated external Mirrors (2)
- Electrically adjustable and heated external mirrors (2)
- Internal Mirrors (2)
- Sunscreen, front and rear
- Windshield Washing Platform
- Powered precleaned for cab air
- Cab guarding

POWER TRAIN

- Differential, limited slip, rear
- Powertrain Guarding
- Tire Pressure Monitoring (TPM)
- Range of Tire Options
- Fenders (extended cover and full coverage)

HYDRAULICS

- Auxiliary flow, third and fourth function
- Connect Under Pressure Disconnects
- Ride Control System, adjustable via display
- Autolube, integrated in display
- Biodegradable Oil
- Debris packages (low, medium, high)

ELECTRICAL

- Cold start package
- Ether starting aid, block heater and additional batteries, 1,000 CCA (4 total)
- Lights, auxiliary, halogen or LED with engine and DEF compartment lights
- Beacon light, strobe
- Light Guarding

OTHER OPTIONAL EQUIPMENT

- Linkage, high lift
- Coupler, (Fusion and ISO 23727:2009)
- Aggregate Counterweight
- Cat Payload Printer
- Cylinder Guarding
- Range of Work Tool Attachments

NOTE: Not all features are available in all regions.

For more complete information on Cat products, dealer services, and industry solutions, visit us on the web at www.cat.com

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Materials and specifications are subject to change without notice. Featured machines in photos may include additional equipment. See your Cat dealer for available options.

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AEHQ8448 (10-2023)
Build Number: 14A
(N Am, EU, ANZP,
Chile, Turkey)



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
RECOMMENDATION OF AWARD TO EUROVIA ATLANTIC DBA BLYTHE FOR IFB #011224E YEAR 7 RESURFACING PROJECT (\$5,036,574.54)
MEETING NAME AND DATE:
Public Facilities Committee – January 22, 2024
PRESENTER INFORMATION:
Jared Fralix – Assistant County Administrator - Engineering (5 mins)
ITEM BACKGROUND:
On December 12, 2023, Beaufort County published IFB #011224E Year 7 Resurfacing Project requesting competitive bids for the material procurement and construction of a hot mixed asphalt roadway resurfacing. On January 12, 2024, the County received two (2) bids to perform the specified scope. Eurovia Atlantic DBA Blythe was the apparent lowest responsive bid.
PROJECT / ITEM NARRATIVE:
A pavement condition report for County roads was prepared by F&ME Consultants dated February 16, 2022 and a condition assessment for SCDOT owned roads was prepared by A. Morton Thomas & Associates, Inc. dated October 3, 2022, which serves as a basis for evaluating pavement maintenance and preservation methods for the Beaufort County roadway network. <i>This award was presented to County Transportation Committee at the January 17, 2024 meeting and approved.</i>
FISCAL IMPACT:
The contract fee is for materials and construction in the amount of \$4,197,145.45. Staff recommends a 20% contingency of \$839,429.09, bringing the project’s total cost to \$5,036,574.54. The funding for this project will be CTC Infrastructure account number 2343-30-0000-54500 with a balance of \$15,808,966.86.
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends approval to award Eurovia Atlantic DBA Blythe for IFB #011224E Year 7 Resurfacing Project
OPTIONS FOR COUNCIL MOTION:
Motion to approve/deny recommendation to award Eurovia Atlantic DBA Blythe for IFB #011224E Year 7 Resurfacing Project <i>Next Step: Move forward to County Council to award Eurovia Atlantic DBA Blythe for IFB #011224E Year 7 Resurfacing Project</i>

PRELIMINARY BID TABULATION

PURCHASING DEPARTMENT

Item 9.



Project Name:	Beaufort County Road Resurfacing Projects - Year 7
Project Number:	IFB 011224E
Project Budget:	
Bid Opening Date:	12-Jan-24
Time:	3:00:00 PM
Location:	Beaufort County
Bid Administrator:	Dave Thomas
Bid Recorder:	Victoria Moyer

The following bids were received for the above referenced project:

BIDDER	BID FORM	ALL ADDENDA	Bid Bond	SCH OF VALUES	SMBE Docs	Sub Listing	Grand Total Price	
Eurovia Atlantic DBA Blythe	X	X	X	X	X	X	\$ 2,313,309.55	County Roads
							\$ 1,749,771.10	SCDOT
							\$ 134,064.80	Bluffton Pkwy Patching
							\$ 4,197,145.45	Grand Total All 3
APAC Atlantic				X			\$ 2,723,467.60	County Roads
							\$ 1,668,652.65	SCDOT
							\$ 180,036.30	Bluffton Pkwy Patching
							\$ 4,572,156.55	Grand Total All 3
<p><i>Beaufort County posts PRELIMINARY bid tabulation information within 2 business days of the advertised bid opening. Information on the PRELIMINARY bid tabulation is posted as it was read during the bid opening. Beaufort County makes no guarantees as to the accuracy of any information on the PRELIMINARY tabulation. The bid results indicated here do not necessarily represent the final compliance review by Beaufort County and are subject to change. After the review, the final award will be made by Beaufort County Council and a certified bid tab will be posted online.</i></p>								

