

COUNTY COUNCIL OF BEAUFORT COUNTY
ADMINISTRATION BUILDING
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D. PAUL SOMMERVILLE
CHAIRMAN

GERALD W. STEWART
VICE CHAIRMAN

COUNCIL MEMBERS

RICK CAPORALE
MICHAEL E. COVERT
GERALD DAWSON
BRIAN E. FLEWELLING
STEVEN G. FOBES
YORK GLOVER, SR.
ALICE G. HOWARD
STEWART H. RODMAN
ROBERTS "TABOR" VAUX

GARY T. KUBIC
COUNTY ADMINISTRATOR

JOSHUA A. GRUBER
DEPUTY COUNTY ADMINISTRATOR
SPECIAL COUNSEL

THOMAS J. KEAVENY, II
COUNTY ATTORNEY

ASHLEY M. BENNETT
CLERK TO COUNCIL

AGENDA
COUNTY COUNCIL OF BEAUFORT COUNTY
REGULAR SESSION
Monday, May 22, 2017
6:00 p.m.
Large Meeting Room, Bluffton Branch Library
120 Palmetto Way, Bluffton

1. CALL TO ORDER - 6:00 P.M.
2. REGULAR SESSION
3. PLEDGE OF ALLEGIANCE
4. INVOCATION – Councilman York L. Glover
6. ADMINISTRATIVE CONSENT AGENDA
 - A. Approval of Minutes
 1. May 8, 2017 Caucus ([backup](#))
 2. May 8, 2017 Regular Session ([backup](#))
 - B. Committee Reports (next meeting)
 1. Community Services (June 26 at 3:00 p.m., ECR)
 - a. Minutes – May 1, 2017 (joint) ([backup](#))
 2. Executive (June 12 at 3:00 p.m., ECR)
 3. Finance (June 5 at 2:00 p.m., ECR)
 4. Governmental (June 5 at 4:00 p.m., ECR)
 - a. Minutes – May 1, 2017 (joint) ([backup](#))
 5. Natural Resources (June 19 at 2:00 p.m., ECR)
 - a. Minutes – May 15, 2017 ([backup](#))
 6. Public Facilities (June 19 at 4:00 p.m., ECR)
 - C. Appointments to Boards and Commissions ([backup](#))
7. PUBLIC COMMENT – Speaker sign-up encouraged no later than 5:45 p.m. day of meeting.



8. CONSENT AGENDA

- A. FISCAL YEAR 2017 – 2018 AIRPORTS BUDGET (ENTERPRISE FUND)
 - 1. Consideration of first reading, by title only, to occur on May 22, 2017
 - 2. Finance Committee discussion to occur May 22, 2017 beginning at 1:30 p.m. in the Large Meeting Room of the Bluffton Branch Library, 120 Palmetto Way, Bluffton
- B. FISCAL YEAR 2017 – 2018 STORMWATER MANAGEMENT UTILITY BUDGET (ENTERPRISE FUND)
 - 1. Consideration of first reading, by title only, to occur on May 22, 2017
 - 2. Finance Committee discussion to occur May 22, 2017 beginning at 1:30 p.m. in the Large Meeting Room of the Bluffton Branch Library, 120 Palmetto Way, Bluffton
- C. A RESOLUTION DESIGNATING PUBLIC OFFICIALS TO EXERCISE THE POWERS PRESCRIBED IN BEAUFORT COUNTY CODE OF ORDINANCES CHAPTER 74, ARTICLE IV UNFIT DWELLING PURSUANT TO THE AUTHORITY GRANTED IN SECTION 31-15-330 OF THE *CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED*. (BEAUFORT COUNTY CODE ENFORCEMENT DIRECTOR AND BEAUFORT COUNTY BUILDING INSPECTIONS DIRECTOR) ([backup](#))
 - 1. Consideration of adoption of resolution to occur on May 22, 2017
 - 2. Finance Committee discussion to occur May 22, 2017 beginning at 1:30 p.m. in the Large Meeting Room of the Bluffton Branch Library, 120 Palmetto Way, Bluffton
- D. A RESOLUTION AUTHORIZING APPROVAL OF \$2,000,000 ENVIRONMENTAL ASSESSMENT GUARANTEE WITH SCDOT ([backup](#))
 - 1. Consideration of adoption of resolution to occur on May 22, 2017
 - 2. Public Facilities Committee recommendation to adopt resolution occurred May 15, 2017 / Vote 6:0
- E. CONTRACT AWARD / HAULING SERVICES FOR BEAUFORT COUNTY([backup](#))
 - 1. Contract Award: Republic Services, Beaufort, South Carolina
 - 2. Amount: \$1,195,176 (estimate based on average number of container pulls)
 - 3. Funding sources: Solid Waste and Recycling Account 10001340-51165
 - 4. Public Facilities discussion and recommendation to approve contract award occurred May 15, 2017 / Vote 6:0
- F. PORT ROYAL ISLAND ZONING MAP AMENDMENT FOR R100 040 000 02 09 0000, (12 ACRES LOCATED ALONG BAY PINES ROAD); FROM T2-RURAL DISTRICT TO S1-INDUSTRIAL DISTRICT ([backup](#))
 - 1. Consideration of first reading to occur on May 22, 2017
 - 2. Natural Resource Committee recommendation to approve on first reading occurred May 15, 2017 / Vote 7:0

G. TEXT AMENDMENTS TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC): ([backup](#))

- SECTION 1.3.50 EXEMPTIONS (ADDS REQUIREMENT TO COMPLY WITH HISTORIC PRESERVATION STANDARDS);
 - SECTION 2.2.50 LOTS (SPECIFIES MINIMUM WIDTHS OF FLAG LOTS);
 - SECTION 2.2.60 ACCESS MANAGEMENT (ALLOWS BUILDINGS TO FRONT MAJOR ROADWAYS WHILE TAKING ACCESS FROM A REAR STREET OR ALLEY);
 - TABLE 3.1.70 LAND USE DEFINITIONS (AMENDS “CAMPGROUND” TO SPECIFY TWO OR MORE RECREATIONAL VEHICLES/RVS ON A SINGLE PROPERTY);
 - SECTION 5.6.120 FREESTANDING SIGNS (ESTABLISHES MINIMUM 10-FOOT SETBACK FROM RIGHT-OF-WAY (ROW));
 - TABLE 5.8.50.F. EXISTING TREES IN THOROUGHFARE BUFFER (ADDS RETENTION REQUIREMENT OF EXISTING TREES 6-INCHES DBH IN THOROUGHFARE BUFFERS);
 - SECTION 5.8.110.B.4. PERFORMANCE GUARANTEE (ESTABLISHES A TWO-YEAR SURVIVAL BOND FOR LANDSCAPING);
 - SECTION 5.11.90 FORESTS (ADDS NEW SUBSECTION THAT PROMOTES INTERCONNECTIVITY OF PRESERVED FOREST HABITAT);
 - SECTION 5.11.100.B. SPECIMEN TREES (ADDS LONGLEAF PINE AND BLACK CHERRY AS SPECIMEN TREES AT 16 INCHES (DBH)); AND
 - SECTION 6.2.70 MAINTENANCE GUARANTEE (CROSS-REFERENCES THE LANDSCAPING SURVIVAL BOND FROM SECTION 5.8.110.B.4).
1. Consideration of first reading to occur on May 22, 2017
 2. Natural Resource Committee recommendation to approve on first reading occurred May 15, 2017 / Vote 7:0

H. AN ORDINANCE OF BEAUFORT COUNTY COUNCIL CREATING A SPECIAL TAX ASSESSMENT FOR REHABILITATED HISTORIC PROPERTIES IN THE GEOGRAPHICAL BOUNDARIES KNOWN AS DAUFUSKIE ISLAND ([backup](#))

1. Consideration of first reading to occur on May 22, 2017
2. Natural Resource Committee recommendation to approve on first reading occurred May 15, 2017 / Vote 7:0

I. SOUTHERN BEAUFORT COUNTY ZONING MAP AMENDMENTS FOR R600-040-000-001C-0000 (299.202 ACRES LOCATED ON THE NORTH AND SOUTH SIDES OF THE BLUFFTON PARKWAY AND EAST OF MALPHRUS ROAD; KNOWN AS HILTON HEAD NATIONAL GOLF COURSE); FROM T2-RURAL DISTRICT TO T3-NEIGHBORHOOD, T4-NEIGHBORHOOD CENTER, AND T4-HAMLET CENTER OPEN DISTRICTS ([backup](#))

1. Development Agreement Subcommittee discussion occurred May 4, 2017
2. Development Agreement Subcommittee discussion occurred May 3, 2017
3. Development Agreement Subcommittee discussion occurred March 30, 2017
4. Development Agreement Subcommittee discussion occurred March 21, 2017
5. Development Agreement Subcommittee discussion occurred February 27, 2017
6. Development Agreement Subcommittee discussion occurred February 2, 2017
7. Development Agreement Subcommittee discussion occurred January 27, 2017
8. Natural Resources Committee Chairman appointed a Development Agreement Subcommittee on January 17, 2017
9. Council directed the Natural Resources Committee to form a Development Agreement Subcommittee and sent rezoning application to the Subcommittee on January 9, 2017 / Vote 8:2
10. Natural Resources Committee discussion and recommendation to approve on first reading occurred December 19, 2016 / Vote 6:1

9. PUBLIC HEARINGS

A. AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2007, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, OF BEAUFORT COUNTY, SOUTH CAROLINA, IN THE TOTAL PRINCIPAL AMOUNT OF NOT EXCEEDING \$8,000,000; FIXING THE FORM AND DETAILS OF THE BONDS; AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS LAWFULLY-AUTHORIZED DESIGNEE TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO ([backup](#))

1. Consideration of third and final reading approval to occur May 22, 2017
2. Second reading occurred May 8, 2017 / Vote 11:0
3. First reading approval occurred April 24, 2017 / Vote 10:0
4. Finance Committee discussion and recommendation to approve ordinance on first reading occurred April 24, 2017 / Vote 6:0

B. FISCAL YEAR 2017 – 2018 COUNTY BUDGET PROPOSAL ([backup](#)) ([ordinance](#))

1. Consideration of second reading approval to occur May 22, 2017
2. Finance Committee discussion to occur May 22, 2017 beginning at 1:30 p.m. in the Large Meeting Room of the Bluffton Branch Library, 120 Palmetto Way, Bluffton
3. Finance Committee discussion occurred May 18, 2017
4. First reading, by title only, occurred May 8, 2017 / Vote 11:0
5. Public hearing - Monday, June 12, 2017 beginning at 6:30 p.m., in Council Chambers of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort (2 of 2)
6. Finance Committee discussion occurred May 1, 2017
7. Finance Committee discussion occurred April 24, 2017
8. Strategic Planning Session discussion occurred February 10, 2017

C. FISCAL YEAR 2017 – 2018 SCHOOL DISTRICT BUDGET PROPOSAL([backup](#))

1. Consideration of second reading approval to occur May 22, 2017 ([ordinance](#))
2. Finance Committee discussion and recommendation to approve ordinance on second reading occurred May 18, 2017 / Vote 5:0
3. First reading, by title only, occurred May 8, 2017 / Vote 11:0
4. Public hearing - Monday, June 12, 2017 beginning at 6:30 p.m., in Council Chambers of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort (2 of 2)
5. Finance Committee discussion occurred May 1, 2017
6. Finance Committee discussion occurred April 10, 2017

10. MATTERS ARISING OUT OF EXECUTIVE SESSION

11. PUBLIC COMMENT - Speaker sign-up encouraged.

12. ADJOURNMENT

Official Proceedings
County Council of Beaufort County
May 8, 2017

The electronic and print media duly notified in
accordance with the State Freedom of Information Act.

A caucus of the County Council of Beaufort County was held Monday, May 8, 2017 beginning at 5:00 p.m. in the Executive Conference Room of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Chairman D. Paul Sommerville, Vice Chairman Gerald Stewart and Councilmen Rick Caporale, Michael Covert, Gerald Dawson, Brian Flewelling, Steven Fobes, York Glover, Alice Howard, Stewart Rodman and Roberts "Tabor" Vaux.

PLEDGE OF ALLEGIANCE

The Chairman led those present in the Pledge of Allegiance.

CALL FOR EXECUTIVE SESSION

It was moved by Mr. Rodman, seconded by Mr. Covert, that Council go immediately into executive session regarding (1) receipt of legal advice relating to Rural and Critical Lands Program Litigation and (2) receipt of legal advice regarding pending or threatened claims – magistrates. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville and Mr. Stewart. RECUSAL - Mr. Vaux recused himself, left the room, and was not present for any of the discussion regarding the magistrates. Mr. Vaux's wife is a County Magistrate. The motion passed.

EXECUTIVE SESSION

RECONVENE OF CAUCUS

DISCUSSION OF NON-AGENDA ITEMS

Chairman Paul Sommerville opened discussion for any non-agenda items to bring before Council.

Mr. Flewelling voiced his concerns regarding an editorial that appeared in the *Beaufort Gazette/Island Packet*, which provides inaccuracies regarding the Community Development Code (CDC), development process, and the need for changes from the County's old Zoning and Development Standards Ordinance that we operated under for many years. The article is an attempt to sway people and engage people in an argument regarding a specific event. Another

problem is a general misunderstanding of and needs addressed by the CDC. Without objection from Council, he would like to address this issue, serving as the key speaker, in a public forum. He hopes the County Channel can record this event and release this information on various platforms. In addition, a Letter to the Editor, in column form, detailing a listing of all meetings, public forums, charrettes and various platforms for information is necessary.

Mr. Stewart stated during the regular session tonight Council will take up both the School District and County FY 2017-2018 budgets, by title only. There are several unresolved items in both budget proposals: Legislature's budget, Sheriff's budget as it relates to the Town of Hilton Head Island negotiations, more information on the collection data for the School District, review of the Burton Fire District budget, review of Stormwater Management Utility budget (Enterprise Fund), review of Airports budget (Enterprise Fund), review of Hilton Head Island Recreation Association request, and review of Palmetto Breeze request. Discussion will continued at the May 18, 2017 meeting of the Finance Committee.

ADJOURNMENT

Council adjourned at 6:00 p.m.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

ATTEST

Ashley M. Bennett, Clerk to Council

Ratified:

Official Proceedings
County Council of Beaufort County
May 8, 2017

The electronic and print media duly notified in
accordance with the State Freedom of Information Act.

The regular session of the County Council of Beaufort County was held Monday, May 8, 2017 beginning at 6:00 p.m. in Council Chambers of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Chairman D. Paul Sommerville, Vice Chairman Gerald Stewart and Councilmen Rick Caporale, Michael Covert, Gerald Dawson, Brian Flewelling, Steven Fobes, York Glover, Alice Howard, Stewart Rodman and Roberts "Tabor" Vaux.

PLEDGE OF ALLEGIANCE

The Chairman led those present in the Pledge of Allegiance.

INVOCATION

Chairman D. Paul Sommerville gave the Invocation.

PROCLAMATION

Sun City Lions Club Okatie 20th Anniversary

Vice Chairman Gerald Stewart recognized the Sun City Lions Club Okatie 20th Anniversary. Mr. Ken Vella, President, Sun City Lions Club Okatie, and Mr. Ron Wilson, member, Sun City Lions Club Okatie, accepted the proclamation.

ADMINISTRATIVE CONSENT AGENDA

Review of the Proceedings of the Caucus held April 24, 2017

This item comes before Council under the Administrative Consent Agenda.

It was moved by Mr. Flewelling seconded by Mr. Rodman, that Council approve the minutes of the caucus held April 24, 2017. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

Review of the Proceedings of the Regular Session held April 24, 2017

This item comes before Council under the Administrative Consent Agenda.

It was moved by Mr. Flewelling seconded by Rodman, that Council approve the minutes of the regular session held April 24, 2017. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

Committee Reports

Governmental Committee

Daufuskie Island Fire District Board

Governmental Committee nominated Ms. Carol Rizzo Baum for appointment to serve as a member of the Daufuskie Island Fire District Board.

Beaufort Memorial Hospital Board

Governmental Committee nominated Dr. Stacey Johnston for appointment to serve as a member of the Beaufort Memorial Hospital Board.

Natural Resources Committee

Rural and Critical Lands Preservation Board

Edward Riley

The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. Mr. Edward Riley, representing Council District 5, garnered the six votes required for reappointment to serve as a member of the Rural and Critical Lands Preservation Board.

Terry Hill

The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. Mr. Terry Hill, representing Council District 6, garnered the six votes required for appointment to serve as a member of the Rural and Critical Lands Preservation Board.

Southern Beaufort County Corridor Beautification Board

Stephen Brown

The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. Mr. Stephen Brown, representing Council District 7, garnered the six votes required for appointment to serve as a member of the Southern Beaufort County Corridor Beautification Board.

Update / Development Agreement Subcommittee – Hilton Head National Golf Course

Subcommittee Chairman Tabor Vaux informed Council that the Subcommittee voted 4:0 not to continue negotiations regarding Hilton Head National Golf Course because the rezoning application will threaten public health, safety and welfare. This item will come back before County Council for consideration on May 22, 2017.

PUBLIC COMMENT

There were no requests to speak during public comment.

NEW BUSINESS

Termination of Fringe Benefits for Part-Time Magistrates

Mr. Vaux recused himself, left the room, and was not present for any of the discussion. His wife is a magistrate.

Chairman Sommerville stated this is a situation where Council serves as an appellate body. Beaufort County Administrator made a decision to terminate benefits for part-time magistrates, effective July 1, 2017, consistent with Beaufort County's policy for other part-time employees. The magistrates have challenged that decision. They will make their case before Council. Council will then have the following options: (1) uphold the County Administrator's decision to terminate benefits for part-time magistrates, (2) reverse the County Administrator's decision, (3) modify the County Administrator's decision, or (4) take this item under advisement and vote to a later date.

Chief Magistrate McElynn stated he is before Council to request reversal of an adverse action by the County Administrator directed at the judges of the Beaufort County Magistrate Court. The County's attempt to strip part-time magistrates of their health insurance, during their term of office, is an action contrary to South Carolina state statutes and case law. There are approximately 325 magistrates serving in the 46 counties of South Carolina, making the Magistrate Court the largest judicial body in the state. There are 16 magistrate judges on the Beaufort County court, *i.e.*, 3 full-time judges and 13 part-time. Eight judges work less than 30 hours a week and two claim no insurance.

The Magistrate Court is operating soundly. Our system of justice in the people's court depends on skill, hard work, and dedication of the judges who daily work outside the limelight. The judges, together, work a combined minimum of 400 hours per week, or 20,800 hours per year. All judges are on call, as needed, in an emergency. There is also a staff of 16 people, the operation of three courtrooms in Beaufort, one courtroom in the Detention Center, and three courtrooms in Bluffton. The court handles between 25,000 and 30,000 criminal and civil matters annually. Magistrates handle over a million cases a year, throughout the state. Additionally, magistrates preside in all preliminary hearings dealing with matters scheduled for Court of General Sessions. In 2016 there were approximately 900 such hearings. Magistrates presided in nearly 3,000 bond hearings in 2016 for defendants arrested within the County. Finally, magistrates reviewed affidavits and issued approval for over 1,400 arrest warrants and every search warrant issued within the County. Magistrates work 7 days a week, 365 days a year. They are on call 24 hours a day interacting with approximately 50,000 citizens who appear annually as plaintiffs, defendants, witnesses, law enforcement, attorneys, and jurors from amongst the 183,000 residents of Beaufort County.

Senator Tom Davis nominates the magistrate judges who the Governor appoints to the various independent judicial branches of County government. From there they have been singled out for ill-advised actions of the executive branch of that government. In 2011, Beaufort County refused to follow state statutes regarding magistrates' salary adjustment based on the 2010 Census. Based on the outcome of a lawsuit filed in the County's Circuit Court of Common Pleas, Beaufort County was instructed to adhere to state statute and make retroactive payments as required by law to all serving magistrates.

In another example of executive overreach, the County Administrator has issued a directive attempting to strip part-time magistrates of their hospitalization coverage. A term left undefined by the County despite numerous requests for clarification. This directive, issued right before the Christmas holiday, with instructions that affected employees should find alternate hospitalization coverage. Normally a joyous and peaceful time of the year upended with the threat that those families will soon be losing their hospitalization.

The issue before Council today is the directive issued by the County Administrator on December 14, 2016, stripping magistrates of their hospitalization benefit, a part of their compensation package, provided upon swearing-in to the bench. This cavalier action reflects a flagrant disregard for state statutes and rule of law. It flies in the face of the concept of due process where a concern for procedure creates a legal obligation for all states which prohibits citizens from being unfairly or arbitrarily treated, where no citizen may be denied his/her legal rights, and where there is an assurance that all levels of American government must operate within the law. A commitment to legality is at the heart of the American legal system and the due process clause embodies that commitment.

Magistrate judges take an oath of office and are required to uphold the rule of law and ensure due process. Judge McElynn asks that the members of Council are mindful of their own oath of office, uphold the state constitution and statutes, and vote their conscience with the following facts: On December 14, 2016, the Beaufort County Administrator announced, by executive

directive, his intention to strip part-time magistrates of their health insurance. On February 10, 2017, Judge McElynn made a request to Council for a hearing under the authority of South Carolina Code 22-8-50 for the redress of an adverse action. On February 14, 2017, Senator Davis requested the hearing withdrawn in order to allow him the opportunity to explore whether a resolution would be possible outside the process set forth in the Code. Senator Davis met with members of the executive authority on March 24, 2017 to discuss this matter and informed a decision forthcoming within two weeks. That deadline passed without resolution of the matter. In a similar action in 2013, Spartanburg County considered canceling insurance for part-time magistrates. Prior to taking that action, the Spartanburg County Attorney inquired of the South Carolina Attorney General as to the legality of that requested action, and requested an Attorney General's opinion in that regards. The Attorney General responded in an opinion dated December 10, 2013 that the proposed action to cancel insurance of the part-time magistrates could not occur during the magistrate's current term of office. The opinion stated County's part-time magistrates should continue receiving the same levels of compensation, including insurance benefits, until the expiration of such term. Spartanburg County complied with the Attorney General's opinion. All Beaufort County magistrates are in a four-year term that began on May 1, 2014 and end on April 30, 2018. On April 10, 2017, the County Administrator met in executive session with members of Council, submitted testimony and submitted a chart showing the cost of insurance for magistrates working less than 30 hours a week. The presentation by the County Administrator did not mention the relevant opinion of the South Carolina Attorney General (provided to the County Administrator and members of the County Council on February 10, 2017) that directly addressed the prohibition of eliminating a part of a judge's compensation package during the pendency of a judge's term of office.

A fair analysis on presentation regarding this issue would lead to a formal resolution. It is always difficult to make an informed decision when one does not have all of the facts. In the event an informal resolution is not reached today, Judge McElynn is requesting a hearing to advocate for a fair, just and equitable decision in this matter. If the hearing does not resolve this matter favorably for the part-time magistrates, time is of the essence to file an appeal and request an injunction to stay the action, mandated by this directive, until the matter is adjudicated in the County Circuit Court of Common Pleas. The County Administrator presented information about the cost of health insurance for part-time magistrates, which is approximately \$56,000 a year. Magistrates pay the same monthly premiums as other County employees. The County Administrator has failed to mention that the Magistrate Court has provided directly to the County Treasurer approximately \$8,866,000 of the fines, fees and assessments collected over the past decade to offset the costs associated with court operations. Additionally, under a recently enacted program of collecting set-off debt for unpaid fines by attaching tax refunds issued by the Department of Revenue, the court has provided the County an additional \$380,000 since 2015. There is also another program of bond forfeiture proceedings. These proceedings, filed against bond companies, who have failed to ensure a defendant's presence in court after issuing a bond to secure the release. This has resulted in another \$19,000 provided to the County since January 2017. The total provided by the court over the last decade is \$9,266,000. The court anticipates it will continue to contribute approximately \$1.0 million a year to the County. Clearly, that amount will help offset the monies paid for health insurance. In consideration of the complete facts as presented, analysis and opinion of the Attorney General, Judge McElynn asked Council

to direct the County Administrator to postpone implementation of the directive to cancel health insurance for part-time magistrates until the end of the magistrates' current term of office, as required by state statute, due process, and rule of law.

County Attorney Tom Keaveny spoke before Council on the issue of the County Administrator's decision to terminate fringe benefits of the six Beaufort County part-time employees. Outside of the six magistrates, no other part-time employees of Beaufort County receive health insurance benefits. The question is whether the County Administrator has such authority under state statute. Judge McElynn referred to a 2013 Attorney General opinion regarding a matter that arose out of Spartanburg, South Carolina. The issue of that case was whether compensation of magistrates could be reduced. What is compensation? The Attorney General relied upon state statute, Section 22-1-10, a general magistrate statute. Section 22-8-10 of the Code states magistrates, "are entitled to the same prerequisites as those employees of similar position and salary." There are no part-time positions in the County that receive fringe benefits and no part-time employees, at any salary, who receive health insurance benefits. That code section is a specific section with regard to magistrates' compensation. In addition, it also states a magistrate, who is receiving a salary greater than provided for his position, must not be reduced, during his tenure in office. That language -- that a salary cannot be reduced -- is found throughout this specific code section. Judge McElynn indicated the Attorney General said Spartanburg County could not eliminate the health insurance benefits of the part-time magistrates. That is not what the Attorney General said. The Attorney General said it is the opinion that State Law most likely prohibits a County from discontinuing or reducing the level of insurance benefits. Mr. Keaveny believes if this goes before the Court of Appeals, the County will prevail.

Mr. Keaveny stated Judge McElynn indicated the magistrates prevailed with the last disagreement on compensation. Less than two years ago, there was a disagreement about whether or not magistrates were entitled to receive both State and County cost of living adjustments (COLA). Judge McElynn vehemently took the position that the magistrates were entitled to both. The County took the position that they were not. We agreed to obtain the services of a retired Court of Appeals Justice, who looked at the matter and ruled in the County's favor.

Honest bodies can have honest disagreements. There is a general rule of construction, which is where the viewing court tries to understand, interpret, and apply the intent of the Legislature. Another statutory rule of construction says that when you have a general statute and a more specific statute, that the more specific statute will govern. That is what we have in this case. The County Administrator believes the statute allows the County to terminate health insurance benefits for these employees and that is what he would like to do.

Mr. Josh Gruber, Deputy County Administrator / Special Counsel, spoke on behalf of administration. The men and women (magistrates) here today provide a valuable service to this County. The issue is that the County has over 150 part-time employees who also provide valuable services to this County. Those services are equally as important as the services provided by the magistrates. It is difficult to reconcile why one would get a benefit and the other

would not. This issue is not an attack on the magistrates or anything that they do, but, instead, driven by inequity.

Mr. Flewelling asked Judge McElynn to provide Council with the case law, he referenced, as well as the two Attorney General opinions.

Judge McElynn provided Council a copy of the South Carolina Attorney General opinion dated December 10, 2013.

Mr. Rodman suggested taking this item under advisement. From a business standpoint, compensation includes salary and benefits.

Mr. Flewelling would like time to think about this issue, review the Attorney General opinions, and search South Carolina case law or states with similar legislation.

Mr. Sommerville asked if any members of Council have any opposition to taking this item under advisement. Hearing no objections, no action was taken at this time.

Mr. Vaux reentered the room.

ITEM REMOVED FROM CONSENT AGENDA

FISCAL YEAR 2017 – 2018 SCHOOL DISTRICT BUDGET PROPOSAL

Mr. Rodman removed this item from the consent agenda. This is his thirteenth year dealing the School District (“District”) budget (having served as a member of the School Board and now Council). We had a District where few schools were performing well; now only a few not performing well. Much progress has occurred over the years. A couple of years ago, Council told the District it would welcome and approve a District non-requested tax increase to ensure all students had iPads in an attempt to close the digital divide. Now the District is dealing with the concept – it is expensive for young teachers to live in Beaufort County. This issue rises to the same level of concern as that of the technology piece a few years ago. He is willing to support an additional tax increase to fund a locality supplement. Many new teachers elect not to renew their contract due to the cost of living. He requested the District brief Council on how to solve the problem.

Mr. Stewart stated we are taking this item up this evening on first reading, by title only, due to not having a copy of the draft ordinance in place. The Finance Committee has received the details. We do not know for certain what the true collections will be in the District. In addition, the Legislature has reduced funding to the District by a dramatic amount. There is a difference of opinion between the Senate and House budgets, and we are awaiting a decision. There are many uncertainties. The District has added \$1,000 per teacher, per year locality supplement. This is year three of a five-year process. The budget, as proposed, currently raises their millage to the maximum allowed under the cap. He asked Mr. Rodman to bring forth his suggestions at the Finance Committee level.

Mr. Flewelling stated he would vote in favor on first reading, by title only, because it is only a formality and a bureaucratic move to forward it and keep the conversation going. However, he does not intend to vote for the maximum millage increase. It sends the wrong message to the Legislature that we are willing to fund that on the back of the 6% homeowners exclusively. The House of Representatives and Senate are not fulfilling their responsibility to fund education as allowed under the statutes. We are taking up the slack, which has a ripple effect on our economy. It has a tendency to increase property values and stifle sales.

Mr. Stewart noted both the District and Council adopted resolutions asking the Legislature to rethink what they are doing and provide proportional funding for Beaufort County.

It was moved by Mr. Stewart, as Finance Committee Chairman, no second required, that Council approve on first reading, by title only, the Fiscal Year 2017-2018 School District budget proposal. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

The Chairman announced the first of two public hearings on Monday, May 22, 2017 beginning at 6:30 p.m. in the Large Meeting Room, Bluffton Branch Library, 120 Palmetto Way, Bluffton, and Monday, June 12, 2017 beginning at 6:30 p.m. in Council Chambers, Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

CONSENT AGENDA

AN ORDINANCE AUTHORIZING THE FRIPP ISLAND PUBLIC SERVICE DISTRICT, SOUTH CAROLINA, TO ISSUE GENERAL OBLIGATION BONDS IN A PRINCIPAL AMOUNT NOT EXCEEDING \$5,500,000, SUBJECT TO A SUCCESSFUL REFERENDUM IN THIS DISTRICT; AND OTHER MATTERS RELATING THERETO

This item comes before Council under the Consent Agenda. Discussion occurred at the April 24, 2017 meeting of the Finance Committee.

It was moved by Mr. Fobes, seconded by Mr. Flewelling, that Council approve on second reading an ordinance authorizing the Fripp Island Public Service District, South Carolina, to issue General Obligation Bonds in a principal amount not exceeding \$5,500,000, subject to a successful referendum in this district, and other matters relating thereto. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

The Chairman announced a public hearing on Monday, June 12, 2017 beginning at 6:30 p.m. in Council Chambers, Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2007, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, OF BEAUFORT COUNTY, SOUTH CAROLINA, IN THE TOTAL PRINCIPAL AMOUNT OF NOT EXCEEDING \$8,000,000; FIXING THE FORM AND DETAILS OF THE BONDS; AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS LAWFULLY-AUTHORIZED DESIGNEE TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO

This item comes before Council under the Consent Agenda. Discussion occurred at the April 24, 2017 meeting of the Finance Committee.

It was moved by Mr. Fobes, seconded by Mr. Flewelling, that Council approve on second reading an ordinance authorizing the issuance and sale of General Obligation Refunding Bonds, Series 2007, or such other appropriate series designation, of Beaufort County, South Carolina, in the total principal amount of not exceeding \$8,000,000; fixing the form and details of the bonds; authorizing the County Administrator or his lawfully-authorized designee to determine certain matters relating to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

The Chairman announced a public hearing on Monday, May 22, 2017 beginning at 6:30 p.m. in the Large Meeting Room, Bluffton Branch Library, 120 Palmetto Way, Bluffton.

FISCAL YEAR 2017 – 2018 COUNTY BUDGET PROPOSAL

This item comes before Council under the Consent Agenda. Discussion occurred at the April 24, 2017 and May 1, 2017 meeting of the Finance Committee.

It was moved by Mr. Fobes, seconded by Mr. Flewelling, that Council approve on first reading, by title only, the Fiscal Year 2017-2018 County budget proposal. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

The Chairman announced the first of two public hearing on Monday, May 22, 2017 beginning at 6:30 p.m. In the Large Meeting Room, Bluffton Branch Library, 120 Palmetto Way, Bluffton, and Monday, June 12, 2017 beginning at 6:30 p.m. in Council Chambers, Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

PUBLIC HEARINGS

AN ORDINANCE RECOGNIZING BEAUFORT COUNTY SHERIFF'S REQUEST FOR \$30,000 FOR COSTS ASSOCIATED WITH TRAFFIC CONTROL DURING 2017 MCAS BEAUFORT AIR SHOW AND APPROPRIATING \$15,000 FROM THE STATE 2% ACCOMMODATIONS TAX FUND TO COVER SUCH COSTS

The Chairman opened a public hearing beginning at 6:30 p.m. for the purpose of receiving public comment regarding an ordinance recognizing Beaufort County Sheriff's request for \$30,000 for costs associated with traffic control during 2017 MCAS Beaufort Air Show and appropriating \$15,000 from the State 2% Accommodations Tax Fund to cover such costs. After calling three times for public comment and receiving none, the Chairman declared the hearing closed at 6:32 p.m.

It was moved by Mrs. Howard, seconded by Mr. Flewelling, that Council approve on third and final reading an ordinance recognizing Beaufort County Sheriff's request for \$30,000 for costs associated with traffic control during 2017 MCAS Beaufort Air Show and appropriating \$15,000 from the State 2% Accommodations Tax Fund to cover such costs. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

AN ORDINANCE AUTHORIZING THE OPERATION OF GOLF CARTS AT NIGHT ON DAUFUSKIE ISLAND

The Chairman opened a public hearing beginning at 6:32 p.m. for the purpose of receiving public comment regarding an ordinance authorizing the operation of golf carts at night on Daufuskie Island. After calling three times for public comment and receiving none, the Chairman declared the hearing closed at 6:33 p.m.

Main motion: It was moved by Mr. Covert, seconded by Mr. Vaux, no second required, that Council approve on third and final reading an ordinance authorizing the operation of golf carts at night on Daufuskie Island.

Motion to postpone until time certain of May 22, 2017: It was moved by Mr. Covert, seconded by Mr. Rodman, that Council postpone until time certain of May 22, 2017.

Mr. Covert stated the outstanding concerns include language requiring seat belts, child restraints, and implementation timeframe.

Mr. Vaux reinforced Mr. Covert suggestion to postpone third and final reading in order to allow time for a administration to include language requiring the availability of seat belts, implementation timeframe of six months for owners and renewal of lease for leasers, and car seats for children under age two.

Mr. Vaux suggested approving the ordinance as written on third and final reading tonight and amending the ordinance when Council discusses the nighttime use of golf carts on the mainland.

Mr. Sommerville expressed his desire to approve the ordinance as written and add the new language later.

Mr. Rodman questioned the benefit of passing this ordinance tonight if Council is reconsidering additional language.

Mr. Covert, as maker of the motion, and Mr. Rodman, as seconder, withdrew the motion to postpone until time certain of May 22, 2017.

Mr. Glover stated an ordinance allowing nighttime use of golf carts in other areas would not look like the ordinance before Council this evening. Safety is the key issue. He is in favor of requiring seat belts.

Mr. Covert said the point before Council is one of safety. We have talked about seat belts and child safety restraints. When it comes to safety, especially the safety of children, who cannot speak for themselves, is important. We need to be cognizant of this issue since our number one duty is to help ensure public safety.

Mr. Dawson said it would be wise to delay third and final reading until the additional language has been included in the ordinance.

Mr. Flewelling said at present people are driving at night illegally and flaunting the law. He does not want to encourage people to take the law into their own hands. We need to provide an ordinance that allows reasonable use. If we want to amend it later to restrict that use or cover other safety features, it is our duty to do so.

Vote on main motion: The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Flewelling, Mr. Glover, Mrs. Howard, Mr. Rodman and Mr. Stewart. NAYS – Mr. Dawson, Mr. Fobes, Mr. Sommerville and Mr. Vaux. The motion passed.

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT EXCEEDING \$35,000,000 TAXABLE OR TAX-EXEMPT, OR BOTH, GENERAL OBLIGATION BOND ANTICIPATION NOTE(S), IN ONE OR MORE SERIES, WITH APPROPRIATE SERIES DESIGNATIONS, OF BEAUFORT COUNTY, SOUTH CAROLINA; FIXING THE FORM AND DETAILS OF THE NOTE(S); AUTHORIZING THE COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE NOTE(S); PROVIDING FOR THE PAYMENT OF THE NOTE(S) AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

The Chairman opened a public hearing beginning at 6:47 p.m. for the purpose of receiving public comment regarding an ordinance authorizing the issuance and sale of not exceeding \$35,000,000 taxable or tax-exempt, or both, General Obligation Bond Anticipation Note(s), in one or more

series, with appropriate series designations, of Beaufort County, South Carolina; fixing the form and details of the note(s); authorizing the County Administrator to determine certain matters relating to the note(s); providing for the payment of the note(s) and the disposition of the proceeds thereof; and other matters relating thereto. After calling three times for public comment and receiving none, the Chairman declared the hearing closed at 6:48 p.m.

It was moved by Mr. Stewart, seconded by Mr. Vaux, that Council approve on third and final reading an ordinance authorizing the issuance and sale of not exceeding \$35,000,000 taxable or tax-exempt, or both, General Obligation Bond Anticipation Note(s), in one or more series, with appropriate series designations, of Beaufort County, South Carolina; fixing the form and details of the note(s); authorizing the County Administrator to determine certain matters relating to the note(s); providing for the payment of the note(s) and the disposition of the proceeds thereof; and other matters relating thereto. The vote: YE AS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

MATTERS ARISING OUT OF EXECUTIVE SESSION

There were no matters arising out of Executive Session.

PUBLIC COMMENT

There were no requests to speak during public comment.

ADJOURNMENT

Council adjourned at 7:26 p.m.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

ATTEST: _____
Ashley M. Bennett, Clerk to Council

Ratified:

**JOINT MEETING
GOVERNMENTAL COMMITTEE
AND
COMMUNITY SERVICES COMMITTEE**

May 1, 2017

The electronic and print media duly notified in
accordance with the State Freedom of Information Act.

A joint meeting of the Governmental and Community Services Committees met Monday, May 1, 2017 beginning at 4:00 p.m. in the Executive Conference Room of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Governmental Committee: Chairman Gerald Dawson, Vice Chairman Steven Fobes and members Michael Covert, York Glover and Jerry Stewart present. Members Brian Flewelling and Roberts “Tabor” Vaux absent. Non-Committee members Rick Caporale, Alice Howard, Stu Rodman and Paul Sommerville present. (Paul Sommerville, as County Council Chairman, serves as an *ex-officio* member of each standing committee of Council and is entitled to vote.)

Community Services Committee: Chairman Alice Howard, Vice Chairman Rick Caporale and members Michael Covert, Steven Fobes and York Glover present. Member Roberts “Tabor” Vaux absent. Non-committee members Gerald Dawson, Stu Rodman, D. Paul Sommerville and Jerry Stewart present. (Paul Sommerville, as County Council Chairman, serves as an *ex-officio* member of each standing committee of Council and is entitled to vote.)

County staff: Audra Antonacci, Code Enforcement Director; Phil Foot, Assistant County Administrator-Public Safety; Joseph Gillens, Detention Center; Quandara Grant, Detention Center Director; Joshua Gruber, Deputy County Administrator/Special Counsel; Alicia Holland, Assistant County Administrator-Finance; Chris Inglese, Assistant County Attorney; Fred Ledy, Human Services Director; Tom Keaveny, County Attorney; Gary Kubic, County Administrator; Jeanette Polite, Detention Center; Latasha Robinson, Detention Center; and Monica Spells, Assistant County Administrator-Civic Engagement and Outreach.

Public: Mary Cordray, Budget Director, USC-Beaufort; Jim Glasson, Human Services Specialist, USC-Beaufort; and John Salzar, Associate Professor of Hospitality Management, USC-Beaufort.

Media: Joe Croley, *Lowcountry Inside Track*.

Councilman Dawson chaired the meeting.

ACTION ITEMS

1. Consideration of Reappointments and Appointments / Daufuskie Island Fire District Board

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Motion: It was moved by Mr. Caporale, seconded by Mr. Glover, that Committee approve and recommend Council nominate Ms. Carole Rizzo-Baum for appointment to serve as a member of the Daufuskie Island Fire District Board. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Flewelling and Mr. Vaux. The motion passed.

Recommendation: Council nominate Ms. Carole Rizzo-Baum for appointment to serve as a member of the Daufuskie Island Fire District Board.

2. Consideration of Reappointments and Appointments / Beaufort Memorial Hospital Board

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Motion: It was moved by Mr. Caporale, seconded by Mr. Glover, that Committee approve and recommend Council nominate Dr. Stacey Johnston for appointment to serve as a member of the Beaufort Memorial Hospital Board. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Flewelling and Mr. Vaux. The motion passed.

Recommendation: Council nominate Dr. Stacey Johnston for appointment to serve as a member of the Beaufort Memorial Hospital Board.

INFORMATION ITEMS

3. Departmental Annual Update / Code Enforcement

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Discussion: Mrs. Audra Antonacci, Code Enforcement Director, provided an annual update to the Committee. The mission of the Code Enforcement Division is to: (i) Effectively and efficiently enforce the County's ordinance to ensure the public's health, safety and welfare, (ii) Preserve the natural beauty of the Lowcountry, and (iii) Educate citizens on the County's Ordinance and strive to work with County residents.

A 2016 calendar year-end report presented the total number of violations in the following areas:

- Trash and litter – 99 notices
- Junked and abandoned vehicles – 422 notices
- Signs – 33 notices and 736 illegal signs collected
- Zoning – 33 notices
- Assisted Business License Department – took action on 677 unlicensed businesses or expired licenses

Questions, concerns and comments of the Committee included the following:

- The possibility of requiring vendors to share the regulations with clients prior to purchase.
- The desire to increase public awareness via electronic and social media.

Status: Information only.

4. Departmental Annual Update / Detention Center

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Discussion: Ms. Quandara Grant, Detention Center Director, provided the Committee with an annual update. The Beaufort County Detention Center was built in 1992 with an original rated capacity of 192 inmates. The capacity was increased in 2000 to 239 by adding double bunks, and increased again in 2003 to 255 by adding 16 beds in the pre-class unit. A building ages both operationally and chronologically. It ages 3.5 years, operationally for every chronological year, making the facility 88 years old. The facility is currently at 80% rated capacity with 204 inmates. Due to the different custody levels in a unit, all cells may not be utilized.

An overview of inmate management styles and facility layout was provided to the Committee. Direct-Supervision Officers are in direct contact with inmates at all times. The unit is shaped like a wheel with a control center located in the middle. In addition, security monitors are used to observe inmates from a control booth located in both Central Control and Wing Control.

Admissions:

- Total inmates booked in 2016 - 4,958
- Average daily population – 178
- High month – August 205
- Low month – November 153
- Average Length of Stay – 13.42 days – The longer an inmate stays in jail, the higher the daily population.
- Released – 4,958

Inspections:

- S.C. Department of Corrections – Annually (minimum standards)
- State Fire Marshal – Annually
- S.C. Department of Health and Environmental Control – Semi-Annually (kitchen)

Jail Incidents:

- Attempted suicides - 115
- Incident of inmate assaulting staff - 1
- Inmate versus inmate confrontation - 28
- Use of force - 132
- Code Reds (most serious) - 93
- Disciplinary hearings held on inmates for facility rule violation - 656

Medical Provider:

- Southern Health Partners, Chattanooga, Tennessee
 - Contracted more than ten years
 - Provide medical/dental needs of inmates
 - Screenings at booking, health appraisals, dispensing of prescriptions, physician sick call, dental sick call, National Correctional Health Care Accreditation Standards, State/Federal regulations and 24/7 medical coverage.
- Coastal Empire Mental Health
 - 20 hours week
 - Mental health assessments
 - Crisis interventions

Food Service:

- Summit Food Service, Jackson, Mississippi (formerly ABL, Inc. Baton Rouge, Louisiana)
- Kitchen supervisor with three employees
- Inmate workers (sentence reduction)
- Menu approved by licensed dietician
- Three hot meals
- 2,700 calories a day
- 231,404 meals served

Inmate Programs:

- Full-time Director of Inmate Programs and Services
- Part-time Inmate Programs and Services Coordinator
- Scheduling of programs, training of volunteers, provide escort/security
- 74 people listed as volunteers
- Provide some type of counseling/programs
- Bible Study
- Pre-Parenting Skills

- Alcoholics Anonymous
- Alcohol/Drugs Group Therapy
- Self-esteem Classes
- HIV/AIDS Lecture
- Catholic Bible Study
- Jehovah Witness Bible Study
- Library Cart
- English as second language
- Basic reading/writing
- General Educational Development (GED) Test preparation
- S.C. Works - how to prepare job application, resume', basic interviewing skills, six-week program (mock interviews).

Inmate Transport:

- Transported 526 inmates to either state prison or medical appointment
- Transported 3,682 to first appearance bond hearings
- Transported 726 to General Sessions Court
- Transported 72 to Family Court
- Handled 11,495 people visiting inmates

Staffing:

- 90 Officer positions, including four non-sworn personnel
- Length of Service: 17 staff with less than one year of service, 20 with one to five years, 20 with five to ten years, and 19 with over 10 years' service

Training:

- Approximately 67 days to hire one officer
- 40 hours of pre-service training
- 40 hours of on job training with field training officer on second shift
- 40 hours of on job training on assigned shift
- 40 hours of in-service training
- 120 hours at S.C. Criminal Justice Academy Basic Law Enforcement Training Program
- 74 staff members on hand

Day Watch Program:

- May 2011 – March 2017
- Weekend time by Family Court, other
- Judges, Probation/Parole
- Covered all Council Districts
- Paint cans – 3,962
- Bags of trash – 19,763
- Tires - 597

- Other items include couches, refrigerators, chairs, water coolers, heaters, mattresses, and dresser drawers.
- Traveled 38,355 miles

Status: Information only.

5. Presentation / Mental Health Matters and Community Impact – Local Costs

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Discussion: Ms. Monica Spells, Assistant County Administrator–Civic Engagement and Outreach, introduced this item to the Committee. At a previous Community Services Committee, the issue of housing in our community for individuals with mental health challenges came up. At that meeting Community Services Chairman, Alice Howard, asked staff to expand discussion on that subject. It was decided that this should be presented in a series to Council. Today's presentation will focus primarily on cost.

Mr. Fred Leyda, Human Services Director, provided the Committee a PowerPoint Presentation on the cost of mental illness in our community. The annual cost totals \$59,872 and is broken down as follows:

- Detention Center - \$9,072
- Department of Mental Health - \$1,500
- Emergency Medical Services - \$6,000
- Alcohol Treatment - \$1,000
- Beaufort Memorial Hospital - \$15,600
- Department of Social Services - \$1,000
- Public Assistance - \$4,100
- Social Security Disability - \$21,600

Potential solutions include the following:

- County Affordable Housing Resolution
 - Housing Assessment
 - Housing Coordinator
 - Housing First Model (Tenant Based Rental Assistance)
 - Transitional Shelter
 - Clubhouse International Model
- Collaborative Organization of Services for Adult
 - Community Integration Services Model
 - Adult Family Engagement Services Pilot

Status: Information only.

6. Presentation / Potential County-Higher Education Partnership for Innovation in the Community

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Discussion: Mr. Fred Leyda, Human Services Director, and Mr. John Salza, Associate Professor of Hospitality Management, USC-Beaufort, presented the Committee a potential partnership for innovation in the community. This USC-Beaufort Real Initiative is a part of USC-Beaufort's Strategic Plan and Quality Enhancement Program. There are three primary goals of the Real Initiative Program: (1) Apply classroom knowledge to real world situations by creating interdisciplinary learning communities. (2) Address the needs of the community by integrating the USC-Beaufort student experiential learning process to advance community efforts. (3) Community-based service learning and applied research enriches the student learning experience. Examples of other universities with similar programs were provided to the Committee. Possible Real Initiative Program projects could address the following:

- Housing
- Workforce / Industrial / Vocational Education
- Stormwater and Water Quality
- Planning and Development
- Rural Transit
- Cultural Tourism / Historic Preservation
- Energy Research
- Animal Care / Protection

Mr. Salza reviewed with the Committee the next steps:

- Form a Real partnership between USC-Beaufort and Beaufort County
- Generate a list of potential projects to review with faculty
- USC-Beaufort presents project capabilities and rates for each
- Council review projects and select work to be done
- Beaufort County administration identifies personnel to serve as liaison with USC-Beaufort
- USC-Beaufort Program Manager works with County Staff to facilitate project implementation

USC-Beaufort has set aside \$125,000 for the Real Initiative Program and is looking for a partner for the first few years. It is a one- or two-year commitment to address the challenges of a specific organization/entity.

Status: Due to technical issues and the inability to view a video overviewing project, this item will be resurrected at a later meeting.

**JOINT MEETING
GOVERNMENTAL COMMITTEE
AND
COMMUNITY SERVICES COMMITTEE**

May 1, 2017

The electronic and print media duly notified in
accordance with the State Freedom of Information Act.

A joint meeting of the Governmental and Community Services Committees met Monday, May 1, 2017 beginning at 4:00 p.m. in the Executive Conference Room of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Governmental Committee: Chairman Gerald Dawson, Vice Chairman Steven Fobes and members Michael Covert, York Glover and Jerry Stewart present. Members Brian Flewelling and Roberts “Tabor” Vaux absent. Non-Committee members Rick Caporale, Alice Howard, Stu Rodman and Paul Sommerville present. (Paul Sommerville, as County Council Chairman, serves as an *ex-officio* member of each standing committee of Council and is entitled to vote.)

Community Services Committee: Chairman Alice Howard, Vice Chairman Rick Caporale and members Michael Covert, Steven Fobes and York Glover present. Member Roberts “Tabor” Vaux absent. Non-committee members Gerald Dawson, Stu Rodman, D. Paul Sommerville and Jerry Stewart present. (Paul Sommerville, as County Council Chairman, serves as an *ex-officio* member of each standing committee of Council and is entitled to vote.)

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Public: Mary Cordray, Budget Director, USC-Beaufort; Jim Glasson, Human Services Specialist, USC-Beaufort; and John Salzar, Associate Professor of Hospitality Management, USC-Beaufort.

Media: Joe Croley, *Lowcountry Inside Track*.

Councilman Dawson chaired the meeting.