Bid Administrator Signature

Victoria Moyer

Bid Recorder



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
Recommendation to Award sole source contract for Year 7 Pavement Preservation to Slurry Pavers, Inc. (\$632,551.87)
MEETING NAME AND DATE:
Public Facilities Committee – January 22, 2024
PRESENTER INFORMATION:
Jared Fralix, Assistant County Administrator – Engineering (5 mins)
ITEM BACKGROUND:
Slurry Pavers, Inc is the only responsive contractor in the region that performs the pavement preservation treatment Microsurfacing. Analysis of the proposal submitted revealed Slurry Pavers, Inc as a responsive bidder. Non-competitive purchase form was submitted on December 15, 2023, and approved by purchasing department.
PROJECT / ITEM NARRATIVE:
A pavement condition report for County roads was prepared by F&ME Consultants dated February 16, 2022, and a condition assessment for SCDOT owned roads was prepared by A. Morton Thomas & Associates, Inc. dated October 3, 2022, which serves as a basis for evaluating pavement maintenance and preservation methods for the Beaufort County roadway network. On February 14, 2023, Beaufort County solicited and received one (1) submission from Slurry Pavers, Inc to IFB #021423 Year 6 Preservation. On July 20, 2023 Beaufort County received a proposal from Slurry Pavers, Inc for pavement preservation. <i>This award was presented to County Transportation Committee at the January 17, 2024, meeting and approved.</i>
FISCAL IMPACT:
The contract fee is for materials and construction in the amount of \$527,126.56. Staff recommends a 20% contingency of \$105,425.31, bringing the project’s total cost to \$632,551.87. The funding for this project will be CTC Infrastructure account number 2343-30-0000-54500 with a balance of \$15,808,966.86
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends approval to award Year 7 Pavement Preservation to Slurry Pavers, Inc.
OPTIONS FOR COUNCIL MOTION:
Motion to approve/deny recommendation to award Year 7 Pavement Preservation to Slurry Pavers, Inc. <i>Next Step: Move forward to County Council to award Year 7 Rejuvenator to Slurry Pavers, Inc.</i>

Beaufort County Road Preservation Project – Year 7 Projects

Scope of Work

- All work and materials shall meet all applicable County and SCDOT standards.
- All material certifications and submittals shall be submitted prior to work commencing.
- Provide Traffic Control per SCDOT Standard Drawings, specifications, and MUTCD throughout ALL activities.
- Provide cleaning and edge preparations for all roads to be treated. Remove clippings from the road and shoulder and dispose of off-site. Include an alternate, herbicide for removal of vegetation growth in roadway, which shall be applied a minimum of one week prior to treatment. Herbicide will be considered incidental and quantities have not been included in bid quantities.
- Restore and/or replace shoulder where necessary due to preservation operations. Provide topsoil and seed at areas to restore shoulders flush to pavement. Shoulder restoration is considered incidental and has not been included in bid quantities.
 - Provide topsoil and seed at areas to restore shoulders flush to pavement.
- 6" Full Depth Patching (FDP), SCDOT intermediate C– Bid quantities include an estimated 5% of the total area of resurfacing in SY for the full depth patch quantity.
 - Allowances are established for the Owners benefit. Contractor will be paid only for materials actually used for allowance items.
 - It is the responsibility of the contractor, in the presence of the County's representative, to mark all full depth patch locations. The County's representative shall be present to review and verify field marked full depth patch areas.
- Bid quantities for crack sealing prior to microsurfacing have been included and were calculated by the pounds of material to be allowed shall be equal to 35% of the total microsurfacing area (SY).
 - Allowances are established for the Owner's benefit. Contractor will be paid only for materials actually used for allowance items.

- Provide **INDEPENDENT** third party SCDOT Certified Pavement Preservation Inspector.
- Document all work and inspections in accordance with SCDOT procedures. Provide weekly copies of reports to the County Project Manager.
- Third-Party Quality Assurance (QA) observations will be administered by the County's representative.
 - Eradicate pavement markings as needed for a smooth final surface.
 - Apply Tack Coat to all roads in accordance with SCDOT standards.
 - Adjust all manholes and valve covers flush with the surface of the new asphalt immediately before the work performed. Coordinate, as needed, with the respective agency responsible for this work to ensure it is completed with the resurfacing operation.
- Apply temporary paint striping, including crosswalks, symbols and words, immediately following paving operations. Paint scheme shall match what is existing unless specified by County representative. For SCDOT routes, temporary striping shall be installed to match all SCDOT current standards and specifications.
- Apply Thermoplastic Pavement Markings and Raised Pavement Markers in accordance with SCDOT Specifications to match existing, unless otherwise noted. Pavement Markers and Raised Pavement Markers installed on SCDOT routes shall be installed per current SCDOT Standards and Specifications. Epoxy markings will not be permitted.
 - Edge lines, median lines, lane lines, center lines at 90 mils.
 - Symbols, words and all other lines at 125 mils.
 - Prior to beginning the work, inventory all roads for existing markings and raised pavement markers locations, including blue hydrant location markers.
 - Pavement markings and raised pavement markers that are currently incomplete and/or missing on roads shall be provided.
 - Thermoplastic pavement markings and RPM's shall be completed within 30 days of completion of road resurfacing.
 - Spacing of RPM shall be 40'.
 - Stop bars shall be added to all County roadways.
- **Provide advance public notifications for resurfacing activities and lane closures. Media notices shall be disseminated at least one week prior to resurfacing operations.**
- Replacement of traffic signal control loops or other inground detection shall be by contractor.
- When a road or street falls within the limits of an incorporated Town or City, the successful bidder shall directly coordinate their resurfacing activities with that municipality so as to avoid

disruptions to the contractor's operations as well as other business enterprises. Beaufort County encourages early coordination with municipalities to avoid conflicts during the peak tourist season.

- All punch list items shall be completed within six months of final walk.
- Allowances for delays and weather shall be built into project schedule. Additional time will not be given.

Clarifications

1. Photo illustrations showing resurfacing limits, highlighted by yellow lines, are approximate and could vary by several feet.
2. Bid quantities included on the exhibits and bid package are approximate only. Bidders are responsible for verifying all quantities of work including allowances noted for full depth patching.
3. Any items not included in the bid quantities and required to complete the project shall be considered incidental and included in the unit rates elsewhere.
4. All turns lanes, acceleration/deceleration lanes, medians, shoulders, bike lanes etc. associated with the roadway, are a part of the resurfacing projects.
5. Parallel street parking areas immediately adjacent to the drive lane are a part of the resurfacing.
6. All brick and asphalt decorative crosswalks shall be preserved. Mill on each side of crosswalk to tie new asphalt surface into existing crosswalk. Crosswalks shall be adequately protected from tracking tack or asphalt over the surface during paving operations.
7. The bidders shall be advised that this contract requires the placement of several different types of pavement preservation techniques on roads with widely varying traffic loadings. Past experience has shown that with careful planning daytime work may be successfully performed on high volume roads; HOWEVER, the owner reserves the prerogative to require NIGHTTIME work on roads in this contract based on prevailing traffic conditions, contractor performance, etc. No additional payment will be made if it is determined that nighttime work is in the best interests of the public. Nighttime work on SCDOT routes may be required by SCDOT Encroachment Permits.
8. The 2007 Standard Specifications for Highway Construction Section 401.4.4, Weather and Surface Restrictions will be followed regardless of the month in which paving occurs. During the months of December, January, and February an approved Cold Weather Paving

Plan will be submitted to the County Project Manager for approval prior to starting paving operations.