ACTION ITEMS

1. Consideration of Reappointments and Appointments / Daufuskie Island Fire District Board

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Motion: It was moved by Mr. Caporale, seconded by Mr. Glover, that Committee approve and recommend Council nominate Ms. Carole Rizzo-Baum for appointment to serve as a member of the Daufuskie Island Fire District Board. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Flewelling and Mr. Vaux. The motion passed.

Recommendation: Council nominate Ms. Carole Rizzo-Baum for appointment to serve as a member of the Daufuskie Island Fire District Board.

2. Consideration of Reappointments and Appointments / Beaufort Memorial Hospital Board

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

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INFORMATION ITEMS

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Discussion: Mrs. Audra Antonacci, Code Enforcement Director, provided an annual update to the Committee. The mission of the Code Enforcement Division is to: (i) Effectively and efficiently enforce the County's ordinance to ensure the public's health, safety and welfare, (ii) Preserve the natural beauty of the Lowcountry, and (iii) Educate citizens on the County's Ordinance and strive to work with County residents.

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Questions, concerns and comments of the Committee included the following:

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- The desire to increase public awareness via electronic and social media.

Status: Information only.

4. Departmental Annual Update / Detention Center

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Medical Provider:

- Southern Health Partners, Chattanooga, Tennessee
 - Contracted more than ten years
 - Provide medical/dental needs of inmates
 - Screenings at booking, health appraisals, dispensing of prescriptions, physician sick call, dental sick call, National Correctional Health Care Accreditation Standards, State/Federal regulations and 24/7 medical coverage.
- Coastal Empire Mental Health
 - 20 hours week
 - Mental health assessments
 - Crisis interventions

Food Service:

- Summit Food Service, Jackson, Mississippi (formerly ABL, Inc. Baton Rouge, Louisiana)
- Kitchen supervisor with three employees
- Inmate workers (sentence reduction)
- Menu approved by licensed dietician
- Three hot meals
- 2,700 calories a day
- 231,404 meals served

Inmate Programs:

- Full-time Director of Inmate Programs and Services
- Part-time Inmate Programs and Services Coordinator
- Scheduling of programs, training of volunteers, provide escort/security
- 74 people listed as volunteers
- Provide some type of counseling/programs
- Bible Study
- Pre-Parenting Skills

- Alcoholics Anonymous
- Alcohol/Drugs Group Therapy
- Self-esteem Classes
- HIV/AIDS Lecture
- Catholic Bible Study
- Jehovah Witness Bible Study
- Library Cart
- English as second language
- Basic reading/writing
- General Educational Development (GED) Test preparation
- S.C. Works - how to prepare job application, resume', basic interviewing skills, six-week program (mock interviews).

Inmate Transport:

- Transported 526 inmates to either state prison or medical appointment
- Transported 3,682 to first appearance bond hearings
- Transported 726 to General Sessions Court
- Transported 72 to Family Court
- Handled 11,495 people visiting inmates

Staffing:

- 90 Officer positions, including four non-sworn personnel
- Length of Service: 17 staff with less than one year of service, 20 with one to five years, 20 with five to ten years, and 19 with over 10 years' service

Training:

- Approximately 67 days to hire one officer
- 40 hours of pre-service training
- 40 hours of on job training with field training officer on second shift
- 40 hours of on job training on assigned shift
- 40 hours of in-service training
- 120 hours at S.C. Criminal Justice Academy Basic Law Enforcement Training Program
- 74 staff members on hand

Day Watch Program:

- May 2011 – March 2017
- Weekend time by Family Court, other
- Judges, Probation/Parole
- Covered all Council Districts
- Paint cans – 3,962
- Bags of trash – 19,763
- Tires - 597

- Other items include couches, refrigerators, chairs, water coolers, heaters, mattresses, and dresser drawers.
- Traveled 38,355 miles

Status: Information only.

5. Presentation / Mental Health Matters and Community Impact – Local Costs

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Discussion: Ms. Monica Spells, Assistant County Administrator–Civic Engagement and Outreach, introduced this item to the Committee. At a previous Community Services Committee, the issue of housing in our community for individuals with mental health challenges came up. At that meeting Community Services Chairman, Alice Howard, asked staff to expand discussion on that subject. It was decided that this should be presented in a series to Council. Today's presentation will focus primarily on cost.

Mr. Fred Leyda, Human Services Director, provided the Committee a PowerPoint Presentation on the cost of mental illness in our community. The annual cost totals \$59,872 and is broken down as follows:

- Detention Center - \$9,072
- Department of Mental Health - \$1,500
- Emergency Medical Services - \$6,000
- Alcohol Treatment - \$1,000
- Beaufort Memorial Hospital - \$15,600
- Department of Social Services - \$1,000
- Public Assistance - \$4,100
- Social Security Disability - \$21,600

Potential solutions include the following:

- County Affordable Housing Resolution
 - Housing Assessment
 - Housing Coordinator
 - Housing First Model (Tenant Based Rental Assistance)
 - Transitional Shelter
 - Clubhouse International Model
- Collaborative Organization of Services for Adult
 - Community Integration Services Model
 - Adult Family Engagement Services Pilot

Status: Information only.

6. Presentation / Potential County-Higher Education Partnership for Innovation in the Community

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Discussion: Mr. Fred Leyda, Human Services Director, and Mr. John Salza, Associate Professor of Hospitality Management, USC-Beaufort, presented the Committee a potential partnership for innovation in the community. This USC-Beaufort Real Initiative is a part of USC-Beaufort's Strategic Plan and Quality Enhancement Program. There are three primary goals of the Real Initiative Program: (1) Apply classroom knowledge to real world situations by creating interdisciplinary learning communities. (2) Address the needs of the community by integrating the USC-Beaufort student experiential learning process to advance community efforts. (3) Community-based service learning and applied research enriches the student learning experience. Examples of other universities with similar programs were provided to the Committee. Possible Real Initiative Program projects could address the following:

- Housing
- Workforce / Industrial / Vocational Education
- Stormwater and Water Quality
- Planning and Development
- Rural Transit
- Cultural Tourism / Historic Preservation
- Energy Research
- Animal Care / Protection

Mr. Salza reviewed with the Committee the next steps:

- Form a Real partnership between USC-Beaufort and Beaufort County
- Generate a list of potential projects to review with faculty
- USC-Beaufort presents project capabilities and rates for each
- Council review projects and select work to be done
- Beaufort County administration identifies personnel to serve as liaison with USC-Beaufort
- USC-Beaufort Program Manager works with County Staff to facilitate project implementation

USC-Beaufort has set aside \$125,000 for the Real Initiative Program and is looking for a partner for the first few years. It is a one- or two-year commitment to address the challenges of a specific organization/entity.

Status: Due to technical issues and the inability to view a video overviewing project, this item will be resurrected at a later meeting.

NATURAL RESOURCES COMMITTEE

May 15, 2017

The electronic and print media duly notified in accordance with the State Freedom of Information Act.

The Natural Resources Committee met Monday, May 15, 2017 beginning at 2:00 p.m. in the Executive Conference Room, Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Committee Chairman Brian Flewelling, Committee Vice Chairman Tabor Vaux and members Rick Caporale, Gerald Dawson, Steven Fobes, York Glover and Alice Howard present. Non-Committee members Michael Covert and D. Paul Sommerville present. (Paul Sommerville, as County Council Chairman, serves as an *ex-officio* member of each standing committee of Council and is entitled to vote.)

County Staff: Tony Criscitiello, Planning Director; Chris Inglese, Assistant County Attorney; Josh Gruber, Deputy County Administrator / Special Counsel; Thomas Keaveny, County Attorney; Gary Kubic, County Administrator; Eric Larson, Division Director-Environmental Engineering; Rob Merchant, Long-Range Planner; and Dan Morgan, Mapping and Applications Director.

Public: Lisa Lord, Rural and Critical Lands Program Administrator; Dean Moss, Executive Director, Friends of Spanish Moss Trail; Kate Schaefer, South Coast Director, Coastal Conservation League; and Robert Semmler, Chairman, Planning Commission.

Media: Joe Croley, *Lowcountry Inside Track*.

Mr. Flewelling chaired the meeting.

ACTION ITEMS

1. **Port Royal Island Zoning Map Amendment / Rezoning Request for R100 024 000 078C 000 (12.1 Acres at 19 Covenant Drive); from T2-Rural Zoning District to S1-Industrial Zoning District; Owner: Ameris Bank/Agent: Thomas Hermann**

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Discussion: Mr. Rob Merchant, Long-Range Planner, reviewed this item with the Committee. The subject property (R100 024 000 078C 000) consists of 12.1 acres located on both sides of Covenant Drive in Burton. Historically, the property had a light industrial use on it

located in an 8,000 square foot metal frame building. The property was originally zoned Light Industrial under the Zoning and Development Standards Ordinance (ZDSO). In 2006, the property was purchased by a church and the owner rezoned the parcel to Rural with Transitional Overlay since churches were not a permitted use in Light Industrial. The building is now vacant and a potential buyer is interested in locating a cabinet shop in the same building prompting a rezoning to S1-Industrial.

This rezoning request was approved by the Metropolitan Planning Commission on April 24, 2017 and recommended for Council's approval at the Planning Commission on May 1, 2017.

After review of the guideline set forth in Section 7.3.40 of the Community Development Code, staff recommends approval of this request for the following reasons: (1) The requested zoning and proposed use fits well with the existing zoning and uses of neighboring properties while remaining consistent with the Comprehensive Plan and the intent of the Community Development Code. (2) The requested zoning change is consistent with the character of the neighborhood and the property is suitable for the use for which it is being considered. (3) Allowable uses in the proposed district would not adversely affect nearby property.

Motion: It was moved by Mr. Dawson, seconded by Mr. Fobes, that Natural Resources Committee recommend Council approve on first reading the Port Royal Island map amendment / rezoning request for R100 024 00 0 078C 000 (12.1 acres at 19 Covenant Drive) from T2-Rural Zoning District to S1-Industrial Zoning District. The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard and Mr. Vaux. The motion passed.

Recommendation: Council approve on first reading the Port Royal Island map amendment / rezoning request for R100 024 000 078C 000 (12.1 acres at 19 covenant Drive) from T2-Rural Zoning District to S1-Industrial Zoning District.

2. Presentation of Beaufort County Rural and Critical Lands Preservation Program; Stewardship and Public Use of Rural and Critical Lands Report, and Discussion on Hiring a Stewardship Manager

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Discussion: Mr. Tony Criscitiello, Planning Director, reviewed this item with the Committee. He presented Council a map of properties purchased into the Rural and Critical Lands Preservation Program (Program) since 2001. He pointed out how evenly divided these purchases have been north and south of the Broad River. It has been an amazingly successful Program, which is currently at a pivotal moment. A report from the Beaufort County Open Land Trust, dated October 2016, regarding the Program was provided in the agenda data package for Council information.

The Program began in 1997 with the Comprehensive Plan. Through 1998 and 2001, the County protected six properties outside of the scope of the Program. Since then, four referenda

have been approved by Beaufort County voters, and more than 73% approved funding of the Program in the 2014 referendum. Since 2002, the County has protected approximately 24,000 acres of land, 11,000 acres are protected through fee-simple purchases, and 12,400 protected through conservation easements. The accomplishment in protection included the following:

- 394 acres of maritime forest
- 8,790 acres of wetlands
- 6,500 acres of forest
- 8,000 acres in the ACE Basin
- 3,608 acres buffering Marine Corps Air Station Beaufort
- 52 islands totaling 2,112 acres
- 84 archaeological sites
- 21 historic structures

The 2012 bond referendum provided \$25 million to fund land purchases and develop passive parks. The 2014 bond referendum provided \$20 million to fund land purchases and develop passive parks. Of that total, 20% was allocated to the development of passive parks.

Mr. Criscitiello spoke about passive parks within Beaufort County and the criteria provided in the report from the Beaufort County Open Land Trust. (1) Sustainability - Safeguarding the conservation values of the natural resources from being compromised. (2) Promote multiuse – Making sure the users of the passive parks have adequate access and the County meets the citizen's needs. (3) Generate revenue – The revenue can come from timber, agriculture, user fees, rentals, events, and green energy. The report explores ways the stewardship effort can be applied to the parcels of land in the Program which he reviewed with the Committee. Mr. Criscitiello, on behalf of the Planning Department and the Rural and Critical Lands Preservation Board, suggests the hiring of a stewardship manager and the identification of a lead department to undertake such.

Committee Chairman Flewelling stated the funding for the hiring of a stewardship manager is included in the FY 2017-2018 budget proposal. He does not feel further authorization or action is needed by the Natural Resources Committee.

Status: Information only.

3. Text Amendments to the Community Development Code (CDC), Articles 1, 2, 3, 5, and 6; Applicant: Beaufort County Planning Department

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Discussion: Mr. Rob Merchant, Long-Range Planner, provided the Committee staff's 18-month review of the Community Development Code (CDC) and the following text amendments as part of that review:

ARTICLE 1:

- Section 1.3.50 (Exemptions): Adds a requirement to comply with Historic Preservation standards

ARTICLE 2:

- Section 2.2.50 (Lots): Specifies widths of flag lots
- Section 2.2.60 (Access Management): Clarification

ARTICLE 3:

- Table 3.1.70 (Land Use Definitions): Amends “Campground” to specify two or more recreational vehicles/RVs on a single property

ARTICLE 5:

- Section 5.6.120 (Freestanding Signs): Establishes minimum 10-foot setback from the right-of-way / ROW
- Section 5.9.50.F (Existing Trees in Thoroughfare Buffer): Requires retention of existing vegetation in thoroughfare buffers
- Section 5.8.110.B.4 (Performance Guarantee): Establishes a two-year survival bond for landscaping
- Section 5.11.90 (Forests): Adds language that promotes interconnectivity of preserved forest habitat
- Section 5.11.100 (Trees): Adds longleaf pine and black cherry as specimen trees at 16 inches, and increases the penalty/mitigation of illegally removed trees from 1.25 times to 2 times the caliper inches removed

ARTICLE 6:

- Section 6.2.70 (Maintenance Guarantee): Cross-references the landscaping survival bond from Article 5, Division 5.8

Mr. Caporale wanted to know how staff would feel about taking a second look at the densities and intensities of the transect zones in the CDC. The level of criticism Council sustained during discussions regarding Hilton Head National Golf Course was beyond expectation.

Mr. Flewelling stated the biggest problem comes from the public's misconception of density. In the CDC, density is formulaic based on allowable acreage, price points, and affordability. Density is something we no longer use.

Mr. Criscitiello stated the CDC is very prescriptive. It describes what we want to see, as opposed to what you cannot do. That was the failing of the Zoning Development Standards Ordinance. It did not prescribe a vision of what the community should look like at the end of the day, placing less emphasis on use, and more on form. Form is governed by block width, lot size, and open space set asides, and then applying all things protected.

Mr. Vaux stated he would support revisiting the Comprehensive Plan as it relates to southern Beaufort County.

Committee Chairman Flewelling stated the Committee will review the Comprehensive Plan map sometime in 2017.

Motion: It was moved by Mr. Caporale, seconded by Mr. Glover, that Natural Resources Committee recommend Council approve on first reading text amendments to the Community Development Code (CDC): Articles 1, 2, 3, 5 and 6. The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard and Mr. Vaux. The motion passed.

Recommendation: Council approve on first reading text amendments to the Community Development Code (CDC): Articles 1, 2, 3, 5 and 6.

4. Daufuskie Island “Bailey Bill”

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Discussion: Mr. Chris Inglese, Assistant County Attorney, reviewed this item with the Committee. This is an ordinance to create a special tax assessment for rehabilitated historic properties in the geographical boundaries known as Daufuskie Island.

Motion: It was moved by Mr. Caporale, seconded by Mr. Glover, that Natural Resources Committee recommend Council approve on first reading an ordinance of Beaufort County Council creating a special tax assessment for rehabilitated historic properties in the geographical boundaries known as Daufuskie Island. The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard and Mr. Vaux. The motion passed.

Recommendation: Council approve on first reading an ordinance of Beaufort County Council creating a special tax assessment for rehabilitated historic properties in the geographical boundaries of Daufuskie Island.

INFORMATION ITEMS

5. Previous Planning Commission Meeting

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Discussion: Mr. Tony Criscitiello, Planning Director, provided the Committee an update on the Planning Commission meeting of May 1, 2017.

Status: Information only.

6. Update / New AICUS (Air Installation Compatibility Use Zone) Map

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Discussion: Mr. Tony Criscitiello, Planning Director, provided an update on the new Air Installation Compatibility Use Zone (AICUZ) Map. Today, at 5:30 p.m., the Metropolitan Planning Commission will take up the implementation of the 2013 AICUZ Map. From there, it will go to the Planning Commission, and then to the Natural Resources Committee for consideration and approval.

Status: Information only.

7. Consideration of Reappointments and Appointments / Southern Beaufort County Corridor Beautification Board

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Status: No action at this time.

8. Executive Session

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Motion: It was moved by Mr. Glover, seconded by Mr. Howard, that Natural Resources Committee go immediately into executive session to discuss negotiations incident to proposed contractual arrangements and proposed purchase of properties - Project 2017-C, Project 2017-D and Project 2017-E. The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard and Mr. Vaux. The motion passed.

Status: No action came out of Executive Session.

Boards and Commissions
Reappointments and Appointments
May 22, 2017

1 Governmental Committee

Daufuskie Island Fire District Board

<u>NominateD</u>	<u>Name</u>	<u>Position/Area/Expertise</u>	<u>Reappoint/Appoint</u>	<u>Votes Required</u>	<u>Term/Years</u>	<u>Expiration</u>
05.08.17	Carol Rizzo Baum	Service District	Appoint	6/11	Partial	2/2019

Beaufort Memorial Hospital Board

<u>NominateD</u>	<u>Name</u>	<u>Position/Area/Expertise</u>	<u>Reappoint/Appoint</u>	<u>Votes Required</u>	<u>Term/Years</u>	<u>Expiration</u>
05.08.17	Stacey Johnston	At-Large	Appoint	6/11	Partial	2/2019

2 Public Facilities Committee

Solid Waste and Recycling Board

<u>Nominate</u>	<u>Name</u>	<u>Position/Area/Expertise</u>	<u>Reappoint/Appoint</u>	<u>Votes Required</u>	<u>Term/Years</u>	<u>Expiration</u>
05.22.17	David T. Uehling	Solid Waste District 6	Reappoint	10/11	4	2/2021

RESOLUTION _____

A RESOLUTION DESIGNATING PUBLIC OFFICIALS TO EXERCISE THE POWERS PRESCRIBED IN BEAUFORT COUNTY CODE OF ORDINANCES CHAPTER 74, ARTICLE IV UNFIT DWELLING PURSUANT TO THE AUTHORITY GRANTED IN SECTION 31-15-330 OF THE *CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED*.

WHEREAS, S.C. Code Ann. § 31-15-330 provides that upon the adoption of an ordinance finding there exist in a County certain dwellings that are uninhabitable the County may adopt an ordinance relating to those dwellings and provides further that such ordinances may include a provision allowing that a public officer be designated or appointed to exercise the powers prescribed by the Ordinance; and

WHEREAS, on August 11, 2014 Beaufort County Council adopted Ordinance 2014/21 which sets forth procedures which are to be followed when such dwellings are suspected to exist in Beaufort County and further authorizes the County Administrator to designate representatives to perform the functions of public officials as set forth therein; and

WHEREAS, the County Administrator wishes to designate the Beaufort County Code Enforcement Director and Beaufort County Building Inspections Director as his representatives for all purposes contemplated by S.C. Code Ann. § 31-15-330 and Ordinance 2014/21.

NOW, THEREFORE, BE IT RESOLVED THAT effective upon the signing of this Resolution the Beaufort County Code Enforcement Director and the Beaufort County Building Inspections Director are hereby designated to perform the functions of the County Administrator for all purposes contemplated by S.C. Code Ann. § 31-15-330 and Ordinance 2014/21 and the same are further authorized to exercise all powers set forth therein.

Adopted this _____ day of _____, 2017.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Ashley M. Bennett, Clerk to Council

RESOLUTION 2017 /

A RESOLUTION OF BEAUFORT COUNTY COUNCIL

WHEREAS, the only access to Hilton Head Island is provided by four bridges along U.S. Highway 278 east of Bluffton; and

WHEREAS, the eastbound bridge over Mackay Creek is reaching the end of its useful life and has been identified for replacement by the South Carolina Department of Transportation (SCDOT); and

WHEREAS, the replacement of this single span would require SCDOT to perform an Environmental Assessment (EA) in accordance with the National Environmental Policy Act (NEPA); and

WHEREAS, long-range traffic modeling indicates that the future traffic volumes on the remaining three spans will exceed the capacity of those spans before the end of their useful life; and

WHEREAS, it is in the public interest to study the U.S. Highway 278 corridor from Moss Creek to Squire Pope Road to produce a more comprehensive EA to properly evaluate the needs and alternatives of the corridor as a whole; and

WHEREAS, it is anticipated that the EA will cost approximately \$3 million and take approximately three years to complete; and

WHEREAS, both the SCDOT and the Local Metropolitan Planning Organization, Lowcountry Area Transportation Study (LATS) agree to mutually fund the EA for the corridor with the understanding that if funding for the U.S. Highway 278 corridor needs as identified in the EA have not been secured within 18 months of Federal Highway Administration (FHWA) approval of the draft EA, Beaufort County agrees to reimburse LATS for its portion (estimated at \$2 million).

NOW, THEREFORE, BE IT RESOLVED, that the Beaufort County Council agrees to enter into an agreement with SCDOT to reimburse LATS the amount expended to perform a corridor environmental assessment if funding for the identified corridor improvements is not secured in the specified time frame.

Adopted this _____ day of _____, 2017.

COUNTY COUNCIL OF BEAUFORT COUNTY

By

: _____

D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, Esquire
Beaufort County Attorney

ATTEST:

Ashley M. Bennett, Clerk to Council



COUNTY COUNCIL OF BEAUFORT COUNTY

PURCHASING DEPARTMENT

106 Industrial Village Road, Bldg. 2, Post Office Drawer 1228
Beaufort, South Carolina 29901-1228

David L Thomas, Purchasing Director
dthomas@bcgov.net 843.255.2353

TO: Councilman Stu Rodman, Chairman, Public Facilities Committee

FROM: David L Thomas. CPPO. Purchasing Director

SUBJ: New Contract as a Result of Solicitation
RFP 042017, Hauling Services for Beaufort County

DATE: 05/10/2017

BACKGROUND:

Beaufort County issued a Request for Proposal (RFP) to solicit proposals from qualified firms to provide services to Beaufort County Public Works Department Solid Waste and Recycling section to provide hauling services for County Convenience Centers. Services include the removal and transport of full containers to the appropriate landfill for disposal within time limits specified by contract and the leasing of containers for each center. A pre-proposal meeting was held March 23, 2017, and proposals were opened on May 20, 2017. The County received proposals from three firms listed below.

The staff evaluation committee reviewed the proposals for capability, the firms' experience, performance capability and proposed cost. Evaluation committee members consisted of David Wilhelm, Public Works Director; Jim Minor, Solid Waste Manager; John Miller, Public Works Operations Manager, Bradley McAbee Solid Waste Operations Superintendent and Cindy Carter, Solid Waste Data Analyst/Information Coordinator. The panel ranked the firms according to the RFP selection criteria and determined Republic Services to be the top ranked firm.

VENDOR INFORMATION:

Republic Services, Beaufort, SC

COST:

\$1,195,176

Waste Pro, Hardeeville, SC

\$1,463,961

Waste Management, Ridgeland, SC

\$1,937,168.64

FUNDING:

Solid Waste and Recycling Account 10001340-51165. New contract will be effective July 1, 2017 (Fiscal Year 2018).

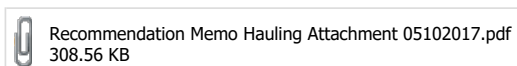
Funding approved: By: Date:

FOR ACTION: Public Facilities Committee on May 15, 2017.

RECOMMENDATION:

The Purchasing Department recommends that the Public Facilities Committee approve and recommend to County Council the contract award to Republic Services in the amount of \$1,195,176.00. (Estimate based on average number of container pulls which will vary.)

Attachment:



cc: Gary Kubic, County Administrator

Approved: Date:

Check to override approval: ☒ Overridden by:

Override Date:

Joshua Gruber, Deputy County Administrator/Special Counsel

Approved: Date:

Check to override approval: ☐ Overridden by:

Override Date:

Alicia Holland, Assistant County Administrator, Finance

Approved: Date:

Approved: Date:

Check to override approval: ☐ Overridden by:

Override Date:

ready for admin: ☒

Approved: Date:

Check to override approval: ☐ Overridden by:

Override Date:

ready for admin: ☒

Approved: Date:

Check to override approval: ☐ Overridden by:

Override Date:

ready for admin: ☒

After Initial Submission, Use the Save and Close Buttons

PRELIMINARY BID TABULATION
PURCHASING DEPARTMENT

ATTACHMENT 1



Project Name:	Hauling Services
Project Number:	RFP #042017
Project Budget:	
Bid Opening Date	Friday, March 10, 2017
Time:	3:00 PM
Location:	Building #2 106 Industrial Village Rd, Beaufort, SC
Bid Administrator	Dave Thomas, Beaufort County Purchasing Director
Bid Recorder:	Jim Minor, Solid Waste Manager

BIDDER	Rater 1	Rater 2	Rater 3	Rater 4	Rater 5	Total	Average Score	Rank
Republic Services	87	87	95	85	80	434	86.80	1
Waste Pro	69	68	85	50	55	327	65.40	3
Waste Management	79	71	75	70	55	350	70.00	2

DOC	Class 3 (MSW)	Class 2 (C&D/B)	Class 1 (Yard)
Hilton Head	36.39	49.58	30.64
Big Estate	1.94	1.67	0.22
Lobeco	8.25	8.42	2.92
Sheldon	1.83	1.75	0.33
Gate	19.67	30.56	18.19
Shanklin	19.36	5.53	4.56
Coffin Point	1.94	3.83	3.28
Cuffy	1.78	2.44	0.81
St. Helena	23.06	33.64	25.92
Bluffton	49.33	43.81	36.83
Pritchardville	15.61	17.78	8.67
Daufuskie	3.08		0

Monthly Average pulls	511
Daufuskie average monthly pulls	4

Compactor rental	11
40 yard container rental	37
30 Yard container rental	4

BID Price			Monthly cost based on average pull			Annual cost based on average pull		
WM	Waste Pro	Republic	WM	Waste Pro	Republic	WM	Waste Pro	Republic
\$265.52	\$214.05	\$175.00	\$135,680.72	\$109,379.55	\$89,425.00			
\$3,850.00	\$1,326.80	\$1,052.00	\$15,400.00	\$5,307.20	\$4,208.00			
\$475.00	\$385.00	\$300.00	\$5,225.00	\$4,235.00	\$3,300.00			
\$125.00	\$75.00	\$65.00	\$4,625.00	\$2,775.00	\$2,405.00			
\$125.00	\$75.00	\$65.00	\$500.00	\$300.00	\$260.00			
TOTAL			\$161,430.72	\$121,996.75	\$99,598.00	\$1,937,168.64	\$1,463,961.00	\$1,195,176.00

2017 / __

PORT ROYAL ISLAND ZONING MAP AMENDMENT FOR R100 040 000 0209 0000, (12 ACRES LOCATED ALONG BAY PINES ROAD); FROM T2-RURAL DISTRICT TO S1-INDUSTRIAL DISTRICT

BE IT ORDAINED, that County Council of Beaufort County, South Carolina, hereby amends the Zoning Map of Beaufort County, South Carolina. The map is attached hereto and incorporated herein.

Adopted this ____ day of ____, 2017.

COUNTY

COUNCIL OF BEAUFORT COUNTY

By:

D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Ashley M. Bennett, Clerk to Council

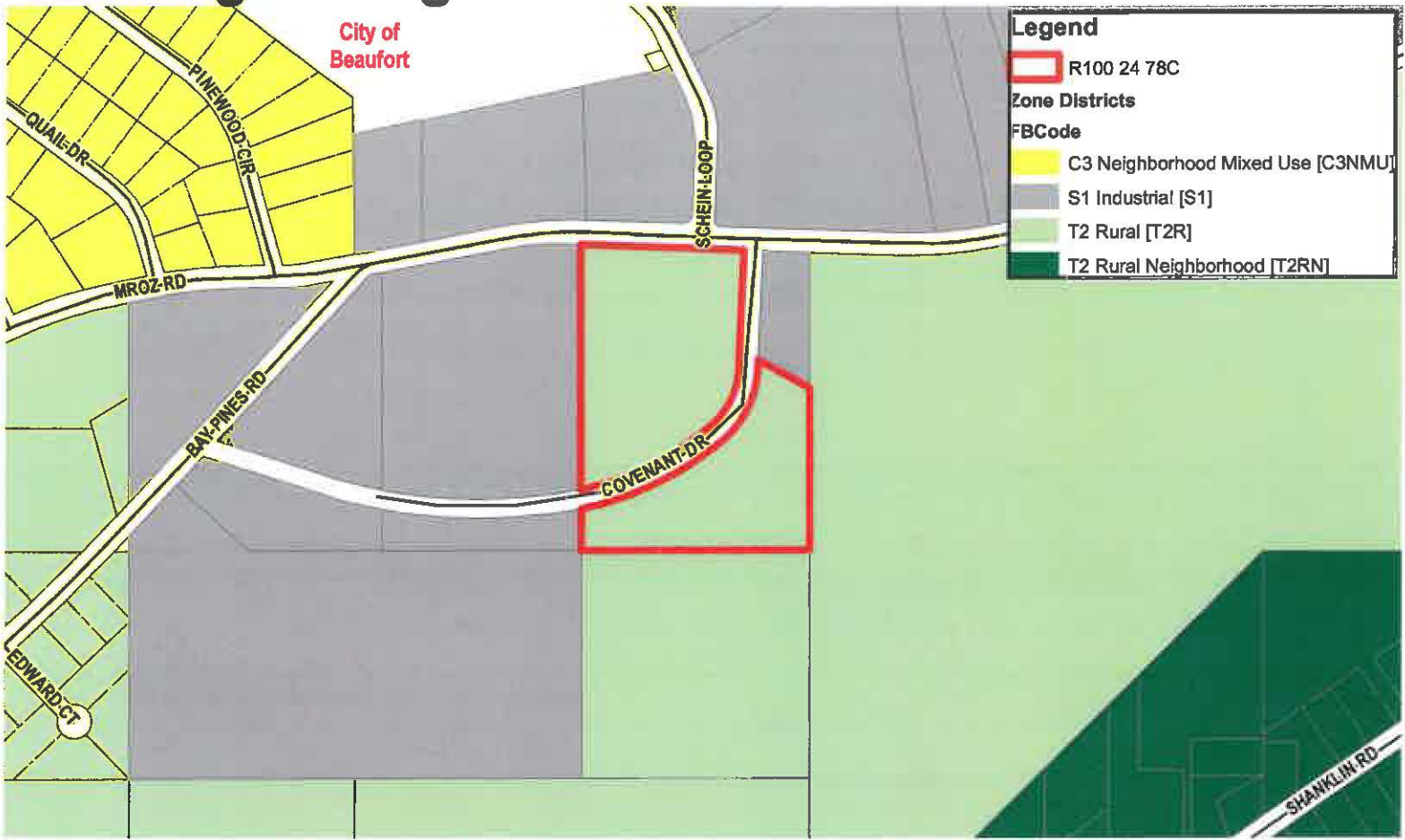
First Reading:

Second Reading:

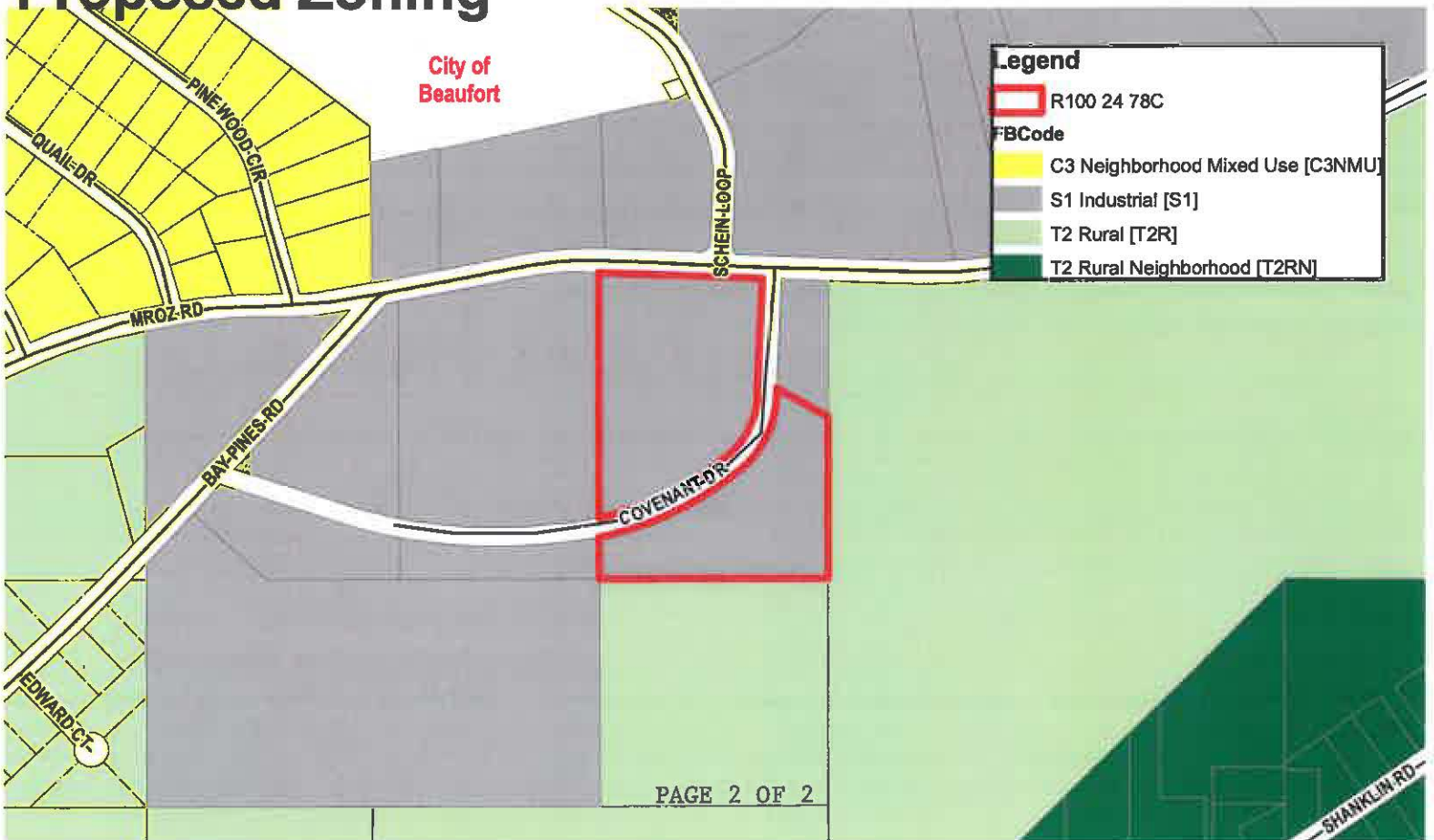
Public Hearing:

Third and Final Reading:

Existing Zoning



Proposed Zoning



TEXT AMENDMENTS TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC):

- SECTION 1.3.50 EXEMPTIONS (ADDS REQUIREMENT TO COMPLY WITH HISTORIC PRESERVATION STANDARDS);
- SECTION 2.2.50 LOTS (SPECIFIES MINIMUM WIDTHS OF FLAG LOTS);
- SECTION 2.2.60 ACCESS MANAGEMENT (ALLOWS BUILDINGS TO FRONT MAJOR ROADWAYS WHILE TAKING ACCESS FROM A REAR STREET OR ALLEY);
- TABLE 3.1.70 LAND USE DEFINITIONS (AMENDS "CAMPGROUND" TO SPECIFY TWO OR MORE RECREATIONAL VEHICLES/RVS ON A SINGLE PROPERTY);
- SECTION 5.6.120 FREESTANDING SIGNS (ESTABLISHES MINIMUM 10-FOOT SETBACK FROM RIGHT-OF-WAY (ROW));
- TABLE 5.8.50.F EXISTING TREES IN THOROUGHFARE BUFFER (ADDS RETENTION REQUIREMENT OF EXISTING TREES 6-INCHES DBH IN THOROUGHFARE BUFFERS);
- SECTION 5.8.110.B.4 PERFORMANCE GUARANTEE (ESTABLISHES A TWO-YEAR SURVIVAL BOND FOR LANDSCAPING);
- SECTION 5.11.90 FORESTS (ADDS NEW SUBSECTION THAT PROMOTES INTERCONNECTIVITY OF PRESERVED FOREST HABITAT);
- SECTION 5.11.100.B SPECIMEN TREES (ADDS LONGLEAF PINE AND BLACK CHERRY AS SPECIMEN TREES AT 16 INCHES (DBH)); AND
- SECTION 6.2.70 MAINTENANCE GUARANTEE (CROSS-REFERENCES THE LANDSCAPING SURVIVAL BOND FROM SECTION 5.8.110.B.4).

Whereas, amended text is highlighted in yellow, underscored for additions and struck through for deletions.

Adopted this _____ day of _____, 2017.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Ashley M. Bennett, Clerk to Council

First Reading:

Second Reading:

Public Hearing:

Third and Final Reading:

Section 1.3.50 Exemptions. The proposed amendment is necessary to include historic preservation standards in the review of public utility and infrastructure projects.

- C. A public utility or public infrastructure installation (water, sewer, roads, gas, stormwater, telephone, cable, etc.) is exempt from the standards of this Development Code, except:
1. Thoroughfare standards, in Division 2.9 (Thoroughfare Standards);
 2. Wetland standards, in Section 5.11.30 (Tidal Wetlands), and Section 5.11.40 (Non-Tidal Wetlands);
 3. River Buffer standards, in Section 5.11.60 (River Buffer);
 4. Tree Protection standards, in Section 5.11.90 (Tree Protection);
 5. Stormwater management standards, in Section 5.12.30 (Stormwater Standards);
 6. Utility standards, in Section 4.1.210 (Regional (Major) Utility);
 7. Wireless communication facilities standards, in Section 4.1.320 (Wireless Communications Facility);
 8. Historic Preservation standards, in Division 5.10 (Historic Preservation).

Section 2.2.50 Lots. This amendment provides a minimum width for a flag lot to ensure adequate access for public safety vehicles.

- B.4. **Resources Make Normal Lotting Difficult.** Where natural resources or property shape make normal lotting difficult, common drives, flag lots, or shared easements may be considered at the discretion of the Director. Where a flag lot is approved, the minimum width of the portion of the lot that fronts the ROW or easement and extends to the rear “flag” shall be 50 ft., except in the T3N, T4HC, and T4NC zones, where the minimum width shall be 40 ft.

Section 2.2.60 Access Management. This amendment allows buildings to front major roadways while taking access from a rear street or alley.

- A.2.c. To the maximum extent practical, lots fronting an arterial or major collector shall front take access from an internal street, parallel frontage road, or rear alley. This avoids multiple lots with individual access along the existing public road frontage or reverse frontage lots in which buildings turn their back to the public road frontage.

Table 3.1.70 Land Use Definitions. Amend this table to clarify that a Recreational Campground is comprised of two or more camp sites for rent on a single piece of property.

RECREATION, EDUCATION, SAFETY, PUBLIC ASSEMBLY:

11. Recreation Facility: Campground – Form of lodging where guests bring tents, travel trailers, campers, or other similar forms of shelter to experience natural environments. Campgrounds rent two (2) or more pads or spaces to guests. May also include accessory uses such as a camp store, shower/bathroom facilities, and recreational facilities.

Section 5.6.120 Freestanding Signs. Clarifies setback requirement by removing a reference to Corridor Overlay District which does not exist in the CDC.

A. Description

Freestanding Signs encompass a variety of signs that are not attached to a building and have an integral support structure. Freestanding varieties include Monument and Pole Signs.

A Pole Sign, usually double-faced, mounted on a single or pair of round poles, square tubes, or other fabricated members without any type of secondary support.

A Monument Sign stands directly on the ground or ground level foundation and is often used to mark a place of significance or the entrance to a location.

B. Standards

Size

Signable Area	T4	All Other Districts
Single Tenant	24 SF max.	40 SF max.
Multiple Tenant with one highway frontage	32 SF max.	80 SF max.
Multiple Tenant with Two or more highway frontages	32 SF per frontage	80 SF per frontage

Location

Signs per Highway Frontage:

Single Tenant 1 max.

Multiple Tenant 1 max. ^{1,2}

Height 10' max. **(A)**

Width 15' max. **(B)**

Distance from ground to the base of the sign 4' max.

Setback from ROW within Corridor Overlay District 10' min.

¹Individual tenants may not have a Freestanding Sign.

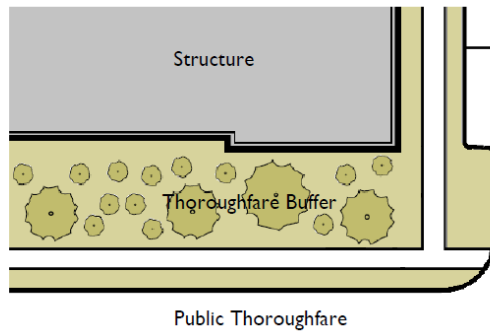
²Frontages greater than 500 feet may include one additional freestanding sign not to exceed 80 SF in area and with a total allowable sign area not exceeding the maximum allowable sign area for the multiple tenant center.

Miscellaneous

Changeable copy signs are allowed for gasoline price signs, houses of worship, schools, directory signs listing more than one tenant, and signs advertising restaurant food specials, films and live entertainment which change on a regular basis.

Table 5.8.50 Thoroughfare Buffer. The Corridor Overlay District in the ZDSO required that existing trees 6" DBH or greater to be preserved within the 50 foot buffer along the highway. This requirement is missing from the CDC. Staff recommends the following new subsection to preserve existing trees greater than 6" DBH (diameter at breast height):

Table 5.8.50 Thoroughfare Buffer



A. Description

The thoroughfare buffer provides visual screening between development and a public street or road. The width, quantity of plant materials, and opacity depends on the number of lanes of the public thoroughfare.

B. Applicability

A thoroughfare buffer is required along all collector and arterial roads within all conventional zones, community preservation districts, T2 Rural, T2 Rural Low, and T2 Rural Neighborhood.

C. Minimum Buffer Width

Thoroughfares with 2 or 3 Lanes

Minimum Buffer Width 20 feet¹

Thoroughfares with 4 Lanes or More

Minimum Buffer Width 50 feet¹

Notes

¹Buffer widths are measured from the right-of-way line into the site

D. Plant Requirements (per 100 linear feet)

Thoroughfares with 2 or 3 Lanes

Overstory Trees	2
Understory Trees ³	7
Shrubs	15

Thoroughfares with 4 Lanes or More

Overstory Trees	4
Understory Trees ³	14
Shrubs	30

E. Opacity

Thoroughfares with 2 or 3 Lanes

Minimum Opacity 30%

Thoroughfares with 4 Lanes or More

Minimum Opacity 75%

F. Existing Trees in Thoroughfare Buffer

No tree 6 inches DBH or larger shall be removed from any thoroughfare buffer, exclusive of access drive location, required sight triangle area, diseased trees, or other safety issues subject to DRB and/or staff approval.

Section 5.8.110 Landscape Construction and Maintenance Standards. This amendment carries forward language from the ZDSO regarding landscape survival bonds.

- B.4. **Performance Guarantee.** All initial replacement landscaping shall be subject to a two-year performance guarantee survival bond in the form of an irrevocable letter of credit, surety, or cash equal to 120% of the landscaping cost that ensures proper replacement and maintenance.

Section 5.11.90.F. Forest Interconnectivity. This amendment adds a new subsection to require preserved forested areas within a development to connect to other preserved forest areas and open spaces in adjoining parcels, where feasible. This implements a recommendation from the Natural Resources chapter of the Comprehensive Plan.

F. Forest Interconnectivity. Protected forest resources shall, to the maximum extent practicable, be located to adjoin, extend, and enlarge any protected forest or other open space areas that exist adjacent to the development. Preservation of small, fragmented remnants of forest shall be avoided where possible.

Section 5.11.100.B. Specimen Trees. This amendment adds longleaf pine and black cherry to the list of overstory trees that are defined as specimen trees at a diameter of 16” dbh (diameter at breast height).

2. Overstory trees – American Holly, Bald Cypress, Beech, **Black Cherry**, Black Oak, Black Tupelo, Cedar, Hickory, Live Oak, **Longleaf Pine**, Palmetto, Pecan, Red Maple, Southern Red Oak, Sycamore, or Walnut that are equal to or greater than a diameter of 16 inches (DBH).

Section 6.2.70 Maintenance Guarantee. This amendment cross-references the landscaping survival bond from Division 5.8.110.

Upon completing the improvements required under this Development Code, the surety will be reduced or eliminated. A maintenance guarantee **in the form of an irrevocable letter of credit, surety, or cash equal to** ~~of~~ ten percent of the actual construction cost for improvements (e.g., road, sidewalk, **landscaping**, and drainage facilities) shall be deposited with the County ~~Treasurer’s Office~~ for anticipated maintenance for a period of two years after the completion of all improvements. **For landscaping improvements, a survival bond equal to 120% of the cost shall be required (refer to Sec. 5.8.110.B.4.).**

AN ORDINANCE OF BEAUFORT COUNTY COUNCIL CREATING A SPECIAL TAX ASSESSMENT FOR REHABILITATED HISTORIC PROPERTIES IN THE GEOGRAPHICAL BOUNDARIES KNOWN AS DAUFUSKIE ISLAND

WHEREAS, Section 4-9-195 of the South Carolina Code of Laws, as amended (“S.C. Code”), provides that counties may by ordinance grant special property tax assessments to real property which qualifies as “rehabilitated historic property”; and

WHEREAS, the geographic area known as Daufuskie Island, in the County of Beaufort, South Carolina (“Daufuskie”) contains a substantial amount of historic property, the preservation of which is beneficial for the economic development of the County and for its citizens; and

WHEREAS, Beaufort County Council (the “County Council”) has determined that it is in the best interests of the County and its citizens to allow for a special property tax assessment available and as set forth in S.C. Code §4-9-195 to qualifying properties located within the geographic boundaries of Daufuskie; and

WHEREAS, the County Council finds that providing for this special property tax assessment will (1) encourage the restoration of historic properties, (2) promote community development and redevelopment, (3) encourage sound community planning, and (4) promote the general health, safety, and welfare of the community; and

WHEREAS, pursuant to S.C. Code §4-9-195, the County must specify the minimum investment threshold and the number of years in which the special assessment shall apply, and in the absence of a board of architectural review the County may name an appropriate reviewing authority to consider proposed rehabilitation plans and actual rehabilitation work.

NOW, THEREFORE, BE IT ORDAINED by Beaufort County Council that Chapter 66, Article III of the Beaufort County Code of Ordinances is hereby amended by inserting the following into Beaufort County Code of Ordinances Chapter 66, Division 4:

Division 4. Special Assessment Ratio for Rehabilitated Historic Properties

Section 66-155. Special tax assessment created –Daufuskie Island.

A special tax assessment is created for eligible rehabilitated historic properties located within the geographic boundaries of Daufuskie Island for 10 years equal to the appraised value of the property at the time of preliminary certification.

Section 66-156. Purpose.

It is the purpose of this division to:

- (a) Encourage the restoration of historic properties;
- (b) Promote community development and redevelopment;
- (c) Encourage sound community planning; and
- (d) Promote the general health, safety, and welfare of the community.

Section 66-157. Eligible properties.

- (a) *Certification.* In order to be eligible for the special tax assessment, historic properties must receive preliminary and final certification.

- (1) To receive preliminary certification a property must meet the following conditions:

- a. The property has received historic designation from the Daufuskie Island Council and in accordance with the Daufuskie Island Plan or is listed on the Beaufort County Above Ground Historic Resources Survey completed in 1998.
- b. The proposed rehabilitation work receives approval from the Beaufort County Historic Preservation Review Board (HPRB) under Sec. 5.10 and Sec. 7.2.120 of the Beaufort County Community Development Code (CDC).; and
- c. Be a project that commences on or after the date of the adoption of this ordinance. Preliminary certification must be received prior to beginning work.

- (2) To receive final certification, a property must have met the following conditions:

- a. The property has received preliminary certification.
- b. The minimum expenditures for rehabilitation were incurred and paid.
- c. The completed rehabilitation receives approval from the Beaufort County Planning Director, or designee, as being consistent with the plans approved by the HPRB as part of preliminary certification.

- (b) *Historic designation.* As used in this section, "Historic Designation" means:

- (1) The structure is at least 50 years old and is located in the geographic area known as Daufuskie Island;
- (2) The structure is listed on the National Register of Historic Places; or
- (3) The structure is listed on the "1998 Beaufort County Above Ground Historic Sites Survey."

Section 66-158. Eligible rehabilitation.

- (a) Standards for rehabilitation work. To be eligible for the special tax assessment, historic rehabilitations must be appropriate for the historic building and the geographic district. This is achieved through adherence to the standards set forth in the Community Development Code and, if required, approval of a Certificate of Appropriateness in accordance with Sec. 7.2.120 of the CDC.
- (b) Work to be reviewed. The following work will be reviewed according to the standards set forth above:
- (1) Repairs to the exterior of the designated building.
 - (2) Alterations to the exterior of the designated building.
 - (3) New construction on the property on which the building is located.
 - (4) Alterations to interior primary public spaces.
 - (5) Any remaining work where the expenditures for such work are being used to satisfy the minimum expenditures for rehabilitation.
- (c) Minimum expenditures for rehabilitation means the owner rehabilitates the building, with expenditures for rehabilitation exceeding 75 percent of the fair market value of the building. Fair market value means the appraised value as certified by a real estate appraiser licensed by the State of South Carolina, the sales price as delineated in a bona fide contract of sale within 12 months of the time it is submitted, or the most recent appraised value published by the Beaufort County Tax Assessor.
- (d) Expenditures for rehabilitation means the actual cost of rehabilitation relating to one or more of the following:
- (1) Improvements located on or within the historic building as designated.
 - (2) Improvements outside of but directly attached to the historic building which are necessary to make the building fully useable (such as vertical circulation) but shall not include rentable/habitable floorspace attributable to new construction.
 - (3) Architectural and engineering services attributable to the design of the improvements.
 - (4) Costs necessary to maintain the historic character or integrity of the building.
- (e) Scope. The special tax assessment may apply to the following:
- (1) Structure(s) rehabilitated.
 - (2) Real property on which the building is located.