9. Indexing for microsurface using the SCDOT Index will be utilized for this project.

Project Administration:

Beaufort County Engineering
104 Industrial Village Rd
Building 3
Beaufort, SC 29906

Contract Type:

Unit rate.

Indexing for microsurfacing using the SCDOT Index will be utilized for this project.

Payment for full-depth patching and crack sealing will be paid based on quantity certified by inspector and unit costs provided on the bid form.

Contract Documents:

Beaufort County Preservation Improvements Contract, including the South Carolina Department of Transportation, Standard Specifications for Highway Construction, Edition of 2007.

Contract Time:

- Contractor shall complete all work (including shoulder fills, thermoplastic pavement markings, and RPMs) by June 1, 2024.
- Liquidated damages will be \$1,200 per day.

Bidder:

Year 7 Preservation
Bid Form

Note: The quantities listed herein are estimates only and do not constitute any warranty or guarantee by the County, and should not be relied upon by bidders. All quantities may vary. The totals required on the bid form herein are for informal comparison only. Payments will be based upon unit prices.

Item Number	Description of Item	Qty	Unit	Unit Price	Extended Price
	Mobilization & Traffic Control	1	LS	\$74,950.00	\$74,950.00
4012060	FULL DEPTH ASPH. PAV. PATCHING 6" UNIF.	1,600 2323	SY	\$100.00	\$160,000.00
6250025	24" WHITE SOLID LINES (STOP/DIAGONAL LINES)-FAST DRY PAINT	269	LF	\$3.00	\$807.00
6271025	24" WHITE SOLID LINES (STOP/DIAG LINES)-THERMO.-125 MIL	269	LF	\$18.00	\$4,842.00
6250010	4" WHITE SOLID LINES (PVT. EDGE LINES)-FAST DRY PAINT	1080	LF	\$0.50	\$540.00
6271010	4" WHITE SOLID LINES (PVT. EDGE LINES) THERMO.- 90 MIL.	1080	LF	\$3.00	\$3,240.00
6250110	4"YELLOW SOLID LINE(PVT.EDGE&NO PASSING ZONE)-FAST DRY PAINT	920	LF	\$0.50	\$460.00
6271074	4" YELLOW SOLID LINES(PVT.EDGE LINES) THERMO-90 MIL.	920	LF	\$3.00	\$2,760.00
6301100	PERMANENT YELLOW PAVEMENT MARKER BI- DIR_ - 4"	574	EA	\$10.00	\$5,740.00
4100200	MICRO SURFACING SURFACE COURSE	46458	SY	\$4.82	\$223,927.56
4015110	CLEAN AND SEAL CRACKS IN ASPHALT PAVEMENT	12,000 16260	LB	\$3.53	\$42,360.00
				TOTAL	\$519,626.56

Alternate A

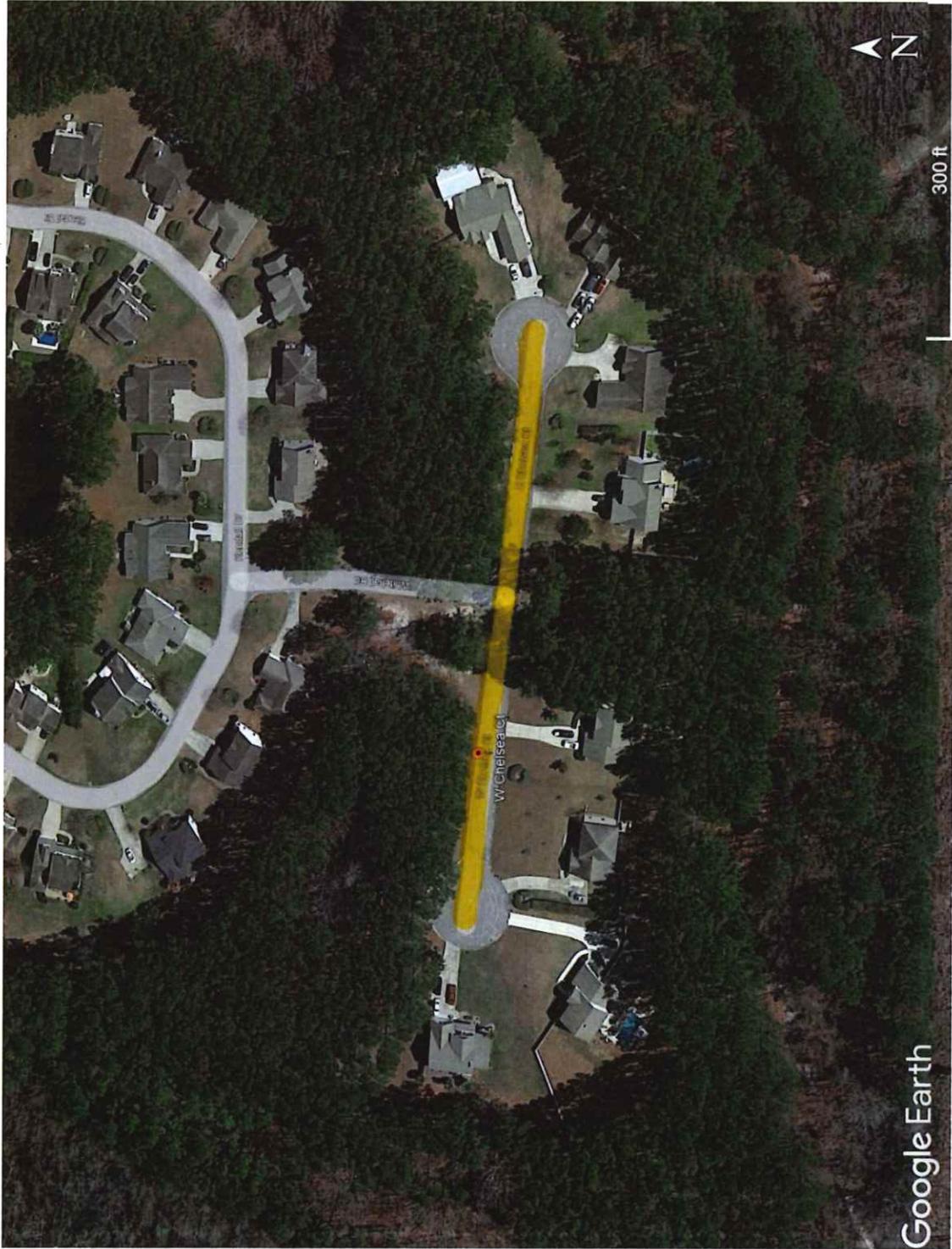
	Selective Herbicide Prior to Microsurfacing	1	LS	\$5,500.00	\$5,500.00
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Alternate B