- (f) Time limits. To be eligible for the special tax assessment, rehabilitation must be completed within two years of the preliminary certification date. If the project is not complete after two years, but the minimum expenditures for rehabilitation have been incurred, the property continues to receive the special assessment until the project is completed or until the end of the special assessment period, whichever shall first occur.

Section 66-159. Process.

- (a) Fee required. A fee as set out in the County of Beaufort's Fee Schedule, as appropriate, shall be required for final certification for each application.
- (b) Plan required. Owners of property seeking approval of rehabilitation work must submit an application for a Certificate of Appropriateness, as required under Sec. 7.2.120 of the CDC, with supporting documentation and application fee(s) prior to beginning work.
- (c) Preliminary certification. Upon receipt of the completed application, the proposal shall be placed on the next available agenda of the Beaufort County Historic Preservation Review Board (HPRB). After the HPRB makes its' determination(s), the owner shall be notified in writing. Upon receipt of this determination the owner may:
- (1) If the application is approved, apply for building permits to begin rehabilitation;
 - (2) If the application is not approved, may revise such application in accordance with comments provided by the HPRB.
- (d) Substantive changes. Once preliminary certification is granted to an application, substantive changes must be approved by the HPRB. Unapproved substantive changes are conducted at the risk of the property owner and may disqualify the project from eligibility. Additional expenditures will not qualify the project for an extension on the special assessment.
- (e) Final certification. Upon completion of the project, the project must receive final certification in order to be eligible for the special assessment. The Beaufort County Planning Director and Director of Building Codes, or designees, will inspect completed projects to determine if the work is consistent with the approval granted by the HPRB. Final certification will be granted when verification is made that expenditures have been made in accordance with Section 66-158(c) above. Upon receiving final certification, the property will be assessed for the remainder of the special assessment period on the fair market value of the property at the time the

preliminary certification was made or the final certification was made, whichever occurred earlier.

- (f) *Additional work.* For the remainder of the special assessment period after final certification, the property owner shall notify the Beaufort County Community Development Department of any additional work, other than ordinary maintenance. The HPRB will review the work at a regularly scheduled hearing and determine whether the overall project is consistent with the standards for rehabilitation. If the additional work is found to be inconsistent, the property owner may withdraw his request and cancel or revise the proposed additional work.
- (g) *Decertification.* When the property has received final certification and has been assessed as rehabilitated historic property, it remains so certified and must be granted the special assessment until the property becomes disqualified by any one of the following:
- (1) Written notice from the owner to the Beaufort County Assessor's Office requesting removal of the preferential assessment; or
 - (2) Rescission of the approval of rehabilitation by the HPRB because of alterations or renovation by the owner or the owner's estate, which causes the property to no longer possess the qualities and features which made it eligible for final certification.

Notification of any change affecting eligibility must be given immediately to the Beaufort County Assessor, Auditor, and Treasurer.

- (h) *Notification.* The Beaufort County Community Development Department shall, upon final certification of a property, notify the Beaufort County Assessor, Auditor and Treasurer that such property has been duly certified and is eligible for the special tax assessment.
- (i) *Date effective.* If an application for preliminary or final certification is filed by May 1 or the preliminary or final certification is approved by August 1, the special assessment authorized herein is effective for that year. Otherwise, it is effective beginning with the following year.

The special assessment only begins in the current or future tax years as provided for in this section. In no instance may the special assessment be applied retroactively.

- (i) Application. Once a property has received final certification , the owner of the property shall make application to the Beaufort County Assessor's Office for the special assessment provided for herein.

SECTIONS 66-160. Reserved.

This ordinance shall become effective immediately upon adoption.

DONE, this ____ of _____, 2017.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Ashley M. Bennett, Clerk to Council

First Reading:

Second Reading:

Public Hearing:

Third and Final Reading:

2017 / __

SOUTHERN BEAUFORT COUNTY ZONING MAP AMENDMENTS FOR R600-040-000-001C-0000 (299.202 ACRES LOCATED ON THE NORTH AND SOUTH SIDES OF THE BLUFFTON PARKWAY AND EAST OF MALPHRUS ROAD; KNOWN AS HILTON HEAD NATIONAL GOLF COURSE); FROM T2-RURAL DISTRICT TO T3-NEIGHBORHOOD, T4-NEIGHBORHOOD CENTER, AND T4-HAMLET CENTER OPEN DISTRICTS.

BE IT ORDAINED, that County Council of Beaufort County, South Carolina, hereby amends the Zoning Map of Beaufort County, South Carolina. The map is attached hereto and incorporated herein.

Adopted this ____ day of ____, 2017.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Ashley M. Bennett, Clerk to Council

First Reading:

Second Reading:

Public Hearing:

Third and Final Reading:

















Existing Zoning

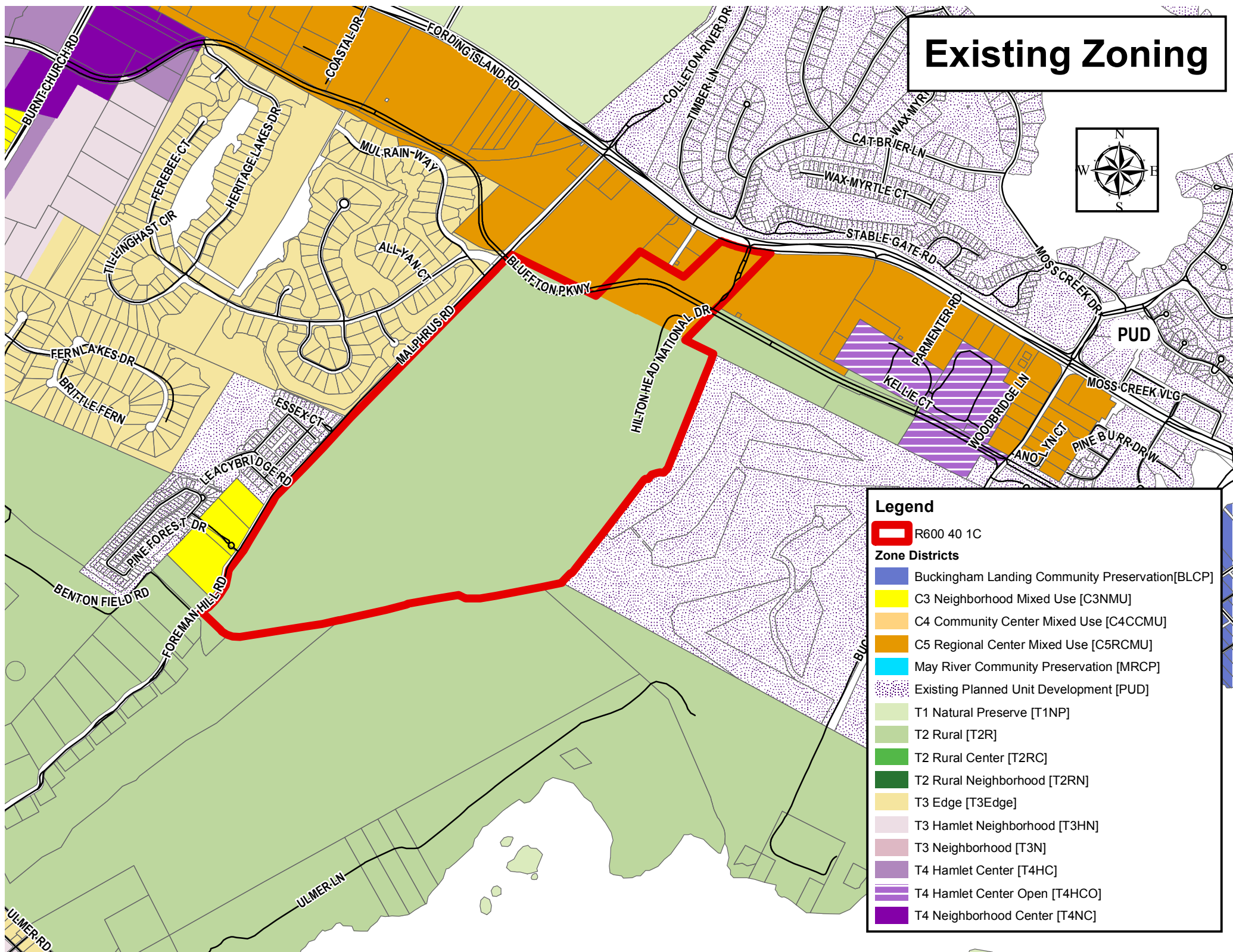


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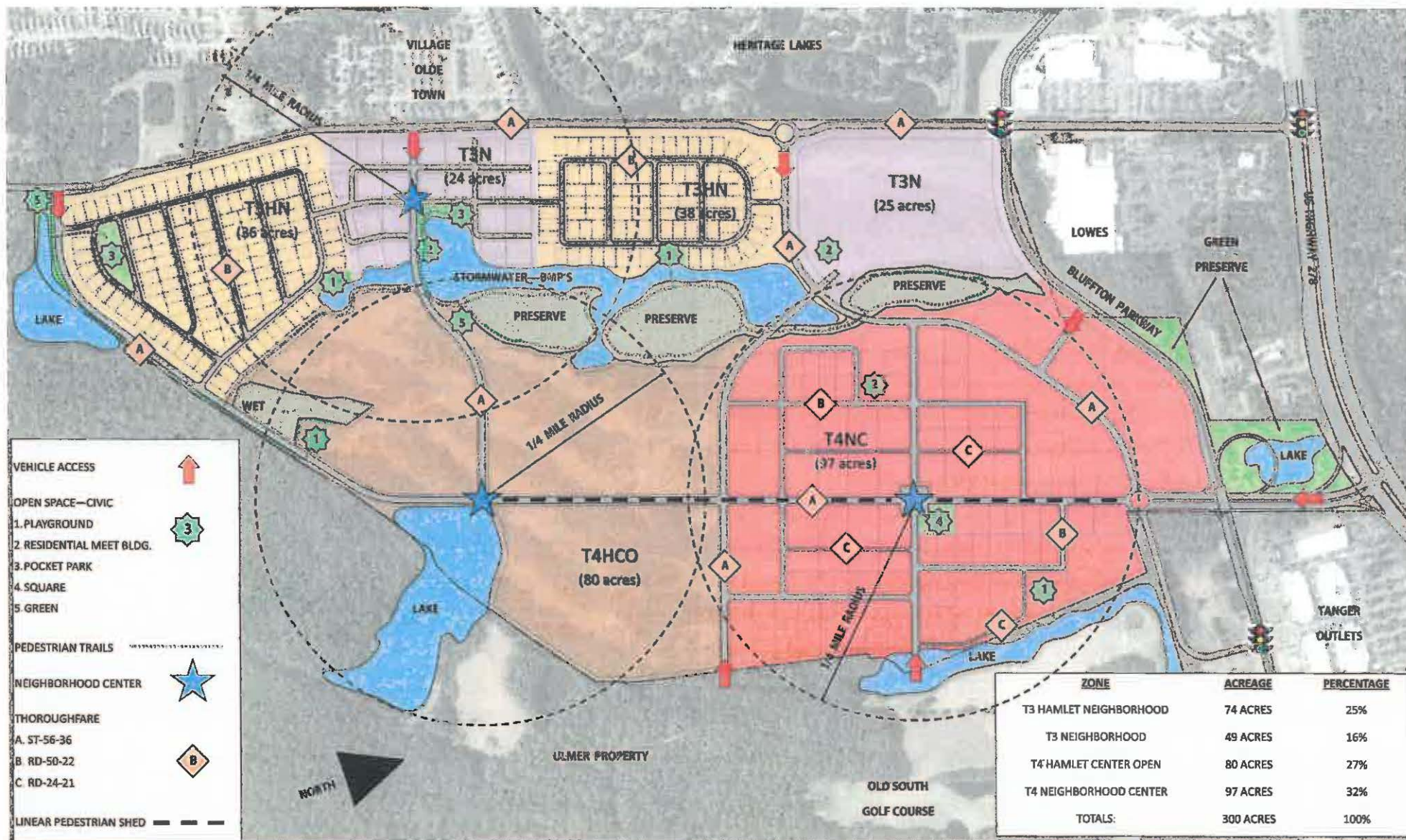
 R600 40 1C

Zone Districts

-  Buckingham Landing Community Preservation [BLCP]
-  C3 Neighborhood Mixed Use [C3NMU]
-  C4 Community Center Mixed Use [C4CCMU]
-  C5 Regional Center Mixed Use [C5RCMU]
-  May River Community Preservation [MRCP]
-  Existing Planned Unit Development [PUD]
-  T1 Natural Preserve [T1NP]
-  T2 Rural [T2R]
-  T2 Rural Center [T2RC]
-  T2 Rural Neighborhood [T2RN]
-  T3 Edge [T3Edge]
-  T3 Hamlet Neighborhood [T3HN]
-  T3 Neighborhood [T3N]
-  T4 Hamlet Center [T4HC]
-  T4 Hamlet Center Open [T4HCO]
-  T4 Neighborhood Center [T4NC]



PROPOSED ZONING CHANGE (Revised 11/2016)



LOCATION MAP
+/- 300 ACRES

GATEWAY to HILTON HEAD
REGULATING MASTER PLAN



Hilton Head
National



KPA architecture + design



ORDINANCE NO. 2017/___

AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2017, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, OF BEAUFORT COUNTY, SOUTH CAROLINA, IN THE TOTAL PRINCIPAL AMOUNT OF NOT EXCEEDING \$8,000,000; FIXING THE FORM AND DETAILS OF THE BONDS; AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS LAWFULLY-AUTHORIZED DESIGNEE TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

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

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

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

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

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

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

(e) The assessed value of all the taxable property in the County as of June 30, 2016, is not less than \$1,725,369,752. Eight percent of the assessed value is \$138,029,580. As of the date hereof, the outstanding general obligation debt of the County subject to the limitation imposed by Article X, Section 14(7) of the Constitution is \$74,961,036. Thus, the County may incur not exceeding \$53,068,544 of additional general obligation debt within its applicable debt limitation.

A portion of the 2007 Bonds (hereinafter defined) being refunded with the proceeds of the Bonds (hereinafter defined) count against the County 's constitutional debt limit. Therefore, the portion of the par amount of the Bonds over and above the outstanding amount of the 2007 Bonds being refunded subject to the County 's 8% constitutional debt limit will also count against the County 's constitutional debt limit.

The County intends to also issue not exceeding \$35,000,000 general obligation bond anticipation notes which will also count against their constitutional debt limit.

(f) In a referendum (the "2000 Referendum") held in the County on November 7, 2000, the following question was submitted to the qualified electors of the County:

Shall Beaufort County, South Carolina issue general obligation bonds, not to exceed \$40,000,000, for the purpose of land preservation, by purchasing open land, development rights and conservation easements in all areas of Beaufort County, in order to alleviate traffic congestion in high growth areas and to protect water quality, natural lands, wildlife areas, farmland, parkland, coastal areas, rivers and wetlands, provided that all expenditures shall be prioritized based upon an official criteria and ranking system established for the County, and subject to an annual independent audit?

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

(g) Pursuant to the Constitution, statutory authorizations, the favorable results of the 2000 Referendum, and an Ordinance enacted by the County Council on April 9, 2007 (the "2007 Ordinance"), the County issued its original principal amount \$17,530,000 General Obligation Refunding Bonds, Series 2007, dated November 7, 2007 (the "Series 2007 Bonds").

(h) The Series 2007 Bonds are currently outstanding in the principal amount of \$6,405,000. The Series 2007 Bonds maturing on or after March 1, 2018, are subject to redemption on or after March 1, 2017, at any time, at par plus interest accrued thereon to the date fixed to redemption.

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

(j) Based on current market conditions and projected savings, the County Council finds that it is in the best interest of the County to effect a refunding of all or a portion of the outstanding Series 2007 Bonds (the "Bonds to be Refunded") because a savings can be effected through the refunding of such Bonds to be Refunded. The County Council recognizes, however, that current market conditions may change and that, as of the date of enactment of this Ordinance, a determination cannot be made as to the amount of such savings, if any, realized through the refunding of the Bonds to be Refunded and that certain authority relating to such refunding is delegated to the County Administrator and/or his lawfully-authorized designee through this Ordinance. Because the Refunding Act requires that refunding bonds be sold at public sale, there can be no assurance that market conditions at the time of such sale will be similar to the prevailing rates on the date of the enactment of this Ordinance. If the rates of interest on the refunding bonds authorized by this Ordinance do not result in satisfactory debt service savings, the County Council, through the authority delegated to the County Administrator and/or his lawfully-authorized designee, will be empowered to reject bids for the purchase of the refunding bonds.

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

(o) It is now in the best interest of the County for County Council to provide for the issuance and sale of not exceeding \$8,000,000 principal amount general obligation refunding bonds of the County to provide funds for (i) refunding the Bonds to be Refunded; (ii) paying costs of issuance of the Bonds; and (iii) such other lawful purposes as the County Council shall determine.

SECTION 2. Authorization and Details of Bonds . Pursuant to the aforesaid provisions of the Constitution and laws of the State, there is hereby authorized to be issued not exceeding \$8,000,000 aggregate principal amount of general obligation refunding bonds of the County to be designated "\$8,000,000 (or such lesser amount issued) General Obligation Refunding Bonds, (appropriate series designation), of Beaufort County, South Carolina" (the "Bonds"), for the purposes set forth in Section 1(o) and other costs incidental thereto, including without limiting the generality of such other costs, engineering, financial and legal fees. The Bonds will be issued in one or more series, each with an appropriate series designation.

The refunding of the Bonds to be Refunded shall be effected with a portion of the proceeds of the Bonds which proceeds shall be used for the payment of the principal of such Bonds to be Refunded as and when such Bonds to be Refunded mature and are called for redemption in accordance with the provisions of the 2007 Ordinance and interest on such Bonds to be Refunded as and when the same becomes due. If necessary, notice of the aforesaid refunding for which a portion of the proceeds of the Bonds will be used shall be given in a financial paper published in the City of New York, State of New York.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The Initial Bonds shall be issued in fully-registered form, one Bond for each of the maturities of the Bonds, in the name of Cede & Co., as the nominee of DTC. When any principal of or interest on the Initial Bonds becomes due, the Paying Agent, on behalf of the County, shall transmit to DTC an amount

equal to such installment of principal and interest. DTC shall remit such payments to the beneficial owners of the Bonds or their nominees in accordance with its rules and regulations.

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

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

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

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

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

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

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

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

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

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

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

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

“Government Obligations” shall mean any of the following:

- (a) direct obligations of the United States of America or agencies thereof or obligations, the payment of principal or interest on which, in the opinion of the Attorney General of the United States, is fully and unconditionally guaranteed by the United States of America;
- (b) non-callable, U. S. Treasury Securities - State and Local Government Series (“SLGS”); and
- (c) general obligation bonds of the State, its institutions, agencies, counties and political subdivisions, which, at the time of purchase, carry a AAA rating from Standard & Poor’s or a Aaa rating from Moody’s Investors Service.

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

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

Enacted this ____ day of _____, 2017.

BEAUFORT COUNTY, SOUTH CAROLINA

Chair, County Council

(SEAL)

ATTEST:

Clerk, County Council

First Reading: April 24, 2017

Second Reading: May 8, 2017

Public Hearing:

Third and Final Reading:

FORM OF BOND

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT
GENERAL OBLIGATION REFUNDING BOND, SERIES 2017

No. R-

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

REGISTERED HOLDER:

PRINCIPAL AMOUNT: DOLLARS

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

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

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

This Bond is one of a series of Bonds of like date of original issue, tenor and effect, except as to number, denomination, date of maturity, redemption provisions, and rate of interest, aggregating _____ Dollars (\$ _____), issued pursuant to and in accordance with the Constitution and laws of the State of South Carolina (the "State"), including Article X of the Constitution of the State of South Carolina, 1895, as amended; Title 4, Chapter 15, Code of Laws of South Carolina 1976, as amended; Title 11, Chapters 15, 21 and 27, Code of Laws of South Carolina 1976, as amended; the results of a favorable referendum ; and Ordinance No. 2017/____ duly enacted by the County Council on _____, 2017.

[Redemption Provisions]

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

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

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

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

BEAUFORT

COUNTY, SOUTH CAROLINA

Chair of County Council

(SEAL)

ATTEST:

Clerk of County Council

[FORM OF REGISTRAR'S CERTIFICATE OF AUTHENTICATION]

Date of Authentication:

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

_____ as Registrar

By _____ : _____
Authorized Officer

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

TEN COM - As tenants in common

UNIF GIFT MIN. ACT

TEN ENT - As tenants by the
entireties

_____ Custodian _____
(Cust.) (Minor)

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

under Uniform Gifts to Minors

(State)

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

[FORM OF ASSIGNMENT]

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

(Name and address of Transferee)

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

Dated:

Signature Guaranteed: (Authorizing _____ Officer)

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

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

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

[FORM OF CERTIFICATE]

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

BEAUFORT

COUNTY, SOUTH CAROLINA

By

: _____
Clerk of County Council

FORM OF NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the County Council of Beaufort County, South Carolina (the "County"), Large Meeting Room, Bluffton Branch Library, 120 Palmetto Way, Bluffton, South Carolina, at 6:30 p.m. on May 22, 2017.

The purpose of the public hearing is to consider an Ordinance providing for the issuance and sale of General Obligation Refunding Bonds of Beaufort County, South Carolina, in the principal amount of not exceeding \$8,000,000 (the "Bonds"). The proceeds of the Bonds will be used for the following purposes: (i) refunding all or a portion of the outstanding maturities of the County's original principal amount \$17,530,000 General Obligation Refunding Bonds, Series 2007; (ii) paying costs of issuance of the Bonds; and (iii) such other lawful purposes as the County Council shall determine.

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

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

COUNTY COUNCIL OF BEAUFORT COUNTY,
SOUTH CAROLINA

FORM OF NOTICE

NOTICE OF ADOPTION OF ORDINANCE

Notice is hereby given that on _____, 2017, the Beaufort County Council adopted an ordinance entitled: "ORDINANCE NO. 2017/___ AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2017, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION OF BEAUFORT COUNTY, SOUTH CAROLINA, IN THE _____ PRINCIPAL AMOUNT OF NOT EXCEEDING \$8,000,000; FIXING THE FORM _____ AND DETAILS OF THE BONDS; AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS _____ LAWFULLY-AUTHORIZED DESIGNEE TO DETERMINE CERTAIN MATTERS RELATING TO THE _____ BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO" (the "Ordinance").

The proceeds of the bonds will be used for the following purposes: (i) refunding all or a portion of the outstanding maturities of the County's original principal amount \$17,530,000 General Obligation Refunding Bonds, Series 2007; (ii) paying costs of issuance of the Bonds; and (iii) such other lawful purposes as the County Council shall determine.

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

COUNTY COUNCIL OF BEAUFORT COUNTY,
SOUTH CAROLINA

FORM OF NOTICE OF SALE

OFFICIAL NOTICE OF SALE

\$ _____ GENERAL OBLIGATION REFUNDING BONDS, SERIES 2017,
OF BEAUFORT COUNTY, SOUTH CAROLINA

Time and Place of Sale: NOTICE IS HEREBY GIVEN that sealed bids, facsimile bids and electronic bids will be received on behalf of Beaufort County, South Carolina (the "County"), 100 Ribaut Road, Beaufort, South Carolina, until __:__.m, South Carolina time, on _____, _____, 2017, at which time the said proposals will be publicly opened for the purchase of \$ _____ General Obligation Refunding Bonds, Series 2017, of the County (the "Bonds").

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

PROPOSALS MAY BE DELIVERED BY HAND, BY MAIL, BY FACSIMILE TRANSMISSION OR BY ELECTRONIC BID, BUT NO PROPOSAL SHALL BE CONSIDERED WHICH IS NOT ACTUALLY RECEIVED BY THE COUNTY AT THE PLACE, DATE AND TIME APPOINTED, AND THE COUNTY SHALL NOT BE RESPONSIBLE FOR ANY FAILURE, MISDIRECTION, DELAY OR ERROR RESULTING FROM THE SELECTION BY ANY BIDDER OF ANY PARTICULAR MEANS OF DELIVERY OF BIDS.

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

The Bonds will be issued in fully-registered form registered as to principal and interest; will be dated _____, 2017; will be in denominations of \$5,000 or any integral multiple thereof not exceeding the principal amount of Bonds maturing in each year; and will mature serially in successive annual installments on _____ in each of the years and in the principal amounts as follows:

<u>Year</u>	<u>Principal Amount*</u>	<u>Year</u>	<u>Principal Amount*</u>
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*Preliminary, subject to adjustment.

Adjustment of Maturity Schedule. The County reserves the right, in its sole discretion, either to decrease or increase the principal amount of the Bonds maturing in any year (all calculations to be rounded to the near \$5,000), provided that any such decrease or increase shall not exceed 10% of the Bonds. Such adjustment(s), if any, shall be made within twenty-four (24) hours of the award of the Bonds. In order to calculate the yield on the Bonds for federal tax law purposes and as a condition precedent to the award of the Bonds, bidders must disclose to the County in connection with their respective bids the price (or yield to maturity) at which each maturity of the Bonds will be reoffered to the public.

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

The Bonds will bear interest from the date thereof payable semiannually on _____ and _____ of each year, commencing _____, until they mature.

[Redemption Provisions]

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

Bid Requirements: Bidders shall specify the rate or rates of interest per annum which the Bonds are to bear, to be expressed in multiples of 1/20 or 1/8 of 1% and the interest rate specified for any maturity shall not be lower than the interest rate specified for any previous maturity. Bidders are not limited as to the number of rates of interest named, but the rate of interest on each separate maturity must be the same single rate for all Bonds of that maturity from their date to such maturity date. A bid for less than all the Bonds, a bid at a price less than par or a bid which includes a premium in excess of 10% of the par amount of the Bonds will not be considered. In addition to the bid price, the successful bidder must pay accrued interest from the date of the Bonds to the date of full payment of the purchase price.

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

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

Good Faith Deposit: No good faith deposit is required.

Bid Form: Proposals should be enclosed in a separate sealed envelope marked "Proposal for \$ _____ General Obligation Refunding Bonds, Series 2017 of Beaufort County, South Carolina" and should be directed to the County Administrator at the address in the first paragraph hereof. It is requested but not required that you submit your bid on the Proposal for Purchase of Bonds supplied with the Official Statement.

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

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

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

Certificate as to Issue Price: The successful bidder must provide a certificate to the County by the date of delivery of the Bonds, stating the initial reoffering price of the Bonds to the public (excluding bond houses and brokers) and the price at which a substantial amount of the Bonds were sold to the public, in form satisfactory to Bond Counsel. A sample copy of such a certificate may be obtained from Bond Counsel.

Delivery: The Bonds will be delivered on or about _____, 2017, in New York, New York, at the expense of the County. The balance of the purchase price then due, including the amount of accrued interest, must be paid in federal funds or other immediately available funds.

BEAUFORT

COUNTY, SOUTH CAROLINA

FORM OF DISCLOSURE DISSEMINATION AGENT AGREEMENT

This Disclosure Dissemination Agent Agreement (the “Disclosure Agreement”), dated as of _____, 2017, is executed and delivered by Beaufort County, South Carolina (the “Issuer”) and Digital Assurance Certification, L.L.C., as exclusive Disclosure Dissemination Agent (the “Disclosure Dissemination Agent” or “DAC”) for the benefit of the Holders (hereinafter defined) of the Bonds (hereinafter defined) and in order to provide certain continuing disclosure with respect to the Bonds in accordance with Rule 15c2-12 of the United States Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time (the “Rule”).

The services provided under this Disclosure Agreement solely relate to the execution of instructions received from the Issuer through use of the DAC system and do not constitute “advice” within the meaning of the Dodd-Frank Wall Street Reform and Consumer Protection Act (the “Act”). DAC will not provide any advice or recommendation to the Issuer or any one on the Issuer’s behalf regarding the “issuance of municipal securities” or any “municipal financial product” as defined in the Act and nothing in this Disclosure Agreement shall be interpreted to the contrary.

SECTION 1. Definitions. Capitalized terms not otherwise defined in this Disclosure Agreement shall have the meaning assigned in the Rule or, to the extent not in conflict with the Rule, in the Official Statement (hereinafter defined). The capitalized terms shall have the following meanings:

“Annual Filing Date” means the date, set in Sections 2(a) and 2(f), by which the Annual Report is to be filed with the MSRB.

“Annual Financial Information” means annual financial information as such term is used in paragraph (b)(5)(i) of the Rule and specified in Section 3(a) of this Disclosure Agreement.

“Annual Report” means an Annual Report described in and consistent with Section 3 of this Disclosure Agreement.

“Audited Financial Statements” means the financial statements (if any) of the Issuer for the prior fiscal year, certified by an independent auditor as prepared in accordance with generally accepted accounting principles or otherwise, as such term is used in paragraph (b)(5)(i) of the Rule and specified in Section 3(b) of this Disclosure Agreement.

“Bonds” means the bonds as listed on the attached Exhibit A, with the 9-digit CUSIP numbers relating thereto.

“Certification” means a written certification of compliance signed by the Disclosure Representative stating that the Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure delivered to the Disclosure Dissemination Agent is the Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure required to be submitted to the MSRB under this Disclosure Agreement. A Certification shall accompany each such document submitted to the Disclosure Dissemination Agent by the Issuer and include the full name of the Bonds and the 9-digit CUSIP numbers for all Bonds to which the document applies.

“Disclosure Representative” means the Finance Director, or his or her designee, or such other person as the Issuer shall designate in writing to the Disclosure Dissemination Agent from time to time as the person responsible for providing Information to the Disclosure Dissemination Agent.

“Disclosure Dissemination Agent” means Digital Assurance Certification, L.L.C, acting in its capacity as Disclosure Dissemination Agent hereunder, or any successor Disclosure Dissemination Agent designated in writing by the Issuer pursuant to Section 9 hereof.

“Failure to File Event” means the Issuer’s failure to file an Annual Report on or before the Annual Filing Date.

“Force Majeure Event” means: (i) acts of God, war, or terrorist action; (ii) failure or shut-down of the Electronic Municipal Market Access system maintained by the MSRB; or (iii) to the extent beyond the Disclosure Dissemination Agent’s reasonable control, interruptions in telecommunications or utilities services, failure, malfunction or error of any telecommunications, computer or other electrical, mechanical or technological application, service or system, computer virus, interruptions in Internet service or telephone service (including due to a virus, electrical delivery problem or similar occurrence) that affect Internet users generally, or in the local area in which the Disclosure Dissemination Agent or the MSRB is located, or acts of any government, regulatory or any other competent authority the effect of which is to prohibit the Disclosure Dissemination Agent from performance of its obligations under this Disclosure Agreement.

“Holder” means any person (a) having the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries) or (b) treated as the owner of any Bonds for federal income tax purposes.

“Information” means, collectively, the Annual Reports, the Audited Financial Statements (if any), the Notice Event notices, the Failure to File Event notices, the Voluntary Event Disclosures and the Voluntary Financial Disclosures.

“MSRB” means the Municipal Securities Rulemaking Board established pursuant to Section 15B(b)(1) of the Securities Exchange Act of 1934.

“Notice Event” means any of the events enumerated in paragraph (b)(5)(i)(C) of the Rule and listed in Section 4(a) of this Disclosure Agreement.

“Obligated Person” means any person, including the Issuer, who is either generally or through an enterprise, fund, or account of such person committed by contract or other arrangement to support payment of all, or part of the obligations on the Bonds (other than providers of municipal bond insurance, letters of credit, or other liquidity facilities), as shown on Exhibit A.

“Official Statement” means that Official Statement prepared by the Issuer in connection with the Bonds, as listed on Appendix A.

“Trustee” means the institution, if any, identified as such in the document under which the Bonds were issued.

“Voluntary Event Disclosure” means information of the category specified in any of subsections (e)(vi)(1) through (e)(vi)(11) of Section 2 of this Disclosure Agreement that is accompanied by a

Certification of the Disclosure Representative containing the information prescribed by Section 7(a) of this Disclosure Agreement.

“Voluntary Financial Disclosure” means information of the category specified in any of subsections (e)(vii)(1) through (e)(vii)(9) of Section 2 of this Disclosure Agreement that is accompanied by a Certification of the Disclosure Representative containing the information prescribed by Section 7(b) of this Disclosure Agreement.

SECTION 2. Provision of Annual Reports.

(a) The Issuer shall provide, annually, an electronic copy of the Annual Report and Certification to the Disclosure Dissemination Agent, together with a copy for the Trustee, not later than the Annual Filing Date. Promptly upon receipt of an electronic copy of the Annual Report and the Certification, the Disclosure Dissemination Agent shall provide an Annual Report to the MSRB not later than the next February 1 after the end of each fiscal year of the Issuer, commencing with the fiscal year ending June 30, 2017. Such date and each anniversary thereof is the Annual Filing Date. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 3 of this Disclosure Agreement.

(b) If on the fifteenth (15th) day prior to the Annual Filing Date, the Disclosure Dissemination Agent has not received a copy of the Annual Report and Certification, the Disclosure Dissemination Agent shall contact the Disclosure Representative by telephone and in writing (which may be by e-mail) to remind the Issuer of its undertaking to provide the Annual Report pursuant to Section 2(a). Upon such reminder, the Disclosure Representative shall either (i) provide the Disclosure Dissemination Agent with an electronic copy of the Annual Report and the Certification no later than two (2) business days prior to the Annual Filing Date, or (ii) instruct the Disclosure Dissemination Agent in writing that the Issuer will not be able to file the Annual Report within the time required under this Disclosure Agreement, state the date by which the Annual Report for such year will be provided and instruct the Disclosure Dissemination Agent that a Failure to File Event has occurred and to immediately send a notice to the MSRB in substantially the form attached as Exhibit B, accompanied by a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-1.

(c) If the Disclosure Dissemination Agent has not received an Annual Report and Certification by 6:00 p.m. Eastern time on Annual Filing Date (or, if such Annual Filing Date falls on a Saturday, Sunday or holiday, then the first business day thereafter) for the Annual Report, a Failure to File Event shall have occurred and the Issuer irrevocably directs the Disclosure Dissemination Agent to immediately send a notice to the MSRB in substantially the form attached as Exhibit B without reference to the anticipated filing date for the Annual Report, accompanied by a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-1.

(d) If Audited Financial Statements of the Issuer are prepared but not available prior to the Annual Filing Date, the Issuer shall, when the Audited Financial Statements are available, provide in a timely manner an electronic copy to the Disclosure Dissemination Agent, accompanied by a Certification, together with a copy for the Trustee, for filing with the MSRB.

(e) The Disclosure Dissemination Agent shall:

- (i) verify the filing specifications of the MSRB each year prior to the Annual Filing Date;

- (ii) upon receipt, promptly file each Annual Report received under Sections 2(a) and 2(b) with the MSRB;
- (iii) upon receipt, promptly file each Audited Financial Statement received under Section 2(d) with the MSRB;
- (iv) upon receipt, promptly file the text of each Notice Event received under Sections 4(a) and 4(b)(ii) with the MSRB, identifying the Notice Event as instructed by the Issuer pursuant to Section 4(a) or 4(b)(ii) (being any of the categories set forth below) when filing pursuant to Section 4(c) of this Disclosure Agreement:

“Principal and interest payment delinquencies;”

“Non-Payment related defaults, if material;”

“Unscheduled draws on debt service reserves reflecting financial difficulties;”

“Unscheduled draws on credit enhancements reflecting financial difficulties;”

“Substitution of credit or liquidity providers, or their failure to perform;”

“Adverse tax opinions, IRS notices or events affecting the tax status of the security;”

“Modifications to rights of securities holders, if material;”

“Bond calls, if material;”

“Defeasances;”

“Release, substitution, or sale of property securing repayment of the securities, if material;”

“Rating changes;”

“Tender offers;”

“Bankruptcy, insolvency, receivership or similar event of the obligated person;”

“Merger, consolidation, or acquisition of the obligated person, if material;” and

“Appointment of a successor or additional trustee, or the change of name of a trustee, if material;”

- (v) upon receipt (or irrevocable direction pursuant to Section 2(c) of this Disclosure Agreement, as applicable), promptly file a completed copy of Exhibit B to this Disclosure Agreement with the MSRB, identifying the filing as “Failure to provide annual financial information as required” when filing pursuant to Section 2(b)(ii) or Section 2(c) of this Disclosure Agreement;

(vi) upon receipt, promptly file the text of each Voluntary Event Disclosure received under Section 7(a) with the MSRB, identifying the Voluntary Event Disclosure as instructed by the Issuer pursuant to Section 7(a) (being any of the categories set forth below) when filing pursuant to Section 7(a) of this Disclosure Agreement:

1. “amendment to continuing disclosure undertaking;”
2. “change in obligated person;”
3. “notice to investors pursuant to bond documents;”
4. “certain communications from the Internal Revenue Service;”
5. “secondary market purchases;”
6. “bid for auction rate or other securities;”
7. “capital or other financing plan;”
8. “litigation/enforcement action;”
9. “change of tender agent, remarketing agent, or other on-going party;”
10. “derivative or other similar transaction;” and
11. “other event-based disclosures;”

(vii) upon receipt, promptly file the text of each Voluntary Financial Disclosure received under Section 7(b) with the MSRB, identifying the Voluntary Financial Disclosure as instructed by the Issuer pursuant to Section 7(b) (being any of the categories set forth below) when filing pursuant to Section 7(b) of this Disclosure Agreement:

1. “quarterly/monthly financial information;”
2. “change in fiscal year/timing of annual disclosure;”
3. “change in accounting standard;”
4. “interim/additional financial information/operating data;”
5. “budget;”
6. “investment/debt/financial policy;”
7. “information provided to rating agency, credit/liquidity provider or other third party;”
8. “consultant reports;” and

9. “other financial/operating data.”

- (viii) provide the Issuer evidence of the filings of each of the above when made, which shall be by means of the DAC system, for so long as DAC is the Disclosure Dissemination Agent under this Disclosure Agreement.

(f) The Issuer may adjust the Annual Filing Date upon change of its fiscal year by providing written notice of such change and the new Annual Filing Date to the Disclosure Dissemination Agent, Trustee (if any) and the MSRB, provided that the period between the existing Annual Filing Date and new Annual Filing Date shall not exceed one year.

(g) Any Information received by the Disclosure Dissemination Agent before 6:00 p.m. Eastern time on any business day that it is required to file with the MSRB pursuant to the terms of this Disclosure Agreement and that is accompanied by a Certification and all other information required by the terms of this Disclosure Agreement will be filed by the Disclosure Dissemination Agent with the MSRB no later than 11:59 p.m. Eastern time on the same business day; provided, however, the Disclosure Dissemination Agent shall have no liability for any delay in filing with the MSRB if such delay is caused by a Force Majeure Event provided that the Disclosure Dissemination Agent uses reasonable efforts to make any such filing as soon as possible.

SECTION 3. Content of Annual Reports.

(a) Each Annual Report shall contain Annual Financial Information with respect to the Issuer, including the information provided in the Official Statement as follows:

- (i) The financial statements of the Issuer for the preceding fiscal year prepared in accordance with generally accepted accounting principles as promulgated to apply to governmental entities from time to time by the Governmental Accounting Standards Board (or if not in conformity, to be accompanied by a qualitative discussion of the differences in the accounting principles and the impact of the change in the accounting principles on the presentation of the financial information). If the Issuer's audited financial statements are not available by the time the Annual Report is required to be filed pursuant to Section 3(a), the Annual Report shall contain unaudited financial statements in a format similar to the financial statements contained in the final Official Statement, and the audited financial statements shall be filed in the same manner as the Annual Report when they become available.
- (ii) Financial and operating data for the fiscal year then ended, to the extent such information is not included in the Issuer's audited financial statements filed pursuant to clause (1) above, which shall be generally consistent with the tabular information (or other information, as otherwise noted below) contained in the Official Statement under the following headings: “THE BONDS—Security;” “DEBT STRUCTURE—Outstanding Indebtedness;” and “CERTAIN FISCAL MATTERS—Assessed Value of Taxable Property in the County,” “—Estimated True Value of All Taxable Property in the County,” “—Tax Rates,” “—Tax Collections for Last Five Years,” and “—Ten Largest Taxpayers.”

Any or all of the items listed above may be included by specific reference to other documents, including official statements of debt issues of the Issuer, which have been submitted to the MSRB. If the

document included by reference is a final official statement, it must be available from the MSRB. The Issuer shall clearly identify each such other document so included by reference.

Any or all of the items listed above may be included by specific reference from other documents, including official statements of debt issues with respect to which the Issuer is an “obligated person” (as defined by the Rule), which have been previously filed with the Securities and Exchange Commission or available on the MSRB Internet Website. If the document incorporated by reference is a final official statement, it must be available from the MSRB. The Issuer will clearly identify each such document so incorporated by reference.

Any annual financial information containing modified operating data or financial information is required to explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

SECTION 4. Reporting of Notice Events.

(a) The occurrence of any of the following events with respect to the Bonds constitutes a Notice Event:

- (i) Principal and interest payment delinquencies;
- (ii) Non-payment related defaults, if material;
- (iii) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (iv) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (v) Substitution of credit or liquidity providers, or their failure to perform;
- (vi) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (vii) Modifications to rights of Bond holders, if material;
- (viii) Bond calls, if material, and tender offers;
- (ix) Defeasances;
- (x) Release, substitution, or sale of property securing repayment of the Bonds, if material;
- (xi) Rating changes;
- (xii) Bankruptcy, insolvency, receivership or similar event of the Obligated Person;

Note to subsection (a)(12) of this Section 4: For the purposes of the event described in subsection (a)(12) of this Section 4, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an Obligated Person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a

court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Obligated Person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Obligated Person.

- (xiii) The consummation of a merger, consolidation, or acquisition involving an Obligated Person or the sale of all or substantially all of the assets of the Obligated Person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- (xiv) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

The Issuer shall, in a timely manner not in excess of ten business days after its occurrence, notify the Disclosure Dissemination Agent in writing of the occurrence of a Notice Event. Such notice shall instruct the Disclosure Dissemination Agent to report the occurrence pursuant to subsection (c) and shall be accompanied by a Certification. Such notice or Certification shall identify the Notice Event that has occurred (which shall be any of the categories set forth in Section 2(e)(iv) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information (provided that such date is not later than the tenth business day after the occurrence of the Notice Event).

(b) The Disclosure Dissemination Agent is under no obligation to notify the Issuer or the Disclosure Representative of an event that may constitute a Notice Event. In the event the Disclosure Dissemination Agent so notifies the Disclosure Representative, the Disclosure Representative will within two business days of receipt of such notice (but in any event not later than the tenth business day after the occurrence of the Notice Event, if the Issuer determines that a Notice Event has occurred), instruct the Disclosure Dissemination Agent that (i) a Notice Event has not occurred and no filing is to be made or (ii) a Notice Event has occurred and the Disclosure Dissemination Agent is to report the occurrence pursuant to subsection (c) of this Section 4, together with a Certification. Such Certification shall identify the Notice Event that has occurred (which shall be any of the categories set forth in Section 2(e)(iv) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information (provided that such date is not later than the tenth business day after the occurrence of the Notice Event).

(c) If the Disclosure Dissemination Agent has been instructed by the Issuer as prescribed in subsection (a) or (b)(ii) of this Section 4 to report the occurrence of a Notice Event, the Disclosure Dissemination Agent shall promptly file a notice of such occurrence with MSRB in accordance with Section 2(e)(iv) hereof. This notice will be filed with a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-1.

SECTION 5. CUSIP Numbers. Whenever providing information to the Disclosure Dissemination Agent, including but not limited to Annual Reports, documents incorporated by reference to the Annual Reports, Audited Financial Statements, Notice Event notices, Failure to File Event notices, Voluntary Event Disclosures and Voluntary Financial Disclosures, the Issuer shall indicate the full name of the Bonds and the 9-digit CUSIP numbers for the Bonds as to which the provided information relates.

SECTION 6. Additional Disclosure Obligations. The Issuer acknowledges and understands that other state and federal laws, including but not limited to the Securities Act of 1933 and Rule 10b-5 promulgated under the Securities Exchange Act of 1934, may apply to the Issuer, and that the duties and responsibilities of the Disclosure Dissemination Agent under this Disclosure Agreement do not extend to providing legal advice regarding such laws. The Issuer acknowledges and understands that the duties of the Disclosure Dissemination Agent relate exclusively to execution of the mechanical tasks of disseminating information as described in this Disclosure Agreement.

SECTION 7. Voluntary Filing.

(a) The Issuer may instruct the Disclosure Dissemination Agent to file a Voluntary Event Disclosure with the MSRB from time to time pursuant to a Certification of the Disclosure Representative. Such Certification shall identify the Voluntary Event Disclosure (which shall be any of the categories set forth in Section 2(e)(vi) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information. If the Disclosure Dissemination Agent has been instructed by the Issuer as prescribed in this Section 7(a) to file a Voluntary Event Disclosure, the Disclosure Dissemination Agent shall promptly file such Voluntary Event Disclosure with the MSRB in accordance with Section 2(e)(vi) hereof. This notice will be filed with a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-2.

(b) The Issuer may instruct the Disclosure Dissemination Agent to file a Voluntary Financial Disclosure with the MSRB from time to time pursuant to a Certification of the Disclosure Representative. Such Certification shall identify the Voluntary Financial Disclosure (which shall be any of the categories set forth in Section 2(e)(vii) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information. If the Disclosure Dissemination Agent has been instructed by the Issuer as prescribed in this Section 7(b) to file a Voluntary Financial Disclosure, the Disclosure Dissemination Agent shall promptly file such Voluntary Financial Disclosure with the MSRB in accordance with Section 2(e)(vii) hereof. This notice will be filed with a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-2.

The parties hereto acknowledge that the Issuer is not obligated pursuant to the terms of this Disclosure Agreement to file any Voluntary Event Disclosure pursuant to Section 7(a) hereof or any Voluntary Financial Disclosure pursuant to Section 7(b) hereof.

Nothing in this Disclosure Agreement shall be deemed to prevent the Issuer from disseminating any other information through the Disclosure Dissemination Agent using the means of dissemination set forth in this Disclosure Agreement or including any other information in any Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure, in addition to that required by this Disclosure Agreement. If the Issuer chooses to include any information in any Annual Report, Audited Financial Statements, Notice Event

FY2017-2018 BUDGET

April 24, 2017



FY2017-2018 Budget

Identification of Budget Priorities

I. Retreat Priorities

- A. South Carolina Retirement System Increases - \$1,200,000
- B. Reduction in Local Government Fund - \$600,000
- C. Full Implementation of Salary and Compensation Survey - \$600,000
- D. First Year Step/Merit Increases - \$1,900,000
- E. Recurring Capital for IT Infrastructure - \$1,000,000

Post Budget Release Changes:

Increase in Health Insurance
Stop-Loss Premiums - 6% (\$300,000)



FY2017-2018 Budget

FY2016-2017/FY2017-2018 Revenue Comparison

Non-Ad Valorem Revenue

FY2015-2016

\$26,852,051

FY2016-2017

\$26,952,051

**Adjustments include:
Charges for Services**

\$100,000



FY2017-2018 Budget

FY2016-2017/FY2017-2018 Revenue Comparison

Ad Valorem Tax Collections

FY2016-2017

\$89,416,574

FY2017-2018

\$95,935,749

Adjustments Include:

Growth (3.0%) - \$2,682,468

Proposed Milage increase – +2.12



FY2017-2018 Budget

FY2016-2017/FY2017-2018 Expenditures Comparison

County Administrations Operations

FY2016-2017

\$71,280,306

FY2017-2018

\$72,367,306

Adjustments include:

Records Management	-\$15,000
Detention Center	\$50,000
Library	\$31,000
Information Technology	\$225,000
GIS	\$10,000
Animal Services	\$70,000
Planning & Zoning	\$70,000*
Purchasing	-\$12,000
Grant Writer	\$75,000

Public Works	\$430,000
Assessor	\$35,000
Employee Services	-\$183,000
Legal	-\$4,000
Public Defender	\$120,000
Traffic	-\$60,000
Building Codes	\$50,000
Passive Parks	\$140,000
Economic Development	\$40,000



FY2016-2017 Budget

County Administrations Operations Breakout

Public Works

\$430,000

- Solid Waste

- Increase in disposal costs due to increase in volume of solid waste being disposed

- No revenue being generated from recycling

Information Technology

\$225,000

- Staffing Needs

- Project Manager

- Network Security Analyst

- Microsoft License Fees



FY2016-2017 Budget

County Administrations Operations Breakout

Passive Parks

\$140,000

- Hire Director
 - Benefits
 - Computer/Cell Phone, etc.
 - Vehicle

Public Defender

\$120,000

- Salary adjustments to retain personnel
- Hiring of 1 Additional FTE



FY2016-2017 Budget

County Administrations Operations Breakout

Administration

- Records Management - (\$15,000)
 - Reduction in services contracts due to digitizing of records
- Detention Center - \$50,000
 - Increase in inmate medical services costs
- Library - \$31,000
 - Conversion of 1PTE to 1FTE
- GIS - \$10,000
 - Increase in Pictometry Licensing Costs
- Animal Services - \$70,000
 - Increase in spay and neuter costs
 - Increase in medical/veterinary costs



FY2016-2017 Budget

County Administrations Operations Breakout

Administration Continued

- Planning and Zoning \$70,000
 - Additional FTE for Affordable Housing
- Purchasing (\$12,000)
 - Reduction in costs for online vendor registration and bidding system
- Finance \$75,000
 - Additional FTE for Grants Writer
- Assessor \$35,000
 - Overtime Associated with 5 year Reassessment
- Legal (\$4,000)
 - Reduction in operational expenses



FY2016-2017 Budget

County Administrations Operations Breakout

Administration Continued

- Traffic Management (\$60,000)
 - Replacement of specialty equipment complete
- Building Codes \$50,000
 - New FTE for Assistant Flood Plain Manager



ANY QUESTIONS?