	Use of temporary tabs in lieu of fast dry paint striping	1	LS	\$2,000.00	\$2,000.00
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Map Number	Route	Treatment	Length (ft)	Width (ft)	Area (SY)	4012060 FULL DEPTH ASPH. PAV. PATCHING 6" UNIF.	6250025 24" WHITE SOLID LINES (STOP/DIAGONAL LINES)-FAST DRY PAINT	6271025 24" WHITE SOLID LINES (STOP/DIAG LINES)-THERMO-.125 MIL	6301100 "PERMANENT YELLOW PAVEMENT MARKER BI- DIR - 4"	4100200 MICRO SURFACING SURFACE COURSE	4015110 CLEAN AND SEAL CRACKS IN ASPHALT PAVEMENT
	W Chelsea Ct	Microsurfacing	525.96	23.00	1344	67	0	0	15	1344	470
	E Chelsea Ct	Microsurfacing	21.13	23.00	54	3	0	0	3	54	19
	Middleton Recreation Dr	Microsurfacing	4897.80	21.92	11929	596	20	20	124	11929	4175
	Arnold Ln	Microsurfacing	329.10	20.00	731	37	30	30	10	731	256
	Donaldson Dr	Microsurfacing	1106.56	18.00	2213	111	0	0	30	2213	775
	Mcintyre Cir	Microsurfacing	120.34	19.00	254	13	20	20	5	254	89
	Paukie Island Dr	Microsurfacing	2879.77	21.00	6719	336	21	21	74	6719	2352
	Hanna Ave	Microsurfacing	1294.24	18.92	2721	136	19	19	34	2721	952
	Mark Ave	Microsurfacing	618.54	12.00	825	41	12	12	17	825	289
	Wesley Ave	Microsurfacing	1321.33	11.02	1618	81	11	11	35	1618	566
	Suzanne Ave	Microsurfacing	528.60	22.00	1292	65	22	22	15	1292	452
	Frame Ave	Microsurfacing	1054.68	13.00	1523	76	13	13	28	1523	533
	Harvey's Bend	Microsurfacing	843.11	13.00	1218	61	13	13	23	1218	426
	Habersham Ave	Microsurfacing	1056.85	22.00	2583	129	22	22	28	2583	904
	Hugh St	Microsurfacing	581.17	13.00	839	42	13	13	17	839	294
	TOTALS					1793	216	216	458	35865	12553

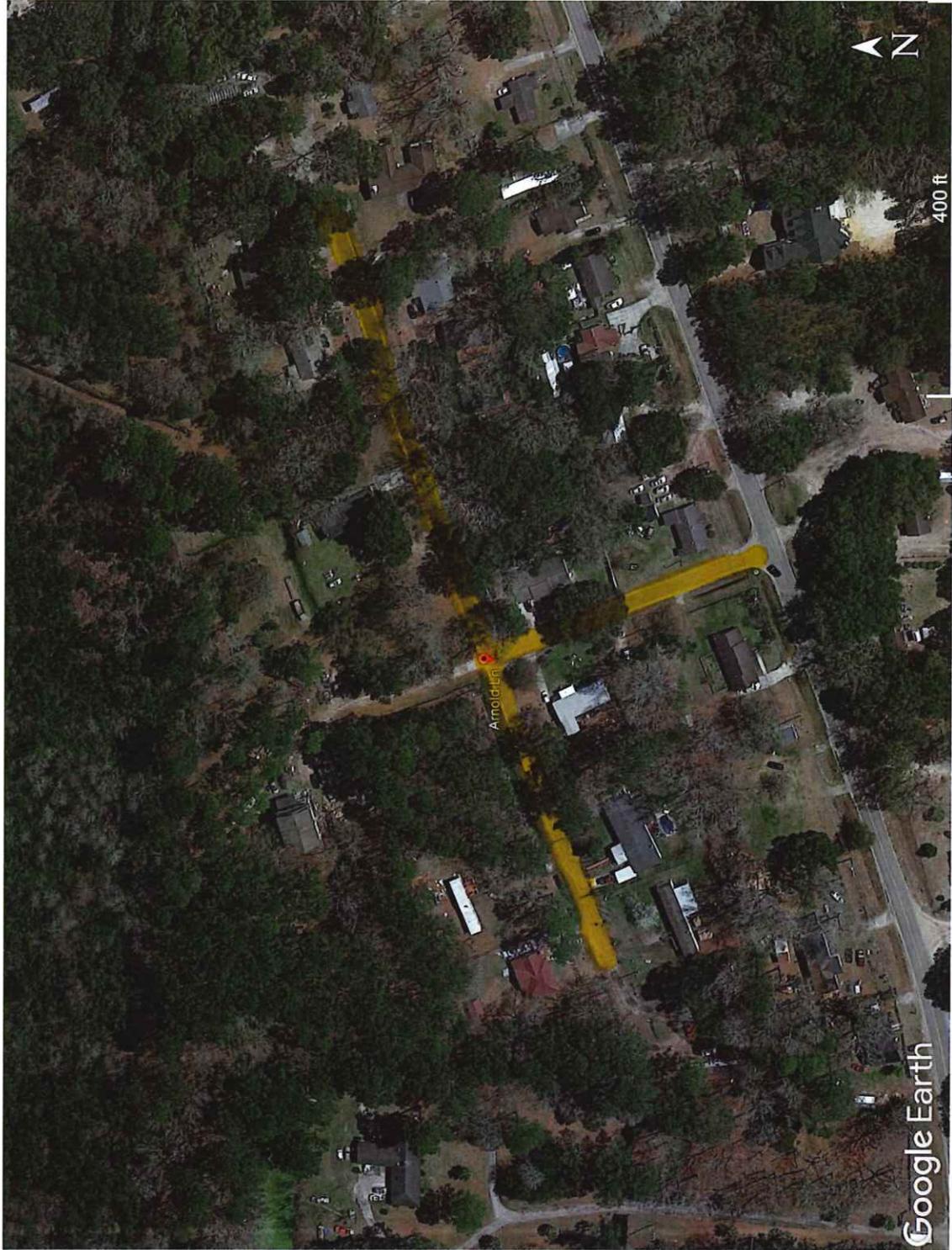
E & W CHELSEA CT



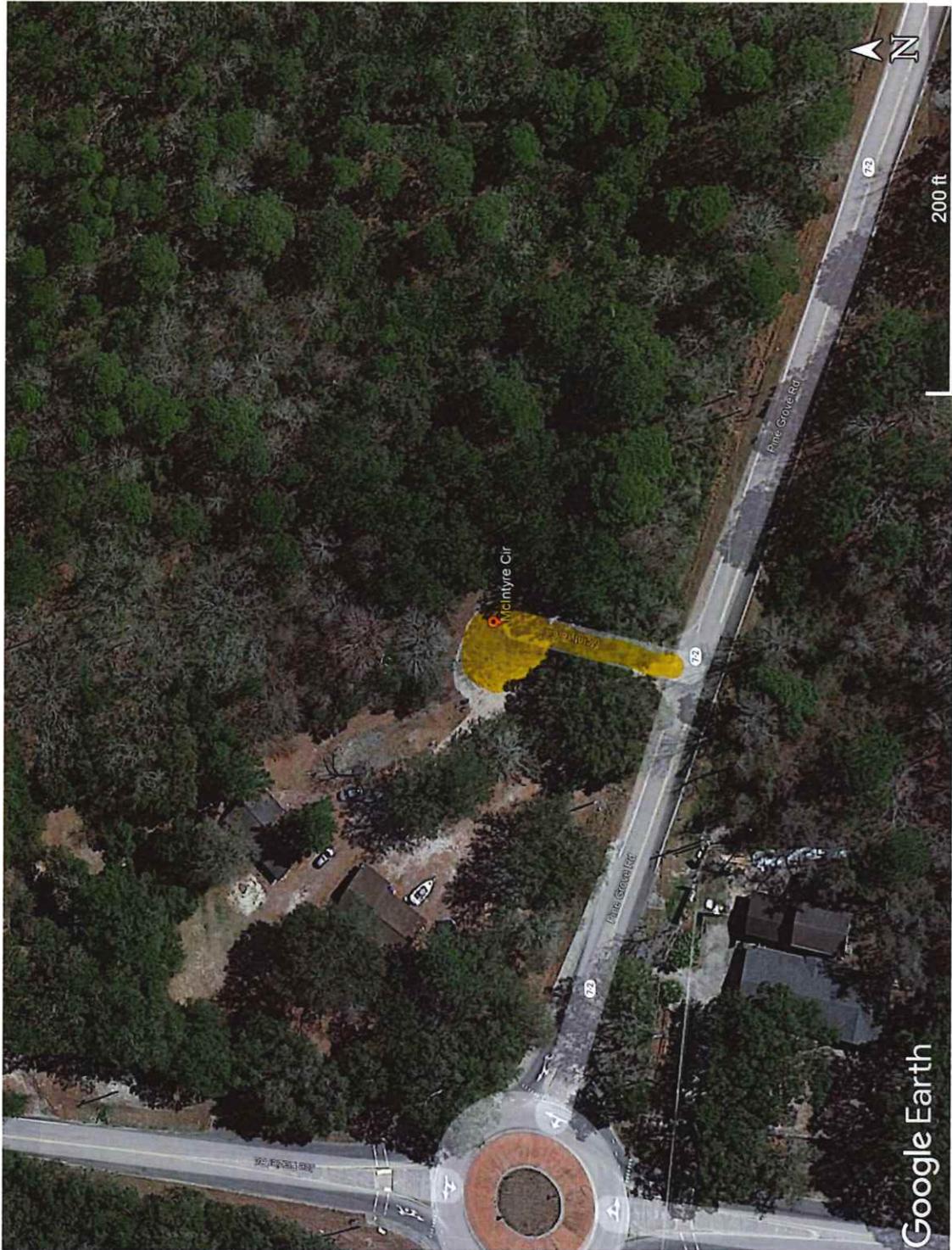
MIDDLETON RECREATION DR



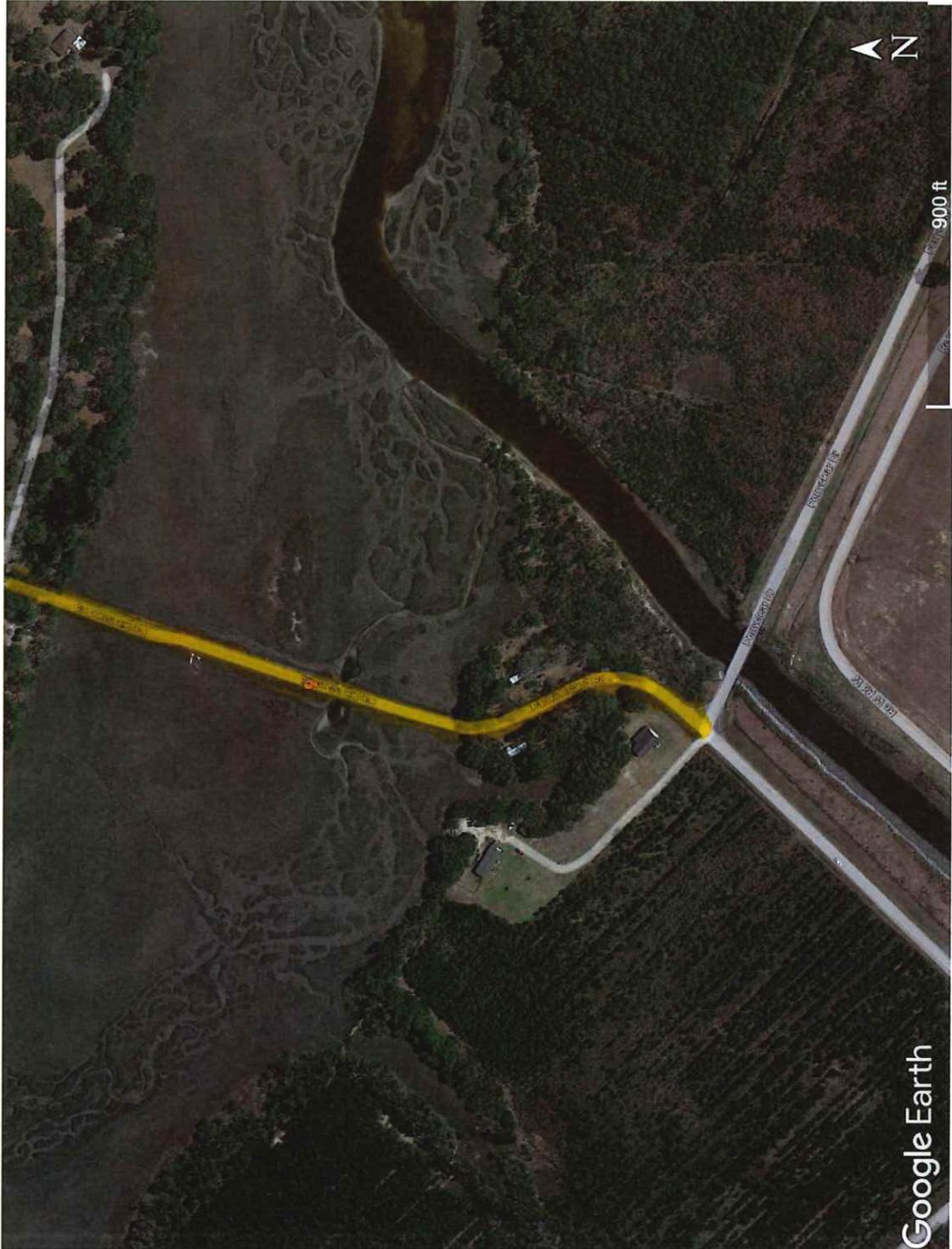
ARNOLD LN. & DONALDSON DR



McINTYRE CIR



PAUKIE ISLAND DR



HANNA AVE, MARK AVE, WESLEY AVE, SUZANNE AVE, FRAME AVE, HARVEY'S BEND, HABERSHAM AVE, HUGH ST



PERRYCLEAR DR





Non-Competitive Purchases Form



This form shall be completed for any non-competitive purchase that is not exempt.

(a) A County contract may be awarded without competition when the Purchasing Director determines in writing, after conducting a good faith review of available sources, that there is only one source for the required supply, service, or construction item. The Purchasing Director shall conduct negotiations, as appropriate, as to price, delivery, and terms. A record of sole source procurements shall be maintained as public record and shall list each contractor's name, the amount and type of each contract, a listing of the items procured under each contract, and the identification of each contract file.

(b) Sole source procurement of a used item from the open market may only be considered, provided that:

(1) The using agency recommends purchase; (2) condition of the item is verified by appropriate County official; and (3) price analysis justifies purchase when the following factors are considered: (a) new acquisition price; (b) current book value; and (c) maintenance costs.

Code 1982 SS 12-19 Sec. 2-518 Sole source procurement

The County Council may by resolution, exempt specific supplies or services from the purchasing procedures required in the Code. The following supplies and services shall be exempt from the purchasing procedures required in this division; however, the Purchasing Director for just cause may limit or withdraw any exemption provided for in this section. (1) Works of art for museum and public display (2) Published books, library books, maps, periodicals, technical pamphlets (3) Copyrighted educational films, filmstrips, slides and transparencies (4) Postage stamps and postal fees (5) Professional dues, membership fees and seminar registration fees (6) Medicine and drugs (7) Utilities including gas, electric, water and sewer (8) Advertisements in professional publications or newspapers (9) Fresh fruit, vegetables, meats, fish, milk, bread and eggs (10) Oil company credit cards (11) Articles for commercial sale by all governmental bodies

Code 1982 SS 12-14 Ord. No. 2000-1 S 1, 1-1-0-2000 Sec. 2-514 Exemption from procedures (12) Legal Services, which must be approved by the County Administrator or County Council (13) Fixed Wing and Rotary Win and Aircraft Maintenance.

Notwithstanding any other section of this division, the Purchasing Director may make or authorize others to make emergency procurements of supplies, services, or construction items when there exists a threat to the functioning of county government; for the preservation or protection of property; or for the health, welfare or safety of any person, provided that such emergency procurements shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the emergency and for the selection of the particular contractor shall be included in the contract file. As soon as practicable, a record of each emergency procurement shall be made and shall set forth the contractor's name, the amount and type of the contract, a listing of the items procured under the contract, and the identification number of the contract file.

Code 1982 SS 12-20 Sec. 2-519 Emergency procurements

Requesting Department

Engineering

Requested Account Code

2343-30-0000-54500

Department Head *

Bishop, Brittane

Description of Requested Services:

Furnish & Install Pavement Preservation Microsurfacing

Please provide a listing of the items purchased:

Furnish & Install Pavement Preservation Microsurfacing

Requested Vendor Name:

Slurry Pavers, Inc

Requested Vendor Address:

3617 Nine Mile Rd, Richmond, VA 23223

Requested Vendor Phone Number:

910-818-7607

Requested Vendor Email Address:

tim.herbst@slurrypavers.com

Type of Service Requested (Please choose one)

- Construction
- Service
- Supply/Good

Attachments

-  Preliminary Bid Tab VLM Signed.pdf
-  RE_ Year 7 Preservation Sole Source.pdf
-  Slurry Pavers - Year 7 Preservation Bid Package.pdf

Please select a reason below as to why this is a non-competitive purchase and provide a brief explanation.

- It is not possible to obtain competition. There is only one source available for the supply; service; or construction item.
- The procurement is for a used item from the open market. The item may only be considered if; (1) the using agency recommends purchase; (2) condition of the item is verified by appropriate County official; (3) Price analysis justifies purchase when the following factors are considered; (a) new acquisition price; (b) current book value; and (c) maintenance costs.
- An emergency exists that threatens the functioning of County government.
- An emergency exists that threatens the preservation or protection of County property.
- The item is a single source purchase. Other sources may be available but purchases are directed to one source because of factors unique to Beaufort County. Please select an option below:

What steps have been taken to verify that these features are not available elsewhere?

- Other brands/manufacturers were examined (please list names and contact information, and explain why they are not suitable for use by the County - attach additional pages as necessary):
- Other vendors were contacted (please list names and contact information and explain why those contacted did not meet the needs of the County - attach additional pages as necessary):

Submitter Reviewed

***** Department Head Section *****

Department Head Approved

***** Purchasing Review Section *****

Date Received in Purchasing
Department:

Reviewed by Purchasing Department for completeness

Reviewed by:

Item 10.

Verified that this is the only source:

Yes No

Comments:

Purchasing Director Decision:

Approve Disapprove

Thomas, Dave

Dec 18, 2023 10:39 AM

Associated Requisition Number:

Associated Contract Number:

***** Purchasing Completion Section *****

Process Complete

Moyer, Victoria

Dec 18, 2023 1:48 PM



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
Recommendation of award for RFP 102423 Recyclables Processing and Marketing for Beaufort County to i2 Recycle (\$1,129,618)
MEETING NAME AND DATE:
Public Facilities and Safety Committee – January 22, 2024
PRESENTER INFORMATION:
Jared Fralix, P.E. - Assistant County Administrator - Engineering Neil Desai, P.E. - Public Works Director (backup) Time needed for discussion = 10 minutes
ITEM BACKGROUND:
RFP 102423 was advertised on Vendor Registry September 19, 2023 and in the SC Business Opportunity Magazine and the Island Packet. The bid closed on October 24, 2023. A selection committee received four proposals for review. Interviews were held for all proposers. The selected vendor will provide the transportation of recyclable materials for processing, processing of recyclable materials, and marketing and sale of recyclable materials.
PROJECT / ITEM NARRATIVE:
The selection committee rated each proposal based on the ability of the vendor to provide recyclables collection and processing services for Beaufort County (Convenience Centers). This included the transportation of containers for processing, container rentals, and processing of recyclables for market and sale of each commodity collected at the County Convenience Centers. The initial contract term would be for 5 years from August 1, 2024, to July 31, 2029, with the option for three additional annual renewals.
FISCAL IMPACT:
This is a unit rate contract. The estimated cost for the contract is \$1,129,618 and will be budgeted for FY25 under disposal services. The current funding account is 5010-90-1340-51166.
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends the award of RFP 102423 Recyclables Collection and Processing Services to i2 Recycle.
OPTIONS FOR COUNCIL MOTION:
Motion to approve /deny the recommendation of award for RFP 102423 Recyclables Processing and Marketing for Beaufort County. <i>(Next Step – A Majority Vote for Acceptance by Committee would move item forward to final acceptance by full County Council vote- 2/12/2024.)</i>

Recyclable Materials Processing & Marketing for Beaufort County				
RFP 102423				
Summary Score Sheet				
Evaluators	Name of Company	Name of Company	Name of Company	Name of Company 2
	<u>Capital Waste Services</u>	<u>i2 Recycle</u>	<u>Pratt Recycling Inc.</u>	<u>Waste Management</u>
K. Herrera	50	82	71	37
J. Fralix	50	87	75	32
B. McAbee	37	67	45	66
V. Hoffman	40	92	77	49
TOTALS:	177	328	268	184
1. i2 Recycle	328			
2. Pratt Recycling Inc	268			
3. Waste Management	184			
4. Capital Waste Services	177			



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
RECOMMENDATION OF AWARD TO IPW CONSTRUCTION GROUP FOR IFB #120123E LAUREL BAY RD PATHWAY PROJECT (\$4,125,783.99)
MEETING NAME AND DATE:
Public Facilities Committee – January 22, 2024
PRESENTER INFORMATION:
Jared Fralix – Assistant County Administrator - Infrastructure (5 mins)
ITEM BACKGROUND:
On October 31, 2023, Beaufort County published IFB #120123E Laurel Bay Road Pathway Project requesting competitive bids for the material procurement and construction of a pathway along Laurel Bay Rd. On December 1, 2023, The County received two (2) bids to perform the specified scope. IPW Construction Group was the apparent lowest responsive bid.
PROJECT / ITEM NARRATIVE:
As part of the 2018 one cent transportation sales tax, a program of pathways was identified for construction to provide better and safer access to pedestrians at key areas on Beaufort County. This pathway along Laurel Bay Rd was one of the projects identified and will replace an existing asphalt sideway connecting US 21 and Laurel Bay. The project will consist of all materials and construction to complete approximately 3.4 miles of 10' wide concrete pathway extending from US 21 to Laurel Bay.
FISCAL IMPACT:
The contract fee is for materials and construction in the amount of \$4,125,783.99. Staff recommends a 20% contingency of \$825,156.80, bringing the project's total cost to \$4,950,940.79. The funding for this project will be South Carolina Veterans' Affairs Military Enhancement Grant for \$3,392,328 and the remainder from the 2018 One Cent Sales Tax – Sidewalks and Multi-Use Pathways account number 4705-80-0000-54500 with a balance of \$17,735,384.
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends approval to award IPW Construction Group for IFB #120123E Laurel Bay Pathway Project
OPTIONS FOR COUNCIL MOTION:
Motion to approve/deny recommendation to award IPW Construction Group for IFB #120123E Laurel Bay Rd Pathway Project
Next Step: Move forward to County Council to award IPW Construction Group for IFB #120123E Laurel Bay Rd Pathway Project

PRELIMINARY BID TABULATION
PURCHASING DEPARTMENT

Item 12.



Project Name:	Laurel Bay Pathway Project
Project Number:	IFB 120123E
Project Budget:	
Bid Opening Date:	December 1 2023
Time:	3:00:00 PM
Location:	Beaufort County
Bid Administrator:	Dave Thomas
Bid Recorder:	Victoria Moyer

The following bids were received for the above referenced project:

BIDDER	BID FORM	ALL ADDENDA	Bid Bond	SCH OF VALUES	SMBE Docs	Sub Listing	Grand Total Price
IPW Construction Group	X	X	X	X	X		\$ 4,125,783.99
							\$ 117,040.00
Lewallen Construction	X	X	X	X	X	X	\$ 4,873,313.46
							\$ 211,892.85
<p><i>Beaufort County posts PRELIMINARY bid tabulation information within 2 business days of the advertised bid opening. Information on the PRELIMINARY bid tabulation is posted as it was read during the bid opening. Beaufort County makes no guarantees as to the accuracy of any information on the PRELIMINARY tabulation. The bid results indicated here do not necessarily represent the final compliance review by Beaufort County and are subject to change. After the review, the final award will be made by Beaufort County Council and a certified bid tab will be posted online.</i></p>							

IPW Public Utilities Relocation Worksheet

Lewallen Public Utilities Relocation Worksheet

Bid Administrator Signature

Victoria Moyer

Bid Recorder



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
Recommend Approval of Contract Award to Nix Construction Co. Inc. for IFB #101023 Okatie River Park (\$2,922,403.00)
MEETING NAME AND DATE:
Public Facilities and Safety Committee – January 22, 2024
PRESENTER INFORMATION:
Eric Larson, PE, Director, Capital Projects (5 mins)
ITEM BACKGROUND:
On November 14, 2023 bids were received for the construction of the Okatie River Park. Three (3) bids were received, with one bidder withdrawing their bid. The qualified low bidder being Nix Construction Co. Inc. with a cost of \$2,656,730.00. Staff and the design consultants, Whitmer Jones Keefer Ltd., have reviewed the detailed bid submittal and found the prices to be fair and reasonable. Engineer’s estimate for the work was \$1,936,475.
PROJECT / ITEM NARRATIVE:
The Passive Parks Department is constructing a park within the property purchased adjacent to the Pepper Hall Developments. The park consists of a walking trail, pier and dock, a pavilion, along with supporting restrooms and parking. The total funds requested are the bid amount (plus a 10% contingency) (\$2,656,730.00 + \$265,673 = \$2,922,403) Purchasing has not submitted a draft contract to Legal. This will occur after contract award.
FISCAL IMPACT:
Funding comes from the Passive Parks Fund (4502-80-0000-54420), an A-Tax Grant (2001-10-0000-55000) and the Reforestation Fund, Fund Balance (2012-10-0000-31510). Reforestation funding will be used for landscaping to include site prep, landscape plants and the pervious walking trail, as allowed by Ordinance 5.11.100 Section D.7. Current FY24 project allocations are \$890,000 (PP Fund), \$1,052,824 (Local A-Tax Grant), and \$979,579 (Tree Fund). Current balances are \$4,258,312.25 (PP Fund), \$3,029,386.19 (Local A-Tax Grant), and \$2,892,911.41 (Reforestation Fund, Fund Balance).
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends approval of contract to Nix Construction Co. Inc. for IFB #101023 in the amount of \$2,656,730.00 with a \$265,673 contingency fund for a total of \$2,922,403.
OPTIONS FOR COUNCIL MOTION:
Motion to approve/deny recommendation of award Nix Construction Co. Inc. for IFB #101023 Okatie River Park. <i>Next Step: Move forward to County Council to award Nix Construction Co. Inc. for IFB #101023 Okatie River Park.</i>

PRELIMINARY BID TABULATION

PURCHASING DEPARTMENT

Item 13.



Project Name:	Okatie River Park
Project Number:	IFB 101023
Project Budget:	
Bid Opening Date:	11-Nov-23
Time:	3:00:00 PM
Location:	Beaufort County
Bid Administrator:	Dave Thomas
Bid Recorder:	Victoria Moyer

The following bids were received for the above referenced project:

BIDDER	BID FORM	ALL ADDENDA	Bid Bond	SCH OF VALUES	SMBE Docs	Sub Listing	Grand Total Price
Beaufort Construction	X	X	X	X	X	X	\$ 2,890,000.00
Greenway Bridge	X	X	X	X	X	Self Performing	\$ 1,015,300.00
Nix Construction	X	X	X	X	X	X	\$ 2,656,730.00
<p><i>Beaufort County posts PRELIMINARY bid tabulation information within 2 business days of the advertised bid opening. Information on the PRELIMINARY bid tabulation is posted as it was read during the bid opening. Beaufort County makes no guarantees as to the accuracy of any information on the PRELIMINARY tabulation. The bid results indicated here do not necessarily represent the final compliance review by Beaufort County and are subject to change. After the review, the final award will be made by Beaufort County Council and a certified bid tab will be posted online.</i></p>							

David L. Thomas
 Bid Administrator Signature

Victoria Moyer
 Bid Recorder