Beaufort County, South Carolina
Fiscal Year 2018 Fire District Budgets and Millage Rates

5/17/2017

	Change in Millage Rate	Fiscal Year 2018 Proposed			Fiscal Year 2017 Approved		
		Revenues	Expenditures	Millage Rate	Revenues	Expenditures	Millage Rate
Bluffton Fire District Operations	0.06	\$ 13,663,186	\$ 14,032,311	24.70	\$ 12,873,433	\$ 12,789,870	24.64
Bluffton Fire District Debt Service	<u>-0.06</u>	\$ 572,000	\$ 569,000	<u>1.04</u>	\$ 574,700	\$ 567,720	<u>1.10</u>
Total Millage Rate	0.00			25.74			25.74
Burton Fire District Operations ¹	2.11	\$ 5,112,442	\$ 5,554,308	64.53	\$ 5,164,548	\$ 5,422,374	62.42
Burton Fire District Debt Service	<u>0.00</u>	\$ 385,268	\$ 385,268	<u>5.26</u>	\$ 385,268	\$ 385,268	<u>5.26</u>
Total Millage Rate	2.11			69.79			67.68
Daufuskie Island Fire District Operations	1.83	\$ 1,180,282	\$ 1,180,282	60.27	\$ 1,142,613	\$ 1,142,613	58.44
Daufuskie Island Fire District Debt Service	<u>0.00</u>	\$ -	\$ -	<u>-</u>	\$ -	\$ -	<u>-</u>
Total Millage Rate	1.83			60.27			58.44
Lady's Island/St. Helena Is. Fire District Operations	1.34	\$ 5,746,643	\$ 5,746,688	39.26	\$ 5,509,396	\$ 5,509,396	37.92
Lady's Island/St. Helena Is. Fire District Debt Service	<u>-0.09</u>	\$ 309,237	\$ 309,237	<u>2.11</u>	\$ 312,137	\$ 312,137	<u>2.20</u>
Total Millage Rate	1.25			41.37			40.12
Sheldon Fire District Operations	1.46	\$ 1,350,160	\$ 1,350,160	38.32	\$ 1,304,607	\$ 1,304,607	36.86
Sheldon Fire District Debt Service	<u>1.75</u>	\$ 139,259	\$ 139,259	<u>3.95</u>	\$ 72,500	\$ 72,500	<u>2.20</u>
Total Millage Rate	3.21			42.27			39.06

Note 1: The expenditures include \$430,000 funded by contract revenue.

BLUFFTON TOWNSHIP FIRE DISTRICT

357 FORDING ISLAND ROAD
BLUFFTON, SOUTH CAROLINA 29909
843-757-2800 • FAX 843-757-7305

April 25, 2017

Councilman XXXXXX
XXXXXXXXXXXXXXXXXX
Bluffton, SC 29909
VIA E-mail

RE: Bluffton Township Fire District FY2018 Budget Request

Dear Councilman XXXXX,

I hope this letter finds you well. Please find attached the FY2018 budget request for the Bluffton Township Fire District. This request was approved for submittal to the County Council by the Fire Board on April 18, 2017. There are some contingencies in the request which pertain to two (2) new administrative positions and six (6) new operations positions for the next Bluffton fire station which will be located off of Hampton Parkway to serve the growing area. The Hampton Lake community is nearing the five (5) mile ISO insurance line and is continuing to build at a rapid pace. It is my concern that if the station is not constructed by FY2020 the District will experience a similar problem to that encountered in Palmetto Bluff and Colleton River. The Hampton Parkway station is an item in the District's current Strategic Plan.

In the position request for the Firefighters there is reference to SAFER grant funding. SAFER stands for Staffing for Adequate Fire and Emergency Response and is a federally funded grant program. The District is pursuing a SAFER grant to staff the new fire station and we estimate the savings to our taxpayers to be approximately 1.3 million dollars. In the event the SAFER grant is not awarded, the District will phase in the hiring over the next three fiscal years to ease the salary burden on any one year and allow revenues to catch up to the growth. I plan on bringing the full station package to the Council soon and am meeting with County staff to prepare.

The budget request attached does not require a tax increase. Although it appears the revenue projected by the first run of numbers is slightly less than the expenditures, none of the new positions requested will be staffed until January 2018 to provide adequate time to track actual revenue and make adjustments. Historically, the numbers provided for guidance each year are very conservative and actual revenues generally exceed the projections.

Should you have any questions or wish to discuss the budget request further please do not hesitate to call on me. I look forward to answering any questions you may have. I appreciate your continued support of the Fire District.

Respectfully,

John W. Thompson, Jr.
Fire Chief

Bluffton Township Fire District – Budget Request FY2018

FY2017	Revenue	Expenditures	Millage Rate
Operations	\$12,873,433	\$12,789,870	24.64
Debt Service	\$574,700	\$567,720	1.10
TOTAL			25.74
FY2018	Revenue	Expenditures	Millage Rate
Operations	\$13,663,186	\$14,032,311	24.70
Debt Service	\$572,000	569,000	1.04
TOTAL			25.74

- The Bluffton Township Fire District requests \$14,032,311 (24.70 mils) to fund the operational needs of the fire department for FY2018.
- The Bluffton Township Fire District requests \$572,000 (1.04 mils) to fund the debt service requirements of the fire department for FY2018.
- The operating request includes the following:
 - 1.67% longevity increases for those who qualify. (minimum 1 year of service)
 - 1.33% cost of living adjustments for all line employees (Recruit Firefighter – Line Battalion Chief)
 - Up to 1.33% merit increases for all Administrative Staff based on performance.
 - Up to a 4% increase in health insurance costs based on trend information. This will likely be lower and possibly even flat. However, it is June before the final numbers are available and we budget conservatively.
 - Slight increases in payroll taxes due to the increases in salary as there was no change from the Federal Government on employer withholding rates.
 - 2% increases in state retirement as the South Carolina Public Employees Benefit Authority (PEBA) substantially increased its withholding requirements on employers in an effort to shore up the state pension systems (SCRS and PORS).
 - Slight increases in Worker’s Compensation insurance from the State Accident Fund.
 - Routine increases of up to 10% in all utility areas such as internet service electric, water and sewer, pest control, and garbage collection. These increases result from standard rate increases from our vendors but also include the addition of the new fire station 36 (Colleton River) as the District will assume liability for utilities once the station is completed in mid FY18.
 - Routine increases up to 5% in the costs to train employees based on increases from vendors providing training services such as the South Carolina Fire

Academy, the National Registry of Emergency Medical Technicians, the Alabama Fire College, the National Fire Academy, and the Health and Safety Institute.

- Routine increases in the costs of professional services such as liability insurance on District vehicles and facilities, and our auditor.
- The Administration realizes the projected revenues do not meet the expenditure level requested. In the event, revenue collections are not keeping pace with expenditures, the Administration will take the necessary steps to limit the amount of expenditures to match the revenue stream. The following items are prioritized for defunding should the need arise:
 - **First Priority for Removal – Facilities Maintenance Technician:** The hiring of an additional position for facilities maintenance. This position will be placed on hold until at least January 2018 to verify funding is adequate. In the event funding is not adequate the position will be removed from the FY2018 operating budget and reassessed for FY2019. Total cost savings to the District - \$83,500.
 - **Second Priority for Removal – Medical Training Officer:** The hiring of a medical training officer to assist the Training Division will be placed on hold until at least January 2018 to verify funding is adequate. In the event funding is not adequate the position will be removed from the FY2018 operating budget and reassessed for FY2019. Total cost savings to the \$88,000.
 - **Third Priority for Removal – New Hires for the Hampton Parkway Fire Station:** In the event the District receives the SAFER grant for the staffing, the positions will remain in the budget as the majority of the cost is paid for through the grant program. In the event the District does not receive the SAFER grant, the six (6) initial positions will be evaluated in January 2018 as to the availability of funding. If the revenue stream will not support the hiring of the positions, one (1) or more may be deferred to FY2019. Total cost savings to the District - \$218,000.

HARRY G. ROUNTREE
FIRE CHIEF

WORK: (843) 255-8011



36 BURTON HILL RD
BEAUFORT, SC 29906

FAX: (843) 521-5540

DUTY ♦ HONOR ♦ PRIDE

<http://www.Burtonfd.org>

ISO CLASS 2

Burton Fire District

FY 2017	Revenue	Expenditures	Millage Rate
Operations	4,946,814	5,202,274	62.42
Debt Service	385,268	385,268	5.74

FY2018	Revenue	Expenditures	Millage Rate
Operations	5,112,442	5,554,308	64.53
Debt Service	385,268	385,268	5.26

- Expenditure request presented is with 1.33 cola
- The expenditure request includes contract money of \$430,000
- The majority of expenditure increases are due to Retirement and Insurance .
- Request to increase the millage to the cap (2.11)
- No new employees.

DAUFUSKIE ISLAND FIRE DISTRICT
PERSONNEL COST FY 2018

	ACTUAL BUDGET FY' 2016	ACTUAL BUDGET FY' 2017	PROPOSED BUDGET FY' 2018
PERSONNEL COST			
50020 SALARIES AND WAGES	<u>657,016</u>	<u>670,998</u>	<u>682,204</u>
TOTAL PAYROLL	657,016	670,998	682,204
 EMPLOYEE BENEFITS:			
50100 FICA @ 6.2%	40,735	41,602	42,296
50110 MEDICARE @1.45%	9,527	9,729	9,891
50130 RETIREMENT @14.74%	87,646	89,111	100,557
50140 GROUP HEALTH INS	183,600	183,600	197,761
50150 WORKERS COMP	38,000	39,000	39,000
50170 EMPLOYER UNEMPLOYMENT @0.837% OF \$156,000	<u>1,306</u>	<u>1,306</u>	<u>1,306</u>
TOTAL EMPLOYEE BENEFITS	360,814	364,348	390,811
 TOTAL PERSONNEL COST	 1,017,830	 1,035,346	 1,073,015
 TOTAL OPERATING COST	 107,267	 107,267	 107,267
 GRAND TOTAL	 1,125,097	 1,142,613	 1,180,282

The increase in this budget reflects the following:

1.67 % longevity for firefighters.

Health insurance increase of 7.71%

Mandated increase in retirement from 13.34% to 14.74%.

Total budget increase is 1.03% increase.



LADY'S ISLAND – ST. HELENA FIRE DISTRICT
237 SEA ISLAND PARKWAY
BEAUFORT, SOUTH CAROLINA 29907
PHONE: 843-525-7692 FAX: 843-525-7689



BRUCE KLINE, CHIEF

GORDON BOWERS, CHAIRMAN

Lady's Island-St. Helena Fire District

FY 2017	Revenue	Expenditures	Millage Rate
Operations	5,509,396	5,509,396	37.92
Debt Service	312,137	312,137	2.2

FY2018	Revenue	Expenditures	Millage
Operations	5,746,643	5,746,688	39.26
Debt Service	309,237	309,237	2.11

- Expenditure request presented is with 2% cost of living
- The expenditure request is minus contract money of \$125,000
- The majority of expenditure increases are due to Retirement and Health Insurance
- The Fire District Commission is requesting a total (operations and debt) millage increase of 1.25 to cover expenditures
- The increase for a \$100,000 owner occupied home is \$5.00 as compared to FY17. Total bill (Operations and Debt) for a \$100,000 home is \$165.48

Sheldon Township Fire District

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

Walter "Buddy" Jones
Chief

BUDGET SUMMARY

2016/2017 Budget Approved

Personnel Cost-----\$1,160,647

Operations Cost-----\$143,960

Total-----\$1,304,607

Total Debt-\$ 72,500

2017/2018 Proposed Budget

Personnel Cost-----\$1,205,600

Operations Cost-----\$ 144,560

Total-----\$1,350,160

Total Debt---\$ 139,259

F/Y 2016 to F/Y 2017 Comparison

\$44,953 Increase In Personnel Cost

\$600 Increase in Operations Cost.

\$66,759 Increase In Debt Service

Total Increase from Current Budget: \$112,312

SHELDON FIRE DISTRICT

2017/2018

BUDGET INCREASE

JUSTIFICATION

Personnel Increases

Salaries promotions and longevity Increase of-----	\$18,367
Payroll taxes Increase of-----	\$1,405
SC PORS Retirement system increase-----	\$14,315
Health insurance premium increase-----	\$10,866
Total increase in personnel cost-----	\$44,953

Operations Increases

Accounting increase-----	\$400
Equipment insurance decrease-----	(\$1000)
Building insurance increase-----	\$1000
Grounds maintenance increase-----	\$200
Total increase in operational cost-----	\$600

Debt increase-----	\$66,759
--------------------	----------

SHELDON FIRE DISTRICT

MILLAGE INFORMATION

2017/2018

Present Mills 36.86 x 34,369 = 1,266,841

BUDGET

Personnel-----1,205,600

Operations -----144,560

Total Budget-----1,350,160

New mill Est. 35,228

MILLS needed for proposed Budget

38.32 new mills increase of 1.46 mills

Debt

3.95 new mills increase of 1.75 mills

Total mills increase-----3.21

Hilton Head Island Recreation Association Inc.
Data obtained from IRS Form 990

	2015 (2014 Form 990)	2014 (2013 Form 990)	2013 (2012 Form 990)
<u>Assets</u>			
Cash and Investments	\$ 921,021	822,270	740,988
Receivables	3,257	8,182	8,487
Prepaid Expenses and deferred charges	8,599	9,346	4,082
	<u>932,877</u>	<u>839,798</u>	<u>753,557</u>
Capital Assets	1,450,269	1,402,423	1,291,658
Accumulated Depreciation	(795,943)	(737,992)	(731,645)
	<u>654,326</u>	<u>664,431</u>	<u>560,013</u>
Other Assets	<u>122,998</u>	<u>117,207</u>	<u>101,104</u>
Total Assets	<u>\$ 1,710,201</u>	<u>\$ 1,621,436</u>	<u>\$ 1,414,674</u>
<u>Liabilities</u>			
Accounts Payable and accrued expenses	\$ 84,156	\$ 88,573	\$ 86,923
Deferred Revenue	136,812	104,251	81,822
Other Liabilities	35,192	28,543	23,354
Total Liabilities	<u>256,160</u>	<u>221,367</u>	<u>192,099</u>
Total net assets/fund balance	<u>1,454,041</u>	<u>1,400,069</u>	<u>1,222,575</u>
Total liabilities and net assets/fund balance	<u>\$ 1,710,201</u>	<u>\$ 1,621,436</u>	<u>\$ 1,414,674</u>

Hilton Head Island Recreation Association Inc.
Data obtained from IRS Form 990

	2015 (2014 Form 990)	2014 (2013 Form 990)	2013 (2012 Form 990)
Number of Employees	111	97	93
Number of Volunteers	150	300	587
Revenues			
Program Service Revenue			
Summer Day Camp	\$ 238,277	\$ 184,757	\$ 150,007
After-School Club	197,316	194,931	186,247
Beaufort County Pool	-	135,000	-
Youth Soccer	124,278	126,654	121,244
Discovery Club	89,037	103,378	88,910
Beaufort County Programs	64,000	-	64,000
Other Program Service Revenue	604,944	509,626	499,297
Contributions and Grants			
Government Contributions	768,440	815,094	702,913
Other Contributions, gifts and grants	112,152	117,124	128,528
Other Revenue (net fundraising efforts)	60,707	85,269	96,810
Interest Revenue	6,532	19,771	13,684
Total Revenues	2,265,683	2,291,604	2,051,640
Expenses			
Personnel (salaries, wages, benefits, payroll taxes)	1,098,765	1,085,517	1,018,264
Professional and purchased services	198,805	256,661	147,559
Youth Soccer	78,603	73,283	71,374
Summer Day Camp	68,769	58,447	49,254
Rec Center Pool	47,014	-	-
Facility	45,149	-	-
All other expenses	589,030	565,445	629,972
Depreciation	85,576	74,757	75,375
Total Expenses	2,211,711	2,114,110	1,991,798
Excess of revenue over expenses	53,972	177,494	59,842
Net Assets/Fund Balance, beginning	1,400,069	1,222,575	1,162,733
Net Assets/Fund Balance, ending	\$ 1,454,041	\$ 1,400,069	\$ 1,222,575

BEAUFORT COUNTY PAYMENT HISTORY
HILTON HEAD ISLAND RECREATION

VENDOR NAME	ORG	ORG DESC	FISCAL YEAR	AMOUNT	FULL DESC
HILTON HEAD ISLAND	10001602	PALS AQUATICS PROGRAM	2007	60,000	LEARN TO SWIM PROGRAM/POOLS
HILTON HEAD ISLAND	10001603	PALS HILTON HEAD PROGRAMS	2007	20,000	2ND INSTALLMENT/SOB
HILTON HEAD ISLAND	10001603	PALS HILTON HEAD PROGRAMS	2007	20,000	FIRST INSTALLMENT/HH
HILTON HEAD ISLAND	10001603	PALS HILTON HEAD PROGRAMS	2007	20,000	FINAL INSTALLMENT/PALS
HILTON HEAD ISLAND	10001603	PALS HILTON HEAD PROGRAMS	2007	20,000	THIRD INSTALLMENT/SOB
2007 Total				<u>140,000</u>	
HILTON HEAD ISLAND	10001602	PALS AQUATICS PROGRAM	2008	20,000	1ST QTR INSTALLMENT
HILTON HEAD ISLAND	10001602	PALS AQUATICS PROGRAM	2008	60,000	ANNUAL DIRECT SUBSIDY
HILTON HEAD ISLAND	10001603	PALS HILTON HEAD PROGRAMS	2008	20,000	THIRD INSTALLMENT
HILTON HEAD ISLAND	10001603	PALS HILTON HEAD PROGRAMS	2008	20,000	2ND INSTALLMENT
HILTON HEAD ISLAND	10001603	PALS HILTON HEAD PROGRAMS	2008	20,000	MAY08 CONTRIBUTION
2008 Total				<u>140,000</u>	
HILTON HEAD ISLAND	10001602	PALS AQUATICS PROGRAM	2009	60,000	ANNUAL DIRECT SUBSIDY
HILTON HEAD ISLAND	10001603	PALS HILTON HEAD PROGRAMS	2009	2,000	FINAL INSTALLMENT
HILTON HEAD ISLAND	10001603	PALS HILTON HEAD PROGRAMS	2009	18,000	BAL DUE-FINAL INSTALLMENT
HILTON HEAD ISLAND	10001603	PALS HILTON HEAD PROGRAMS	2009	20,000	2ND INSTALLMENT OCT 08
HILTON HEAD ISLAND	10001603	PALS HILTON HEAD PROGRAMS	2009	20,000	JULY08 QRTLTY PAYMENT
HILTON HEAD ISLAND	10001603	PALS HILTON HEAD PROGRAMS	2009	20,000	3RD INSTALLMENT
2009 Total				<u>140,000</u>	
HILTON HEAD ISLAND	10001602	PALS AQUATICS PROGRAM	2010	60,000	LEARN TO SWIM PROGRAM
HILTON HEAD ISLAND	10001603	PALS HILTON HEAD PROGRAMS	2010	20,000	1ST QTR INSTALLMENT
HILTON HEAD ISLAND	10001603	PALS HILTON HEAD PROGRAMS	2010	20,000	OCT-DEC 09 CONTRIBUTION
HILTON HEAD ISLAND	10001603	PALS HILTON HEAD PROGRAMS	2010	20,000	PROG. SUBSIDY JAN-MAY10
HILTON HEAD ISLAND	10001603	PALS HILTON HEAD PROGRAMS	2010	20,000	QUARTERLY PROGRAMS
2010 Total				<u>140,000</u>	
HILTON HEAD ISLAND	10001602	PALS AQUATICS PROGRAM	2011	60,000	POOL OPERATION SUPPORT
HILTON HEAD ISLAND	10001603	PALS HILTON HEAD PROGRAMS	2011	20,000	QUARTERLY PROGRAM FUNDING
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2011	20,000	CONT FUNDS-JUL10-OCT10
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2011	20,000	QUARTERLY PROGAM FEE
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2011	20,000	QTLTY FUNDING FY10-11
2011 Total				<u>140,000</u>	
ISLAND RECREATION	10001602	PALS AQUATICS PROGRAM	2012	60,000	ANNUAL POOL SUPPORT
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2012	20,000	FY2012 QTRLY SUBSIDY
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2012	20,000	QTRLY PROGRAM FUNDING
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2012	20,000	QTRLY PROGRAM FUNDING
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2012	20,000	QTRLY PROGRAM FUNDING
2012 Total				<u>140,000</u>	
ISLAND RECREATION	10001602	PALS AQUATICS PROGRAM	2013	60,000	ANNUAL POOL OPERATION SUPPORT
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2013	20,000	1ST QTR PROGRAM FUNDING
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2013	20,000	QUARTERLY PROGRAM FUNDING
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2013	20,000	QUARTERLY PROGRAM FUNDING
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2013	20,000	QUARTERLY PROGRAM FUNDING
2013 Total				<u>140,000</u>	

BEAUFORT COUNTY PAYMENT HISTORY
HILTON HEAD ISLAND RECREATION

VENDOR NAME	ORG	ORG DESC	FISCAL YEAR	AMOUNT	FULL DESC
ISLAND RECREATION	10001602	PALS AQUATICS PROGRAM	2014	60,000	ANNUAL POOL OPERATION SUPPORT
ISLAND RECREATION	10001602	PALS AQUATICS PROGRAM	2014	75,000	ANNUAL POOL OPERATION SUPPORT
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2014	20,000	QTRLY PROGRAM FUNDING 7/1/13
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2014	20,000	QUARTERLY PROGRAM FUNDING
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2014	20,000	QUARTERLY PROGRAM FUNDING
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2014	20,000	QRTLY PROGRAM FUNDING
2014 Total				<u>215,000</u>	
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2015	20,000	QUARTERLY PROGRAM FUNDING
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2015	20,000	QUARTERLY PROGRAM FUNDING
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2015	60,000	ANNUAL POOL OPERATION
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2015	20,000	QUARTERLY PROGRAM FUNDING
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2015	20,000	QUARTERLY PROGRAM FUNDING
2015 Total				<u>140,000</u>	
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2016	20,000	QTRLY PROGRAM FUNDING
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2016	60,000	ANNUAL POOL OPERATION SUPPORT
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2016	20,000	QUARTERLY PROGRAM FUNDING
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2016	20,000	QTRLY PROGRAM FUNDING
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2016	20,000	QTRLY PROGRAM FUNDING: APR MAY JUN
2016 Total				<u>140,000</u>	
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2017	20,000	JUL/AUG/SEPT PROGAM FUNDING
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2017	60,000	ANNUAL POOL OPERATION SUPPORT
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2017	20,000	PROGRAM FUNDING: OCT/NOV/DEC 2016
ISLAND RECREATION	10001603	PALS HILTON HEAD PROGRAMS	2017	20,000	JAN-MAR 2017 PROGRAM FUNDING
2017 Total				<u>120,000</u>	
Grand Total				<u><u>\$ 1,595,000</u></u>	

There will be one more payment in Fiscal Year 2017 for the quarter beginning April 1, 2017 and ending June 30, 2017, in the amount of \$20,000.

Hilton Head Island Recreation Association
Beaufort County Funding Request
FY 2018

General Information:

The following request is designed to enrich the recreational opportunities provided by the Hilton Head Island Recreation Association; which, through our partnership, enhances the County's services to the residents of Hilton Head Island.

The Association is requesting an increase of \$75,000 in pool support for FY 18. This brings back the Association's funding level to FY14, which was \$215,000.

Request for FY 18: \$215,000

Pool Operations: Support pool operations \$ 135,000

The pool at the Island Recreation Center is the only public pool on Hilton Head Island. It is open 7 days a week and had over 65,773 participant visits in 2016. These funds help implement the agreement between the School District and County to provide swim lessons to elementary school students county wide.

Programs: Support senior and youth programs \$ 80,000

The program support allows us to provide scholarships to families and helps offer recreation programs to senior residents. In 2016, the Association provided \$261,332 in scholarship funds to needy families.

\$ 215,000

In 2017, the County funded 9% of the Association's overall budget. The Association's Board raises 91% of its annual budget through program fees, fundraising, community events and support from the Town.

The Numbers:

Program Numbers (2016)

The Association had over 246,688 program participant and event visits.

The user percentages are as follows:

17 & under:	67%
18- 49:	19%
50 & older:	14%

The Island Recreation Association's Board of Directors appreciates the support of County Council and Staff. Please let us know if you'll need additional information to support our request.

Beaufort County
Parks and Leisure Services
General Fund Appropriation

	FY 2017	FY 2016	FY 2015
PALS Total General Fund Appropriation	\$ 3,113,584	\$ 3,106,370	\$ 3,118,292
Direct Contribution to Hilton Head Island Recreation	\$ 140,000	\$ 140,000	\$ 140,000
PALS HHI Appropriation	<u>\$ 106,054</u>	<u>\$ 106,054</u>	<u>\$ -</u>
HHI Recreation Services appropriation	\$ 246,054	\$ 246,054	\$ 140,000
PALS Aquatic Services appropriation <i>4 county owned/operated pools</i>	\$ 975,194	\$ 972,162	\$ 1,002,788
PALS General Fund Appropriation less HHI Recreation Services & Aquatic Services	\$ 1,892,336	\$ 1,888,154	\$ 1,975,504

May 1, 2017

Alicia Holland,
Chief Financial Officer, Beaufort County
106 Industrial Village Road, Building 2
Beaufort, SC 29906

RE: Fiscal Year 2017-2018 Budget Request – 3rd Revision

Dear Ms. Holland:

The Lowcountry Regional Transportation Authority d.b.a. Palmetto Breeze appreciates the opportunity to submit the following budget request to Beaufort County. Palmetto Breeze respectfully requests **\$207,344** for Fiscal Year 2017-2018 for the provision of public transportation throughout the Lowcountry region including Beaufort County rural services and the urban services in the Bluffton / Hilton Head area. This request includes **\$117,187** of local match for the rural grant and **\$90,157** local match for the urban grant.

History

LRTA has been a rural (5311) transportation provider since its inception. The SCDOT administers the rural grant funding and when combined with fares, state match, and local match accounts for the revenue necessary to operate the system. Historically, the local match has been provided by the counties of Allendale, Beaufort, Colleton, Hampton, and Jasper as well as the Town of Hilton Head Island.

As of February 9, 2017, the LRTA has been approved by the Federal Transit Administration (FTA) as a direct recipient for urban (5307) funds designated for the Hilton Head Island / Bluffton urbanized area.

Current Local Match Needs

The rural (5311) grants for FY 2017-18 have been allocated by the SCDOT. The SCDOT grant funding has increased from \$981,378 in FY 15-16 to \$1,181,374 for FY17-18 requiring \$286,378 in local match. The additional grant funds will ensure that LRTA has the funds needed for vehicle replacement as well as annual operating costs. The chart that follows illustrates the local match responsibilities for the rural grant by percentage of ridership as well the actual amounts contributed last fiscal year by each county.

5311-Rural Area FY17-18

	Ridership FY 16	% of ridership	Local Match FY17-18	Actual Match received 16-17	Anticipated Shortfall FY17-18
Beaufort	75,903	40.92%	117,187	169,097	
Jasper	21,327	11.50%	32,927	18,500	14,427
Colleton	12,610	6.80%	19,469	5,000	14,469
Hampton	40,509	21.84%	62,542	27,280	35,262
Allendale	35,140	18.94%	54,253	62,500	(8,247)
Town of Hilton Head				200,000	
Total	185,489	100.00%	286,378	396,377	55,910

5307-Urban Area FY17-18

The urban (5307) grant for FY 17-18 is for a total project cost of \$1,295,900 of which the grant pays for \$787,270. LRTA will need \$379,075 in local match for this project. This match is provided by the Town of Bluffton, the Town of Hilton Head Island, and Beaufort County based on the population of the urban area. This grant includes one additional trolley bus, one additional cutaway bus, and other capital items such as bus shelters and signage. The grant also covers a portion of the operating cost.

	Population	%	Local match
Town of Bluffton	12,530	17.90%	\$ 40,023
Town of Hilton Head	37,099	52.99%	\$116,481
Unincorporated Beaufort County	20,378	29.11%	\$ 65,088
Totals	70,007	100%	\$223,592

5307-Urban Area FY16-17

The urban (5307) grant for FY15-16 & 16-17 is for a total project cost of \$1,976,102 of which the grant pays for \$1,629,361. LRTA will need \$257,881 in local match for this project. This match is provided by the Town of Bluffton, the Town of Hilton Head Island, and Beaufort County based on the population of the urban area. This grant includes three trolley buses (or similar heavy duty vehicles), six cutaway buses, facility generator, mobile operations building, other capital items such as bus shelters and signage. The grant also covers a portion of the operating cost.

	Population	%	Local Match	Less Encumbrance
Town of Bluffton	12,530	17.90%	\$ 46,161	\$46,161
Town of Hilton Head	37,099	52.99%	\$136,651	\$50,000
Beaufort County	20,378	29.11%	\$ 75,069	\$50,000
Totals	70,007	100%	\$257,881	\$146,161

Beaufort County did commit \$50,000 match from the FY16-17 budget. The amount still needed from Beaufort County to match the initial urban grant is \$25,069.

Local Commitment

Like most public transit systems, Palmetto Breeze relies on local, state, and federal funds to subsidize expenses. Palmetto Breeze appreciates the commitment Beaufort County has made over the years by investing in the regional public transportation system. The funding provided by Beaufort County has played a vital role in the continuation of commuter route services as well as the expansion towards new services. This year's request will go towards the subsidization of public transportation operating and administration expenditures including vehicle operator's wages, fuel, maintaining capital equipment, parts and supplies as well as the launch of new services in the urbanized area of Bluffton / Hilton Head.

Please contact me at 843-757-5781 or via email at mfranzoni@palmettobreezetransit.com should you have any questions or concerns regarding this request. Thank you for your time and attention to this matter. We look forward to another safe and successful year with Beaufort County as our partner!

Sincerely,

Mary Lou Franzoni
Executive Director

Cc: Joshua Gruber, Deputy County Administrator

FY 2017- 2018

ACCOUNTS FOR: 10001010
10001010 AUDITOR

FY 17-18

50 PERSONNEL SERVICES

10001010 5002(SALARIES AND WAGES	\$	681,825.00	Wage adjustments and step increase
10001010 5006(OVERTIME	\$	2,000.00	
10001010 5010(EMPLOYER FICA	\$	46,122.00	Amounts need county finance review
10001010 5011(EMPLOYER MEDICARE	\$	10,800.00	Amounts need county finance review
10001010 5012(EMPLOYER SC RETIREM	\$	82,265.00	Amounts need county finance review
TOTAL PERSONNEL SERVICES	\$	823,012.00	

51 PURCHASED SERVICES

10001010 5100(ADVERTISING	\$	1,000.00	
10001010 5101(PRINTING	\$	3,500.00	
10001010 5103(POSTAGE /OTHER	\$	20,000.00	
10001010 5105(TELEPHONE	\$	3,000.00	
10001010 5114(EQUIPMENT RENTALS	\$	2,264.00	
10001010 5116(PROFESSIONAL SERVIC	\$	1,000.00	
10001010 5130(GRAGE REPAIRS & Maint.	\$	500.00	New expense for vehicles
10001010 5131(BOOKS,SUBS,MEMBERSH	\$	2,500.00	
10001010 5132(TRAINING AND CONFER	\$	7,500.00	
10001010 5153(BONDING (ALL)	\$	200.00	
TOTAL PURCHASED SERVICES	\$	41,464.00	

52 SUPPLIES

10001010 5201(SUPPLIES-OFFICE/PHO	\$	6,000.00	
10001010 5250(FUELS/LUBRICANTS	\$	2,000.00	Gas for vehicles
10001010 5260(MINOR OFF FURN/EQP	\$	5,000.00	
10001010 5261(TECHNOLOGY EQUIP <\$	\$	5,000.00	
TOTAL SUPPLIES	\$	18,000.00	
TOTAL	\$	882,476.00	

FY 2017-2018 BEAUFORT COUNTY BUDGET

To provide for the levy of tax for corporate Beaufort County for the fiscal year beginning July 1, 2017 and ending June 30, 2018, to make appropriations for said purposes, and to provide for budgetary control of the County's fiscal affairs.

BE IT ORDAINED BY COUNTY COUNCIL OF BEAUFORT COUNTY:

SECTION 1. TAX LEVY

The County Council of Beaufort County hereby appropriates the funds as detailed in Sections 3, 4, 5, 6, 7 and 8 of this Ordinance. Further, that the County Council of Beaufort County hereby establishes the millage rates as detailed in Sections 2 and 3 of this Ordinance. However, the County Council of Beaufort County reserves the right to modify these millage rates as may be deemed necessary and appropriate.

SECTION 2. MILLAGE

The County Auditor is hereby authorized and directed to levy in Fiscal Year 2017-2018 a tax of 63.39 mills on the dollar of assessed value of property within the County, in accordance with the laws of South Carolina. These taxes shall be collected by the County Treasurer, as provided by law, and distributed in accordance with the provisions of this Ordinance and subsequent appropriations hereafter passed by the County Council of Beaufort County.

County Operations	50.61
Higher Education	2.40
Purchase of Real Property Program	4.80
County Debt Service	5.58

SECTION 3. SPECIAL DISTRICT TAX LEVY

The County Auditor is hereby authorized and directed to levy, and the County Treasurer is hereby authorized and directed to collect and distribute the mills so levied, as provided by law, for the operations of the following special tax districts:

	<u>Revenues</u>	<u>Expenditures</u>	<u>Millage Rate</u>
Bluffton Fire District Operations	\$13,663,186	\$14,032,311	24.70
Bluffton Fire District Debt Service	\$ 572,000	\$ 569,000	1.04
Burton Fire District Operations	\$ 5,112,442	\$ 5,554,308	64.53
Burton Fire District Debt Service	\$ 385,268	\$ 385,268	5.26
Daufuskie Island Fire District Operations	\$ 1,180,282	\$ 1,180,282	60.27
Daufuskie Island Debt Service	\$ - 0 -	\$ - 0 -	0.00
Lady's Island/St. Helena Is. Fire District Operation	\$ 5,746,643	\$ 5,746,688	39.26
Lady's Island/St. Helena Is. Fire District Debt Service	\$ 309,237	\$ 309,237	2.11
Sheldon Fire District Operations	\$ 1,350,160	\$ 1,350,160	38.32
Sheldon Fire District Debt Service	\$ 139,259	\$ 139,259	3.21

Note: Any difference between revenue and expenditures will constitute a use of fund balance.

SECTION 4. COUNTY OPERATIONS APPROPRIATION

An amount of \$123,387,800 is appropriated to the Beaufort County General Fund to fund County operations and subsidized agencies as follows:

I. Elected Officials and State Appropriations:

A. Sheriff	\$22,304,949
Emergency Management	\$ 7,693,069
B. Magistrate	\$ 1,894,965
C. Solicitor	\$ 1,245,000
D. Clerk of Court	\$ 1,110,126
E. Treasurer	\$ 1,094,659
F. Auditor	\$ 855,551
G. Public Defender	\$ 819,293
H. Probate Court	\$ 761,622
I. County Council	\$ 623,418
J. Coroner	\$ 530,310
K. Master-in-Equity	\$ 314,129
L. Social Services	\$ 147,349
M. Legislative Delegation	\$ <u>65,175</u>
Total	\$39,459,615

Management of these individual accounts shall be the responsibility of the duly elected official for each office. At no time shall the elected official exceed the budget appropriation identified above without first receiving an approved supplemental appropriation by County Council.

II. County Administration Operations:

A. Public Works	\$16,746,565
B. Administration	\$ 9,327,350
C. Emergency Medical Services	\$ 6,800,786
D. Detention Center	\$ 5,884,728
E. Community Services	\$ 3,752,480
F. Library	\$ 3,752,948
G. Parks and Leisure Services	\$ 3,428,584
H. Assessor	\$ 2,176,021
I. Mosquito Control	\$ 1,701,066
J. Building Codes and Enforcement	\$ 1,137,874
K. Public Health	\$ 1,081,000
L. Animal Services	\$ 937,793
M. Employee Services	\$ 807,724
N. Voter Registration	\$ 718,261
O. Planning	\$ 675,219
P. General Government subsidies	\$ 585,579
Q. Traffic Engineering	\$ 570,789
R. Register of Deeds	\$ 506,613
S. Zoning	\$ 181,401
T. Employer Provided Benefits	\$ <u>18,811,964</u>
Total	\$79,584,745

The detailed Operations budget containing line-item accounts by department and/or agency is hereby adopted as part of this Ordinance.

SECTION 5. HIGHER EDUCATION ALLOCATION

An amount of \$4,343,440 is appropriated for higher education within Beaufort County to subsidize the following agencies:

A. The Technical College of the Lowcountry	\$2,171,720
B. University of South Carolina – Beaufort	\$2,171,720

SECTION 6. COUNTY OPERATIONS REVENUES

The appropriation for County Operations will be funded from the following revenue sources:

- A. \$ 96,435,749 to be derived from tax collections;
- B. \$ 11,702,715 to be derived from charges for services;
- C. \$ 9,197,645 to be derived from intergovernmental revenue sources;
- D. \$ 3,429,000 to be derived from fees for licenses and permits;
- E. \$ 1,568,750 to be derived from inter-fund transfers;
- F. \$ 750,000 to be derived from fines and forfeitures' collections;
- G. \$ 251,136 to be derived from miscellaneous revenue sources;
- H. \$ 52,805 to be derived from interest on investments;

Additional operations of various County departments are funded by Special Revenue sources. The detail of line-item accounts for these funds is hereby adopted as part of this Ordinance.

SECTION 7. PURCHASE OF DEVELOPMENT RIGHTS AND REAL PROPERTY PROGRAM

The revenue generated by a 4.80 mill levy is appropriated for the County's Purchase of Development Rights and Real Property Program.

SECTION 8. COUNTY DEBT SERVICE APPROPRIATION

The revenue generated by a 5.58 mill levy is appropriated to defray the principal and interest payments on all County bonds and on the lease-purchase agreement authorized to cover other Capital expenditures.

SECTION 9. BUDGETARY ACCOUNT BREAKOUT

The foregoing County Operations appropriations have been detailed by the County Council into line-item accounts for each department. The detailed appropriation by account and budget narrative contained under separate cover is hereby adopted as part of this Ordinance. The Fire Districts, as described in Section 3 of this Ordinance, line-item budgets are under separate cover, but are also part and parcel of this Ordinance.

SECTION 10. OUTSTANDING BALANCE APPROPRIATION

The balance remaining in each fund at the close of the prior fiscal year, where a reserve is not required by State or Federal law, is hereby transferred to the Unreserved Fund Balance of that fund.

SECTION 11. AUTHORIZATION TO TRANSFER FUNDS

In the following Section where reference is made to "County Administrator", it is explicit that this refers to those funds under the particular auspices of the County Administrator requiring his approval as outlined in Section 4 subpart II.

Transfers of monies/budgets among operating accounts, capital accounts, funds, and programs must be authorized by the County Administrator or his designee, upon the written request of the Department Head. Any transfer in excess of \$50,000 for individual or cumulative expenditures during any current fiscal year is to be authorized by the County Council, or its designee.

Transfer of monies/budgets within operating accounts, capital accounts, funds, and programs must be authorized by the County Administrator or his designee, upon written request of the Department Head. The County Administrator, or his designee, may also transfer funds from any departmental account to their respective Contingency Accounts. All transfers among and within accounts in excess of \$50,000 for individual or cumulative expenditures during any current fiscal year are to be reported to County Council through the Finance Committee on a quarterly basis.

SECTION 12. ALLOCATION OF FUNDS

The County Administrator is responsible for controlling the rate of expenditure of budgeted funds in order to assure that expenditures do not exceed funds on hand. To carry out this responsibility, the County Administrator is authorized to allocate budgeted funds.

SECTION 13. MISCELLANEOUS RECEIPTS ABOVE-ANTICIPATED REVENUES

Revenues other than, and/or in excess of, those addressed in Sections 4, 5 and 6 of this Ordinance, received by Beaufort County, and all other County agencies fiscally responsible to Beaufort County, which are in excess of anticipated revenue as approved in the current budget, may be expended as directed by the revenue source, or for the express purposes for which the funds were generated without further approval of County Council. All such expenditures, in excess of \$10,000, shall be reported, in written form, to the County Council of Beaufort County on a quarterly basis. Such funds include sales of products, services, rents, contributions, donations, special events, insurance and similar recoveries.

SECTION 14. TRANSFERS VALIDATED

All duly authorized transfers of funds heretofore made from one account to another, or from one fund to another during Fiscal Year 2017, are hereby approved.

SECTION 15. EFFECTIVE DATE

This Ordinance shall be effective July 1, 2017. Approved and adopted on third and final reading this ____ day of June, 2017.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Ashley M. Bennett, Clerk to Council

First Reading, By Title Only: May 8, 2017

Second Reading:

Public Hearings:

Third and Final Reading:



BEAUFORT COUNTY BOARD OF EDUCATION

May 18, 2017

PATRICIA FELTON-MONTGOMERY

Chair, District 6
Bluffton

EARL CAMPBELL

Vice Chairman, District 1
Burton, Dale, Lobeco, Seabrook

GERI KINTON

Secretary, District 5
Burton, Okatie

DAVID STRIEBINGER

District 2
Lady's Island, Beaufort

CYNTHIA GREGORY-SMALLS

District 3
St. Helena Island, Beaufort

JOSEPH DUNKLE

District 4
Port Royal, Beaufort

EVVA ANDERSON

District 7
Bluffton

MARY CORDRAY

District 8
Bluffton, Hilton Head

CHRISTINA GWOZDZ

District 9
Bluffton, Daufuskie

BILL PAYNE

District 10
Hilton Head Island

JOANN ORISCHAK

District 11
Hilton Head Island

DR. JEFFREY MOSS

Superintendent

ROBYN CUSHINGBERRY

Executive Assistant to the Board

VIA EMAIL

The Hon. Paul Sommerville
Beaufort County Council Chairman
100 Ribaut Road, Suite 150
Beaufort, SC 29902

Re: Beaufort County Board of Education

FY 2017-2018 Certified Budget

Dear Chairman Sommerville:

On May 16, 2017, the Beaufort County Board of Education ("Board") certified its budget by adopting the following motion:

"I move that the Beaufort County Board of Education approve and certify to the Beaufort County Council a Fiscal Year 2017-2018 General Fund Budget in the amount of \$225,764,555 to fund school operations. The anticipated revenue in the amount of \$221,805,518 to be derived from the following sources:

- (1) \$137,364,585 property tax collections;
- (2) \$ 76,851,629 state revenues;
- (3) \$ 700,000 federal revenues;
- (4) \$ 1,463,500 other local revenues;
- (5) \$ 5,425,804 inter-fund transfers, and
- (6) \$ 3,959,037 use of fund balance."

We would be pleased to respond to your questions or concerns.

Respectfully submitted,

Patricia Montgomery
Chair, Beaufort County Board of Education

Cc: Beaufort County Board of Education Members
Beaufort County Council Members
Dr. Jeffrey Moss, Superintendent

Beaufort County School District

Scenario: Beaufort TIF Ends June 2017-Adds \$9,500 to mill value

FY 2018 Budget Discussion

Senate Finance Version

Millage Rate

	Opening of River Ridge FY 2015-2016 Audited Actual 103.5	Opening of New May River HS FY 2016-2017 Budget 111.5	A FY 2016-2017 Projected Actual 111.5
1 Local			
2 Ad Valorem (Current and Delinquent)-Net of TIFs	123,562,199	131,662,584	132,609,665
3 Penalties and Interest	867,423	850,000	850,000
5 Rent	-	293,500	293,500
6 Other Local	247,228	350,000	300,000
7 Total Local Revenue	\$ 124,676,850	\$ 133,156,084	\$ 134,053,165
8 State			
9 Sales Tax Reimbursement on Owner Occupied	43,953,009	44,216,582	44,216,582
11 Fringe Benefits/Retiree Insurance	6,841,978	9,356,150	10,304,552
12 Education Finance Act	7,214,836	12,720,180	13,961,866
13 Reimbursement for Local Property Tax Relief	7,036,261	7,036,261	7,036,261
14 Other State Property Tax (Homestead/Merchant Inv)	2,377,946	2,442,079	2,377,946
15 Other State Revenue (Bus Driver Salary/Misc)	1,121,186	1,490,553	1,490,553
16 Total State Revenue	\$ 68,545,216	\$ 77,261,805	\$ 79,387,760
17 Federal			
18 Other Federal Sources	697,256	900,000	739,000
19 Total Federal Revenue	\$ 697,256	\$ 900,000	\$ 739,000
20 Total Revenue	\$ 193,919,322	\$ 211,317,889	\$ 214,179,925
21 Other Financing Sources			
22 Transfers from Special Revenue	4,270,503	5,015,087	4,716,262
23 Transfers from Other Funds	390,695	450,000	450,090
24 Total Other Financing Sources (Uses)	\$ 4,661,198	\$ 5,465,087	\$ 5,166,352
25 Total Revenue and Other Financing Sources	\$ 198,580,520	\$ 216,782,976	\$ 219,346,277
26 Expenditures	201,641,889	215,451,995	213,451,996
27 Increase(Decrease) in Fund Balance	\$ (3,061,369)	\$ 1,330,981	\$ 5,894,281
28			
29 Beginning Fund Balance	31,686,016	28,624,647	28,624,647
30 Ending Fund Balance	\$ 28,624,647	\$ 29,955,628	\$ 34,518,928
31 % of Next Year's Expenditure or Budget	13.3%	13.3%	15.3%

Mill Value*

\$ 1,208,495.30

B	C	D	E
FY 2017-2018 Projected Budget 115.96	FY 2017-2018 Projected Budget 114.5	FY 2017-2018 Projected Budget 113.5	FY 2017-2018 Projected Budget 112.5
140,137,115	138,372,712	137,164,216	135,955,721
800,000	800,000	800,000	800,000
293,500	293,500	293,500	293,500
370,000	370,000	370,000	370,000
\$ 141,600,615	\$ 139,836,212	\$ 138,627,716	\$ 137,419,221
44,711,079	44,711,080	44,711,081	44,711,082
9,666,234	9,666,234	9,666,234	9,666,234
11,795,797	11,795,797	11,795,797	11,795,797
7,036,261	7,036,261	7,036,261	7,036,261
2,442,079	2,442,079	2,442,079	2,442,079
1,200,179	1,200,179	1,200,179	1,200,179
\$ 76,851,629	\$ 76,851,630	\$ 76,851,631	\$ 76,851,632
700,000	700,000	700,000	700,000
\$ 700,000	\$ 700,000	\$ 700,000	\$ 700,000
\$ 219,152,244	\$ 217,387,842	\$ 216,179,347	\$ 214,970,853
4,975,804	4,975,804	4,975,804	4,975,804
450,000	450,001	450,002	450,003
\$ 5,425,804	\$ 5,425,805	\$ 5,425,806	\$ 5,425,807
\$ 224,578,048	\$ 222,813,647	\$ 221,605,153	\$ 220,396,660
225,764,555	225,764,555	225,764,555	225,764,555
\$ (1,186,507)	\$ (2,950,908)	\$ (4,159,402)	\$ (5,367,895)
34,518,928	34,518,928	34,518,928	34,518,928
\$ 33,332,421	\$ 31,568,019	\$ 30,359,526	\$ 29,151,033
14.3%	13.6%	13.0%	12.5%

*Mill Value calculated as follows: \$1,294,444 + \$9,500 (end of Beaufort TIF) X 92.7% collections

5/18/2017

ORDINANCE NO. 2017 / __

FY 2017-2018 BEAUFORT COUNTY SCHOOL DISTRICT BUDGET

An Ordinance to provide for the levy of tax for school purposes for Beaufort County for the fiscal year beginning July 1, 2017 and ending June 30, 2018, and to make appropriations for said purposes.

BE IT ORDAINED BY COUNTY COUNCIL OF BEAUFORT COUNTY:

SECTION 1. TAX LEVY

The County Council of Beaufort County hereby appropriates the funds as detailed in Sections 3 and 4 of this Ordinance and establishes the millage rates as detailed in Section 2 of this Ordinance.

SECTION 2. MILLAGE

In Fiscal Year 2017-2018 and in accordance with the laws of South Carolina, the County Auditor is hereby authorized and directed to levy a tax on the following mills on the dollar of assessed value of property within the County.

School Operations	113.50
School Bond Debt Service (Principal and Interest)	31.71

The values listed above, in accordance with Section 6-1-320(A)(2) of the *Code of Laws of South Carolina*, 1976, as amended.

				Allowable Annual % Increase of Millage Rate	Millage Bank Used	Millage Bank Balance
	Prior Year Millage	% Average CPI	% Population Growth			
2015	103.5	1.46%	2.27%	3.73%	-3.73%	1.81%
2016	103.5	1.62%	2.50%	4.12%	0.00%	5.93%
2017	111.5	0.12%	2.55%	2.67%	-7.73%	.87%

These taxes shall be collected by the County Treasurer, as provided by law, and distributed in accordance with the provisions of this Ordinance and subsequent appropriations as may be hereafter passed by the County Council of Beaufort County.

SECTION 3. SCHOOL OPERATIONS APPROPRIATION

An amount of \$225,764,555 is hereby appropriated to the Beaufort County Board of Education to fund school operations. This appropriation is to be spent in accordance with the school budget approved by the County Council of Beaufort County, and will be funded from the following revenue sources:

- A. \$137,164,216 to be derived from tax collections;
- B. \$ 76,851,629 to be derived from State revenues;
- C. \$ 700,000 to be derived from Federal revenues;
- D. \$ 1,463,500 to be derived from other local sources;
- E. \$ 5,425,804 to be derived from inter-fund transfers; and
- F. \$ 4,159,406 to be derived from fund balance.

The Beaufort County Board of Education is responsible for ensuring that the school expenditures do not exceed those amounts herein appropriated without first receiving the approval of a supplemental appropriation from County Council.

SECTION 4. BUDGETARY ACCOUNT BREAKOUT

The line-item budgets submitted by the Beaufort County Board of Education under separate cover for FY 2017-2018 are incorporated herein by reference and shall be part and parcel of this Ordinance.

SECTION 5. OUTSTANDING BALANCE APPROPRIATION

The balance remaining in each fund at the close of the prior fiscal year, where a reserve is not required by State of Federal law, is hereby transferred to the appropriate category of Fund Balance of that fund.

SECTION 6. TRANSFERS VALIDATED

All duly authorized transfers of funds heretofore made from one account to another, or from one fund to another during Fiscal Year 2018 are hereby approved.

SECTION 7. EFFECTIVE DATE

This Ordinance shall be effective July 1, 2017. Approved and adopted on third and final reading this 12th day of June, 2017.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Ashley M. Bennett, Clerk to Council

First Reading, By Title Only: May 8, 2017

Second Reading:

Public Hearings:

Third and Final Reading: