

COUNTY COUNCIL OF BEAUFORT COUNTY  
ADMINISTRATION BUILDING  
BEAUFORT COUNTY GOVERNMENT ROBERT SMALLS COMPLEX  
100 RIBAUT ROAD  
POST OFFICE DRAWER 1228  
BEAUFORT, SOUTH CAROLINA 29901-1228  
TELEPHONE: (843) 255-2180  
www.bcgov.net

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, April 10, 2017  
6:00 p.m.

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

1. CALL TO ORDER - 6:00 P.M.
2. REGULAR SESSION
3. PLEDGE OF ALLEGIANCE
4. INVOCATION – Council Member Stewart Rodman
5. PROCLAMATIONS
  - A. Child Abuse Prevention and Sexual Assault Awareness Month
  - B. Penn Center 1862 Circle Week
6. ADMINISTRATIVE CONSENT AGENDA
  - A. Approval of Minutes
    1. March 27, 2017 [Caucus](#)
    2. March 27, 2017 [Regular Session](#)
  - B. Committee Reports (next meeting)
    1. Community Services (May 1 at 4:00 p.m., ECR) (Joint Meeting)
      - a. Minutes – [March 27, 2017](#)
    2. Executive (May 8 at 3:00 p.m., ECR)
    3. Finance (May 1 at 2:00 p.m., ECR)
      - a. Minutes – [April 10, 2017](#)
    4. Governmental (May 1 at 4:00 p.m., ECR) (Joint Meeting)
    5. Natural Resources (April 17 at 2:00 p.m., ECR)
    6. Public Facilities (April 17 at 4:00 p.m., ECR)
      - a. Minutes – [March 27, 2017](#)
  - 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. NEW BUSINESS

A. PRESENTATION / FY 2016 COMPREHENSIVE ANNUAL FINANCIAL REPORT

9. CONSENT AGENDA

A. A RESOLUTION OPPOSING THE FISCAL YEAR 2017-2018 PROPOSED SOUTH CAROLINA HOUSE OF REPRESENTATIVES BUDGET RECOMMENDATION

1. Finance Committee will discussion to occur April 10, 2017 ([backup](#))

B. A RESOLUTION AGREEING TO REQUEST A SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION MATCHING GRANT IN THE AMOUNT OF \$80,000 FOR FERRY SERVICE TO AND FROM DAUFUSKIE ISLAND ([backup](#))

1. Community Services Committee discussion and recommendation to adopt resolution occurred March 27, 2017 / Vote 6:0

C. 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 ([backup](#))

1. Consideration of first reading approval to occur April 10, 2017
2. Finance Committee discussion and recommendation to approve ordinance on first reading occurred April 3, 2017 / Vote 7:0

D. CHANGE ORDER / ARBORIST SERVICES FOR BEAUFORT COUNTY / HILTON HEAD ISLAND AIRPORT ([backup](#))

1. Contract award: Preservation Tree, LLC, Lady's Island, South Carolina
2. Amount: \$29,925
3. Funding sources: 90% FAA Grant 31, 5% S.C. Aeronautics Commission, 2.5% Beaufort County and 2.5% Town of Hilton Head Island
4. Finance Committee discussion and recommendation to approve change order occurred April 3, 2017 / Vote 6:0

E. 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.

1. Consideration of first reading, by title only, approval to occur April 10, 2017
2. Finance Committee discussion occurred April 3, 2017

F. BUDGET ADJUSTMENT / BEAUFORT COUNTY TRANSPORTATION COMMITTEE 2016 SCDOT COUNTY-WIDE RESURFACING PROJECT ([backup](#))

1. Contract Award: Lane Contracting, LLC, Beaufort, South Carolina
2. Original Amount: \$\$6,160,000
3. Increase Amount: \$240,000
4. Funding sources: \$90,000 from remaining unspent 2016 25% Mandate Funds and \$150,000 from the Uncommitted Project C Fund Balance
5. Public Facilities discussion and recommendation to approve budget adjustment occurred March 27, 2017 / Vote 6:0

10. PUBLIC HEARINGS – 6:30 P.M.

A. AN ORDINANCE AUTHORIZING THE ASSIGNMENT OF CERTAIN UTILITY EASEMENTS TO BEAUFORT-JASPER WATER AND SEWER ([backup](#))

1. Consideration of third and final reading to occur April 10, 2017
2. Second reading occurred March 27, 2017 / Vote 11:0
3. First reading approval occurred March 13, 2017 / Vote 10:0
4. Executive Committee discussion and recommendation to approve on first reading occurred March 13, 2017 / Vote 4:0

B. AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO A LEASE/PURCHASE AGREEMENT WITH GULLAH FARMERS' COOPERATIVE ASSOCIATION ([backup](#))

1. Consideration of third and final reading to occur April 10, 2017
2. Second reading occurred March 27, 2017 / Vote 10:0
3. First reading approval occurred March 13, 2017 / Vote 9:0
4. Public Facilities Committee discussion and recommendation to approve ordinance on first reading (contingent upon approval of the City of Beaufort) occurred March 6, 2017 / Vote 7:0

C. AN ORDINANCE TO APPROPRIATE \$207,896.00 FROM THE LOCAL (3%) ACCOMMODATIONS TAX FUND FOR REPAIR OF COUNTY DOCKS AND PIERS AS A RESULT OF DAMAGE FROM HURRICANE MATTHEW ([backup](#))

1. Consideration of third and final reading to occur April 10, 2017
2. Second reading occurred March 27, 2017 / Vote 11:0
3. First reading approval occurred March 13, 2017 / Vote 10:0
4. Finance Committee discussion and recommendation to approve ordinance on first reading occurred March 6, 2017 / Vote 7:0
5. Docks and Piers: Alljoy Boat Landing Dock, Bluffton Public Dock/Pier, Buddy and Zoo Boat Landing Dock, C.C. Haigh Boat Landing Dock, Cross Island Boat Landing Dock, Daufuskie Island Boat Landing Dock, Edgar Glenn Boat Landing Dock, H.E. Trask Boat Landing Dock, Sam's Point Boat Landing Dock, Whale Branch Fishing Pier and White Hall Boat Landing Dock

D. TEXT AMENDMENT TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC): ARTICLE 3, SECTION 3.3.30 NEIGHBORHOOD MIXED USE (C3) ZONE STANDARDS, AND ARTICLE 4, SECTION 4.1.170 MULTI-FAMILY DWELLINGS (TO MODIFY THE REQUIREMENTS FOR MULTI-FAMILY RESIDENTIAL IN THE C3-NEIGHBORHOOD MIXED-USE DISTRICT)

1. Consideration of third and final reading to occur April 10, 2017 ([backup](#))
2. Second reading occurred March 27, 2017 / Vote 11:0
3. First reading approval occurred March 13, 2017 / Vote 8:1:1
4. Natural Resources Committee discussion and recommendation to approve ordinance on first reading occurred February 27, 2017 / Vote 4:0

11. MATTERS ARISING OUT OF EXECUTIVE SESSION

12. PUBLIC COMMENT - Speaker sign-up encouraged.

13. ADJOURNMENT

Official Proceedings  
County Council of Beaufort County  
March 27, 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, March 27, 2017 beginning at 5:00 p.m. in the Large Meeting Room, Hilton Head Island Branch Library, 11 Beach City Road, Hilton Head Island, 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. Flewelling, seconded by Mr. Fobes, that Council go immediately into executive session for discussion of negotiations incident to proposed contractual arrangements and proposed purchase of property pursuant to S.C. Code Section 30-4-70(a)(2). 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.

**EXECUTIVE SESSION**

**RECONVENE OF CAUCUS**

**STATUS OF HURRICANE MATTHEW RECOVERY PROCESS**

Mr. Eric Larson, Division Director–Environmental Engineering and Land Management, provided a briefing on the status of Hurricane Matthew recovery. The update included information on marine debris, demolition sites, stormwater related debris and total dollars. All information relative to Hurricane Matthew Recovery process is available on the Disaster Recovery Website at [www.beaufortcountydisasterrecovery.net](http://www.beaufortcountydisasterrecovery.net).

### **RECEIPT OF COUNTY ADMINISTRATOR’S TWO-WEEK PROGRESS REPORT**

Mr. Rodman feels it appropriate to drop the County Administrator’s and Deputy County Administrator / Special Counsel’s progress reports from the consent agenda. As an alternative, he prefers receiving a report about issues going on in the County.

Mr. Flewelling asked that the reports remain as part of the Caucus agenda. These reports provide an idea of what administration is doing daily and their focus. He reminded Council of his proposal several years ago wherein the County Administrator would narrate 15-minute video on the County Channel.

Mr. Glover asked the County Administrator to comment on a March 14, 2017 meeting regarding mining permit / aquifer.

Mr. Kubic stated the County has been working with developer, Mr. Tom Zinn, and asked to see the Boehm Report in order to assist the County in addressing several issues Mr. Zinn felt the County should ratify or rectify with public tax dollars. The report provided the following recommendations: (i) creation of ditches alongside S.C. Highway 170 that would border the property; (ii) existing permit the Army Corps of Engineers issued to the Pulte Group would allow them to create a haul road through the wetland. The haul road was to allow access to the site. The permit remains in existence and will remain active until deemed inactive. Because the haul road has affected water flow, the County wrote a letter to the Army Corps of Engineers (this matter issue was identified in our report) reminding them that they may want to pursue the condition of the permit and restore the land to its original condition. The second aspect of the meeting involved mining permits issued within the jurisdiction of the Town of Bluffton and in conjunction with South Carolina Department of Health and Environmental Control (SCDHEC). There are mining activities going on at this site for years. This is an allowable use according to the permit if the material they are taking from one area of land supplements the owner in another area. The natural aquifer in this area may be impacted.

Mr. Dawson asked the County Administrator to comment on his March 14, 2017 meeting with Mr. J. L. Goodwin regarding the Yemassee Train Station.

Mr. Kubic said Beaufort County gave the Town of Yemassee \$25,000 and the State \$15,000 toward the Yemassee Train Station project. Renovations are underway. The next phase is the historical aspect of that area, the possibility of bringing back original dormitory, or another focus point. A \$250,000 grant loan is pending before the U.S. Department of Agriculture (USDA).

### **RECEIPT OF DEPUTY COUNTY ADMINISTRATOR / SPECIAL COUNSEL’S SIX-WEEK PROGRESS REPORT**

Council accepted the Deputy County Administrator / Special Counsel’s Progress Report.

### **DISCUSSION OF CONSENT AGENDA**

Chairman Paul Sommerville asked if any members of Council would like to pull any items from the Consent Agenda for discussion or separate vote.

Mr. Rodman requested the removal of Item 9B, an ordinance regulating the operations of golf carts on Daufuskie Island. The Public Facilities Committee needs additional time for review.

Mr. Glover requested the removal of Item 9C, an ordinance authorizing the County Administrator to enter into a lease/purchase agreement with the Gullah Farmers' Cooperative Association. As a member of the Gullah Farmers' Cooperative Association, Mr. Glover will recuse himself.

### **DISCUSSION OF NON-AGENDA ITEMS**

Mr. Dawson informed Council of a letter he sent to Representative Shannon Erickson regarding the lack of diversity on the Board of Voter Registration and Elections (Board) of Beaufort County. In a conversation with Representative Erickson addressing the issue, she feels the Legislative Delegation has met the requirements. The Board received and forwarded two applications—Bernadette Hampton and Brenda Merrick—to the Legislative Delegation for its consideration. However, unbeknownst to the Board, the Legislative Delegation had already received a third application from Angelica Flewelling. Ms. Hampton's application was not considered by the Legislative Delegation and recommended to the Governor Brenda Merrick and Angelica Flewelling to fill the two Board vacancies. Representative Erickson took the position that they selected the most qualified applicants, not considering race, etc. Ms. Hampton is as qualified, if not more qualified, than either Ms. Merrick or Mrs. Flewelling. Ms. Hampton holds a Master's Degree as well as experience working in the voter registration and election process. This matter warrants Council discussion going forward given Council efforts to address board diversity.

### **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  
March 27, 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, March 27, 2017 beginning at 6:00 p.m. in the Large Meeting Room, Hilton Head Island Branch Library, 11 Beach City Road, Hilton Head, 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**

Council member Roberts “Tabor” Vaux gave the Invocation.

**PROCLAMATION**

**Alexander Emsley**

Chairman Paul Sommerville presented a proclamation to Alexander Emsley for his lifesaving efforts and his service to our community. Mr. Emsley accepted the Proclamation.

**American Red Cross Month**

Chairman Paul Sommerville proclaimed March 2017 as American Red Cross Month and encouraged all Americans to support this organization and its noble humanitarian mission.

**Countywide Litter Cleanup Day**

Chairman Paul Sommerville proclaimed April 22, 2017 as Countywide Litter Cleanup Day and encourages citizens to become involved in litter abatement efforts.



## **ADMINISTRATIVE CONSENT AGENDA**

### **Review of the Proceedings of the Caucus held March 13, 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 March 13, 2017. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSTAIN – Mr. Dawson. The motion passed.

### **Review of the Proceedings of the Regular Session held March 13, 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 regular session held March 13, 2017. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSTAIN – Mr. Dawson. The motion passed.

## **Committee Reports**

### **Community Services Committee**

#### **Disabilities and Special Needs Board**

Pamela Brandon-Hennigh

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. Ms. Brandon-Hennigh garnered the six votes required for appointment to serve as a member of the Disabilities and Special Needs Board.

### **Finance Committee**

#### **Board of Assessment Appeals**

Sharon Busch

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. Ms. Busch garnered the eight votes required for reappointment to serve as a member of the Board of Assessment Appeals.

Robert Coon

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. Coon garnered the eight votes required for reappointment to serve as a member of the Board of Assessment Appeals.

Paul Jernigan

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. Jernigan garnered the eight votes required for reappointment to serve as a member of the Board of Assessment Appeals.

Merritt Patterson

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. Patterson garnered the eight votes required for reappointment to serve as a member of the Board of Assessment Appeals.

### **Natural Resources Committee**

#### **Design Review Board**

Brad 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. Hill, representing registered landscape architect, garnered the six votes required for appointment to serve as a member of the Design Review Board.

#### **Stormwater Management Utility Board**

James Fargher

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. Fargher, representing Stormwater District 8, garnered the ten votes required for reappointment to serve as a member of the Stormwater Management Utility Board.

### **Public Facilities Committee**

Public Facilities Committee Chairman Stu Rodman updated the Committee on the March 27, 2017 Public Facilities Committee meeting. The Committee will continue discussing (i) an ordinance regulating the operation of golf carts on public streets and secondary highways on Daufuskie Island and (ii) Daufuskie Island Park Trail and Amenities Construction at the next Public Facilities Committee meeting.

### **County Transportation Committee**

James Morrall

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. Morrall, representing Council District 5, garnered the six votes required for reappointment to serve as a member of the County Transportation Committee.

Paul Runko, Jr.

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. Runko, representing Council District 9, garnered the six votes required for reappointment to serve as a member of the County Transportation Committee.

Joseph Stroman, Jr.

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. Stroman, representing Council District 1, garnered the six votes required for reappointment to serve as a member of the County Transportation Committee.

### **PUBLIC COMMENT**

The Chairman recognized County Auditor Jim Beckert, who provided Council with an update on Motor Vehicles.

Mrs. Deborah Smith, Daufuskie Island, spoke in regards to nighttime use of golf carts on Daufuskie Island. There are no safety issues. The additional safety equipment is not practical for Daufuskie Island.

**NEW BUSINESS**

**RESOLUTION DESIGNATING APRIL 2017 AS FAIR HOUSING MONTH**

It was moved by Mr. Rodman, seconded by Mr. Flewelling, that Council approve a Resolution designating April 2017 as Fair Housing Month and recognizing the policy supporting fair housing in encouraging all citizens to endorse fair housing opportunities for all not only during Fair Housing Month, but also throughout the year. 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.

**RESOLUTION APPROVING A PERFORMANCE AGREEMENT FOR IMPLEMENTATION OF “PROJECT EAGLE”**

It was moved by Mr. Dawson, seconded by Mr. Flewelling, that Council approve a Resolution approving a Performance Agreement for implementation of “Project Eagle” (Modern Track Machinery, Inc.). 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.

**RECEIPT OF INFORMATION / BEAUFORT COUNTY SCHOOL DISTRICT / PREPARATION OF STUDENTS FOR ENTRY INTO THE WORKFORCE (JASPER OCEAN TERMINAL / PORT OF SAVANNAH)**

Dr. Jeffery Moss, Beaufort County School District Superintendent, provided an update to Council regarding the Beaufort County School District supporting a regional talent pipeline.

**ITEMS REMOVED FROM CONSENT AGENDA**

**AN ORDINANCE REGULATING THE OPERATION OF GOLF CARTS ON PUBLIC STREETS AND SECONDARY HIGHWAYS ON DAUFUSKIE ISLAND**

Mr. Stu Rodman, as Public Facilities Committee Chairman, removed this item from the consent agenda for further discussions and recommendation from the Public Facilities Committee.

**AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO A LEASE/PURCHASE AGREEMENT WITH GULLAH FARMERS’ COOPERATIVE ASSOCIATION**

Mr. Glover removed this item from the Consent Agenda.

Mr. Glover recused himself, left the room, and was not present for any of the discussion. He serves as a member of the Gullah Farmers’ Cooperative, Inc.

It was moved by Mrs. Howard, seconded by Mr. Vaux, that Council approve on second reading an ordinance authorizing the County Administrator to enter into a Lease/Purchase Agreement with Gullah Farmers' Cooperative Association for the Leroy Browne Center and five surrounding acres. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux.. RECUSAL – Mr. Glover. Mr. Glover recused himself, left the room, and was not present for any of the discussion. He is a member of the Gullah Farmers' Cooperative, Inc. The motion passed.

The Chairman announced a public hearing on Monday, April 10, 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 ASSIGNMENT OF CERTAIN UTILITY EASEMENTS TO BEAUFORT-JASPER WATER AND SEWER**

This item comes before Council under the Consent Agenda. Discussion occurred at the March 13, 2017 meeting of the Executive Committee.

It was moved by Mr. Flewelling, seconded by Mr. Dawson, that Council approve on second reading an ordinance authorizing the execution and delivery of easements encumbering property owned by Beaufort County to Beaufort-Jasper Water and Sewer Authority. 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, April 10, 2017 beginning at 6:30 p.m. in Council Chambers, Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

#### **AN ORDINANCE TO APPROPRIATE \$207,896.00 FROM THE LOCAL (3%) ACCOMMODATIONS TAX FUND FOR REPAIR OF COUNTY DOCKS AND PIERS**

This item comes before Council under the Consent Agenda. Discussion occurred at the March 6, 2017 meeting of the Finance Committee.

It was moved by Mr. Flewelling, seconded by Mr. Dawson, that Council approve on second reading an ordinance to appropriate \$207,896.00 (\$188,996.10 contract to Patterson Construction, Inc. and a 10% contingency) from the Local (3%) Accommodations Tax fund for the repair of the following County docks and piers: Alljoy Boat Landing Dock, Bluffton Public Dock/Pier, Buddy and Zoo Boat Landing Dock, C.C. Haigh Boat Landing Dock, Cross Island Boat Landing Dock, Daufuskie Island Boat Landing Dock, Edgar Glenn Boat Landing Dock, H.E. Trask Boat Landing Dock, Sam's Point Boat Landing Dock, Whale Branch Fishing Pier and White Hall Boat Landing Dock. 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, April 10, 2017, beginning at 6:30 p.m. in Council Chambers, Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

**TEXT AMENDMENT TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC): ARTICLE 3, SECTION 3.3.30 NEIGHBORHOOD MIXED USE (C3) ZONE STANDARDS, AND ARTICLE 4, SECTION 4.1.170 MULTI-FAMILY DWELLINGS (TO MODIFY THE REQUIREMENTS FOR MULTI-FAMILY RESIDENTIAL IN THE C3-NEIGHBORHOOD MIXED-USE DISTRICT)**

This item comes before Council under the Consent Agenda. Discussion occurred at the February 27, 2017 meeting of the Natural Resources Committee.

It was moved by Mr. Flewelling, seconded by Mr. Dawson, that Council approve on second reading text amendments to the Community Development Code: Article 3, Section 3.3.30 Neighborhood Mixed Use (C3) Zone Standards, and Article 4, Section 4.1.170 Multi-Family Dwellings (To modify the requirements for multi-family residential in the C3-Neighborhood Mixed Use District) as proposed by staff. 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, April 10, 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 TO APPROPRIATE \$132,326.00 FROM THE LOCAL (3%) ACCOMMODATIONS TAX FUND FOR THE REPAIR/RE-ESTABLISHMENT OF SLOPES ADJACENT TO MARSHLANDS ON THE SPANISH MOSS TRAIL**

The Chairman opened a public hearing beginning at 6:31 p.m. for the purpose of receiving public comment regarding an ordinance to appropriate \$132,326.00 from the Local (3%) Accommodations Tax Fund for the repair/re-establishment of slopes adjacent to marshlands on the Spanish Moss Trail. After calling three times for public comment and receiving none, the Chairman declared the hearing closed at 6:31 p.m.

It was moved by Mr. Vaux, seconded by Mr. Flewelling, that Council approve on third and final reading, an ordinance to appropriate \$132,326.00 from the Local (3%) Accommodations Tax Fund for the repair/re-establishment of slopes adjacent to marshlands on the Spanish Moss Trail. 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 TO APPROPRIATE \$250,000.000 FROM THE 2% HOSPITALITY TAX FUND FOR THE PINCKNEY ISLAND ACCESS DESIGN SERVICES**

The Chairman opened a public hearing beginning at 6:32 p.m. for the purpose of receiving public comment regarding an ordinance to appropriate \$250,000 from the County's Hospitality Tax Fund to finalize environmental permitting, provide agency coordination, the engineering design and construction documents for the Pinckney Island National Wildlife Refuge access at U.S. Highway 278. After calling three times for public comment and receiving none, the Chairman declared the hearing closed at 6:33 p.m.

It was moved by Mr. Vaux, seconded by Mr. Stewart, that Council approve on third and final reading, an ordinance to appropriate \$250,000 from the County's Hospitality Tax Fund to finalize environmental permitting, provide agency coordination, the engineering design and construction documents for the Pinckney Island National Wildlife Refuge access at U.S. Highway 278. 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 TO RATIFY CERTAIN ACTIONS OF THE BEAUFORT COUNTY COUNCIL AND TO UPDATE CHAPTER 18 OF ARTICLE III (BUSINESS AND PROFESSIONAL LICENSE)**

The Chairman opened a public hearing beginning at 6:33 p.m. for the purpose of receiving public comment regarding an ordinance to ratify certain actions of the Beaufort County Council and to update Chapter 18 of Article III (Business and Professional License). After calling three times for public comment and receiving none, the Chairman declared the hearing closed at 6:34 p.m.

It was moved by Mr. Vaux, seconded by Mr. Flewelling, that Council approve on third and final reading an ordinance to ratify certain actions of the Beaufort County Council and to update Chapter 18 of Article III (Business and Professional License). 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.

### **MATTERS ARISING OUT OF EXECUTIVE SESSION**

There were no matters arising out of Executive Session.

### **PUBLIC COMMENT**

The Chairman recognized County Auditor Jim Beckert, who requested the data file the print vendor used to produce the 2016 real and personal property tax bills.

### **ADJOURNMENT**

Council adjourned at 7:18 p.m.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: \_\_\_\_\_  
D. Paul Sommerville, Chairman

ATTEST: \_\_\_\_\_  
Ashley M. Bennett, Clerk to Council

Ratified:



## COMMUNITY SERVICES COMMITTEE

March 27, 2017

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

The Community Services Committee met Monday, March 27, 2017 beginning at 3:30 p.m. in the Large Meeting Room, Hilton Head Island Branch Library, 11 Beach City Road, Hilton Head Island, South Carolina.

### ATTENDANCE

Chairman Alice Howard, Vice Chairman Rick Caporale and members Michael Covert, Steven Fobes, York Glover and Roberts "Tabor" Vaux present. 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: Phil Foot, Assistant County Administrator-Public Safety; Joshua Gruber, Deputy County Administrator/Special Counsel; Tom Keaveny, County Attorney; Gary Kubic, County Administrator; Craig Helart, Manager, Civic Engagement and Outreach; Rob McFee, Division Director-Construction Engineering; and Monica Spells, Assistant County Administrator-Civic Engagement and Outreach.

Media: Joe Croley, *Lowcountry Inside Track*.

Councilwoman Howard chaired the meeting.

### ACTION ITEM

- 1. A Resolution Agreeing to Request a South Carolina Department of Transportation Matching Grant in the Amount of \$80,000 for Ferry Service to and from Daufuskie Island.**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Discussion:** Ms. Monica Spells, Assistant County Administrator-Civic Engagement and Outreach, provided Council an overview of this item. Every year Council applies for a match grant for ferry service to and from Daufuskie Island. That grant application is due April 1, 2017. This proposed resolution would agree to request a South Carolina Department of Transportation matching grant in the amount of \$80,000 for ferry services to and from Daufuskie Island.

**Motion:** It was moved by Mr. Covert, seconded by Mr. Vaux, that Committee approve and recommend Council adopt a resolution to agree to apply to the State of South Carolina Department of Transportation for a matching grant in the amount of \$80,000 to assist with ferry service to and from Daufuskie Island. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Fobes Mr. Glover, Mrs. Howard and Mr. Vaux. The motion passed.

**Recommendation:** Council adopt a resolution to agree to apply to the State of South Carolina Department of Transportation for a matching grant in the amount of \$80,000 to assist with ferry service to and from Daufuskie Island.

## **INFORMATION ITEMS**

### **2. Update / Affordable Housing**

- **Recap of 2017 South Carolina Housing Policy Summit**
- **Status of Beaufort County Affordable Housing Needs Assessment RFP**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Discussion:** Committee Chairman Alice Howard highlighted the facts learned during the 2017 South Carolina Housing Policy Summit held March 22, 2017:

- South Carolina has the highest rate of mobile home ownership and the oldest housing stock in the nation.
- Transportation and housing are the major deficiencies affecting South Carolina families.
- The average sale price of a house in Charleston, South Carolina is \$450,000.
- In South Carolina, 33% of homeowners and 53% of renters are living in homes they cannot afford.
- South Carolina estimates a shortage of 80,750 affordable and available homes for rent or own.
- Senate Bill 346 includes giving counties and cities the abilities to create incentives and create mandatory inclusionary zoning to promote housing.
- Greenville, South Carolina completed their Housing Assessment Study with Market Plan and the public will receive the results during a public forum.

Ms. Monica Spells, Assistant County Administrator–Civic Engagement and Outreach, provided a status report on the Beaufort County Affordable Housing Needs Assessment. Council adopted resolution 2016/17 to develop an Affordable Housing Plan with a focus on availability, stability, and security of housing options for Beaufort County residents. As part of this resolution, Council resolved to help address the affordable or workforce housing issue with strategies, including (i) a housing needs assessment, which would include a determination of the availability of rental housing to provide an affordable housing option for those unable to purchase a home, and (ii) a look at purchase prices and rental prices within the means of families

across all incomes, to include an evaluation of local affordable workforce housing identifying the percentages of mix, cost and availability of housing to support local workers.

Council also resolved to re-establish and fund the position of housing coordinator, beginning in Fiscal Year 2018. This position would serve as liaison to the municipalities, housing coalition, and other stakeholders to handle tasks such as researching funding sources available to supplement local funds, monitoring housing inventory, and developing and implementing affordable housing projects with our sister agencies. The Planning Department requested the housing needs assessment project budget to fall within its department budget for the next fiscal year. Regarding the funding for the housing coordinator's position, staff is currently working on a proposal for that position to fall within the Planning Department. It previously fell under the Community Services Division, but staff recommends it now should reside with Planning. Planning is currently working with the Purchasing Department to finalize the request for proposal (RFP) and prepare for the solicitation advertisement in the next few weeks.

**Status:** Information only.

**3. Update / Design Services for a Two-Story Office Building Adjacent to the Beaufort County Myrtle Park Office Complex in Bluffton.**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Discussion:** Mr. Josh Gruber, Deputy County Administrator/Special Counsel, stated there has been discussion among Council on whether or not this Committee is the appropriate committee to take up this matter. Due to previous time constraints, this item was brought before the Community Services Committee on February 20, 2017, rather than the Public Facilities Committee. At that meeting, the Committee approved and recommended Council award a contract to Beaufort Design Build, LLC, Beaufort, South Carolina to provide design services for a two-story office building adjacent to the County's Myrtle Park Office Complex in the amount of \$315,000 funded by the Santee Cooper Economic Development Revolving Loan Program. The motion to award the contract was contingent upon feedback from the Economic Development Corporation (EDC). It was brought back before the Community Services Committee to provide a briefing from discussions with the EDC as requested.

Mr. Fobes stated from an EDC standpoint, this item does not need to go back to the Public Facilities Committee until the following two issues are resolved and/or answered:

- A Market Analysis is conducted.
- A discussion of the design firm's qualifications and dollar amount to be spent on the design and build.

Mr. Kubic, County Administrator, stated a funding source would be needed to conduct a Market Analysis. It would need to go to the Public Facilities Committee in order for staff to receive that recommendation, if that is the will of Council.

**Status:** This item will be taken up at the Public Facilities Committee.

DRAFT

## FINANCE COMMITTEE

**April 3, 2017**

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

The Finance Committee met Monday, April 3, 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**

Chairman Jerry Stewart, Vice Chairman Michael Covert and members Rick Caporale, Gerald Dawson, Brian Flewelling, Steven Fobes and Stu Rodman present. Non-committee members York Glover, Alice Howard, Paul Sommerville and Tabor Vaux 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: Phil Foot, Assistant County Administrator–Public Safety; Joshua Gruber, Deputy County Administrator/Special Counsel; Gary James, Assessor; Tom Keaveny, County Attorney; Gary Kubic, County Administrator; Jon Rembold, Airports Director; Nancy Moss, Community Development Planner; and Dave Thomas, Purchasing Director.

Public Jessica Bridges, Assistant Vice President for Institutional Advancement, Technical College of the Lowcountry; Arthur Brown, Chairman, Board of Commissioners, Technical College of the Lowcountry; Mary Lee Carns, Vice President, Institutional Advancement, and External Relations and Executive Director, TCL Foundation for the Technical College of the Lowcountry; Leigh Copeland, Assistant Vice President for Marketing and Public Relations, Technical College of the Lowcountry; Randy Dolyniuk, Board of Directors, Technical College of the Lowcountry; Clayton Ellison, Lucky Rooster Kitchen and Bar; Malcolm Goodridge, Board of Directors, Technical College of the Lowcountry; Richard Gough, President, Technical College of the Lowcountry; Sean Henrickson, Assistant Academic Program Director, Technical College of the Lowcountry; Michael Jones, Saltus River Grill; Frank Turano, Lowcountry Regional Manager, Alliance Consulting Engineers; and Brian Walters, Saltus River Grill.

Media: Joe Croley, *Lowcountry Inside Track*.

Councilman Stewart chaired the meeting.

## **ACTION ITEMS**

### **1. Consideration of Contract Award / Change Order / Arborist Services for Beaufort County**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Discussion:** Mr. Jon Rembold, Airports Director, reviewed this item with the Committee. Beaufort County, in partnership with the Town of Hilton Head Island, contracted with Preservation Tree Care for arborist services in support of obstruction removal projects at Hilton Head Island Airport. The approved contract was a “Not-to-exceed” contract of \$80,000. The actual arborist requirements increased based on the project’s need for more intense oversight and education from the arborist to the contractor. This was needed because of the sensitive nature of the project. Once the project commenced, additional tree measuring and verifications were added to the scope of field work in order to better assure stakeholders that specifications were closely followed. The project has been highly successful in achieving the scope of work and in demonstrating strict adherence to the specifications.

**Motion:** It was moved by Mr. Flewelling, seconded by Mr. Dawson, that Committee approve a contract change order with Preservation Tree LLC to provide additional arborist services for a total cost not to exceed \$29,925. Funding will come from the following: 90% FAA Grant 31, 5% South Carolina Aeronautics Commission, 2.5% Beaufort County and 2.5% the Town of Hilton Head Island. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Rodman and Mr. Stewart. ABSENT – Mr. Fobes. The motion passed.

**Recommendation:** Council award a contract change order to Preservation Tree, LLC for additional arborist services for a total cost not to exceed \$29,925. Funding will come from the following: 90% FAA Grant 31, 5% South Carolina Aeronautics Commission, 2.5% Beaufort County and 2.5% the Town of Hilton Head Island.

### **2. Public Safety / 2017 MCAS Beaufort Air Show**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Discussion:** Mr. Josh Gruber, Deputy County Administrator/Special Counsel, reviewed this item with the Committee. At the March 6, 2017 Governmental Committee meeting, Mr. Troy Ward, Air Show Director, presented to the Committee a PowerPoint presentation of the 2017 Marine Corps Air Station (MCAS) Beaufort Air Show. Subsequently, Sheriff Tanner informed the Committee of the budgetary restraints and costs associated with traffic control during the Air Show which is an estimated \$35,000. In speaking with individuals from the Air Station, they have no abilities to give funding to outside agencies, without Congressional directive.

Since that meeting, Mr. Gruber informed the Committee of a discussion he has had with City of Beaufort Mayor Billy Keyserling, who is in support of providing \$15,000 of the total cost. Beaufort County's portion, \$15,000, would be funded using state (2%) accommodations tax funds.

**Motion:** It was moved by Mr. Rodman seconded by Mr. Flewelling that Committee recommend Council approve on first reading an ordinance to appropriate \$15,000 from State (2%) Accommodations Tax Funds for costs associated with traffic control during the 2017 MCAS Beaufort Air Show. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Rodman and Mr. Stewart. The motion passed.

**Recommendation:** Council approve on first reading an ordinance to appropriate \$15,000 from State (2%) Accommodations Tax Funds for costs associated with traffic control during the 2017 MCAS Beaufort Air Show.

### **INFORMATION ITEMS**

#### **3. Consideration of Contract Award / Landscaping Services for U.S. Highway 278 Median Project**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Discussion:** Mr. Dave Thomas, Purchasing Director, reviewed this item with the Committee. On January 26, 2017, Beaufort County received two proposals for landscaping services for the U.S. Highway 278 traffic medians between Rose Hill and Belfair Plantations in Bluffton. This service includes project oversight by a Registered South Carolina Landscape Architect, site preparation/grading, 12-month hand watering and maintenance program to facilitate plant establishment, cost of plants and installation of plants, and the cost of pine straw mulch with installation. The service also includes landscape maintenance and warranty for three years. The evaluation committee--consisting of Amanda Flake, Beaufort County Natural Resources Planner, Robert Merchant, Beaufort County Long Range Planner and Nancy Moss, Community Development Planner--evaluated the two responses from BrightView Landscape Services, Inc. and The Greenery. The committee selected BrightView Landscape Services, Inc. as their number one ranked firm and requested a "Best and Final Offer."

**Motion:** It was moved by Mr. Rodman, seconded by Mr. Flewelling, that Finance Committee approve the contract award to Bright View Landscape Services, Inc. in the amount of \$99,557 for landscaping services for U.S. Highway 278 Median Project. Funding is from the Tree Reforestation Fund. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Rodman and Mr. Stewart. The motion passed.

**Status:** Committee awarded a contract to Bright View Landscape Services, Inc. in the amount of \$99,557 for landscaping services for U.S. Highway 278 Median Project. Funding is from the Tree Reforestation Fund.



#### **4. Cash Flow Post Hurricane Matthew / Future Planning**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Discussion:** Mrs. Alicia Holland, Assistant County Administrator–Finance, reviewed this item with the Committee. She provided the Committee a one-page handout that showed the total estimated net cash outflow due (out of pocket, non-reimbursed amount) to Hurricane Matthew, future planning projections to recoup \$30 million with five- to seven-year financing and 3.5% interest, and projected millage over the terms. This would not count against our 8% millage cap due to it having its own millage rate.

Mr. Gruber said the number is contingent upon the net cash outflow (non-reimbursed amount). An ordinance will be brought forward at the next meeting to begin the process due to the time sensitivity and the total process taking four to six months.

Mr. Flewelling expects any reimbursement from the State will go to pay down the principal, not fluff up the General Fund.

Mr. Stewart said if the reimbursement is received in a timely manner, we could borrow less money. This is a moving target.

Mr. Gruber explained the reimbursement dollars seem consistent--\$85 million of which 60% would be allocated toward hurricane recovery and the other 40% toward the natural disaster contributed to wildfires. We do not know how the monies would be allocated amongst the affected counties. We know Beaufort County will receive a portion of the dollars, but are not sure of the amount.

**Status:** Information only.

#### **5. Beaufort County FY-2018 Budget**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Discussion:** Mr. Josh Gruber, Deputy County Administrator/Special Counsel, provided the Committee a summary of the FY 2017-2018 budget outlook. The budget figures included the following figures:

Mil Value:	\$1,809,767 (+3.0%)
Total Operational Mills:	53.01 (+2.12)
Total Debt Mills:	11.20 (+.82)



Ad Valorem Tax Collections:	\$ 95,935,749 (+\$6,519,175)
Revenue from all other sources:	\$ 26,952,051 (+\$100,000)
Total Budget	\$122,887,800 (+\$6,619,175)

He reviewed the budget changes and assumptions as follows:

- Absorb reduction in Local Government Fund funding: \$600,000
- Mandatory S.C. Retirement increases: \$1,200,000
- Fully funding base recommendations from Salary and Compensation Survey: \$600,000
- Recurring capital for IT Infrastructure: \$1,000,000
- First year step increases/merit increases: \$1,900,000
- Departmental needs: \$1,087,000

**Status:** This item will come forward with more detail at the next Committee meeting.

#### **6. Technical College of the Lowcountry / Lowcountry Culinary Institute**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Discussion:** Mr. Richard Gough, President, Technical College of the Lowcountry provided to the Committee a handout that included the following:

- Request Beaufort County's investment in building the Lowcountry Culinary Institute
- PRWeb – International Culinary Institute of Myrtle Beach
- Information on proposed Lowcountry Culinary Institute

Representatives from the culinary industry spoke in favor of the proposed Lowcountry Culinary Institute and the need for educated individuals in the area.

Mr. Gary Kubic, County Administrator, informed the Committee of a meeting between representatives from the Technical College of the Lowcountry, Chairman Sommerville, Bluffton Town Mayor Sulka, and Bluffton Town Manager Mark Orlando. At that meeting, options were discussed to see how we could accomplish the construction of a culinary institute facility. We are looking at approximately \$13 million. At the conclusion of the meeting, there were three parts to review by the Town of Bluffton and County Council. (i) The MCIP agreement at the Buckwalter Place Commerce Park generates annual revenue. (ii) The projected revenue growth over the years was provided by the Town of Bluffton as well as an amortized schedule for a \$13 million General Obligation Bond over a 20-year bond life, assuming a 3% interest rate and semi-annual debt service payments. When you compare the two, you will notice there is not enough revenue stream generated from the MCIP to cover the annualized principal and interest for a 20-year bond. (iii) There is another player associated with the MCIP, the Beaufort County School District, who opted out. We would have to ask them to opt-in. This is preliminary information.

We have yet to discuss the exploration of private foundation monies available through major hotels.

Comments and questions from the Committee included the following:

- There is a bias against culinary. We think of it in terms of McDonald's and earning \$8 an hour. There are many highly paid positions and meaningful opportunities.
- The hope that the School District's position would be favorable.
- The institute makes a lot of sense for economic development in Beaufort County.
- The possibility of using hospitality tax funds as a funding mechanism and the possibility of asking municipalities to contribute hospitality funds.
- The possibility of bonding jointly with the Town of Bluffton and Beaufort County.
- Accommodations taxes being a potential revenue stream.
- The concept is good and bodes well for the future of Beaufort County.
- Important to reach out to other governmental agencies for additional funding.

**Status:** Information only.

#### **7. Off Agenda – Beaufort County School District FY 2018 Budget Proposal**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Discussion:** Committee Chairman Jerry Stewart stated the School District was scheduled to bring forth details of their FY 2017-2018 budget proposal at today's meeting, but the House budget came out that included significant changes. Turns out, Beaufort County will lose \$4.1 million from the State in Tier I and EFA funding. This was not anticipated. Due to these changes and the unfunded mandates, the School District needs additional time for budget preparation. They will present their budget at the April 10, 2017 Finance Committee meeting.

**Status:** Information only.

## **PUBLIC FACILITIES COMMITTEE**

**March 27, 2017**

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

The Public Facilities Committee met Monday, March 27, 2017 beginning at 2:00 p.m., in the Large Meeting Room, Hilton Head Island Branch Library, 11 Beach City Road, Hilton Head Island, South Carolina.

### **ATTENDANCE**

Chairman Stu Rodman, Vice Chairman York Glover and members Rick Caporale, Michael Covert, Alice Howard, Jerry Stewart and Roberts "Tabor" Vaux present. Non-Committee Steven Fobes, York Glove, 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: Phil Foot, Assistant County Administrator-Public Safety; Alicia Holland, Assistant County Administrator-Finance; Josh Gruber, Deputy County Administrator/Special Counsel; Thomas Keaveny, County Attorney; Gary Kubic, County Administrator; and Rob McFee, Division Director-Construction Engineering.

Public: Frank Babel, Co-Chairman, Hilton Head Bicycle Advisory Committee; John Boehn, Daufuskie Island Cooperative; Ed Campbell, Daufuskie Island Cooperative; Janet Emily, Coffin Point Plantation; Gerald Hartly, Coffin Point Plantation; Craig Helart, Manager, Civic Engagement and Outreach; Dee Mathews, Chairman, Board of Bridges Preparatory School; Laura Leigh Miles, Treasurer, Daufuskie Island Cooperative; John Schneider, Daufuskie Island Cooperative; and Deborah Smith, Daufuskie Island Council.

Media: Joe Croley, *Lowcountry Inside Track* and Lucas High, *Beaufort Gazette/Island Packet*.

Chairman Stu Rodman chaired the meeting.

### **ACTION ITEM**

#### **1. Budget Adjustment / Beaufort County Transportation Committee / 2016 SCDOT Resurfacing Project**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Discussion:** Mr. Rob McFee, Division Director–Construction Engineer, reviewed this item with the Committee. On April 25, 2016, Beaufort County Council appropriated \$6,160,000 for the Countywide SCDOT resurfacing project to Land Contracting, Inc. Funding of the 2016 SCDOT road resurfacing is taken from the following sources: 2016 Nonrecurring C Fund Revenue in the amount of \$5,667,823 and 2016 25% Mandate from Recurring C Fund Revenue in the amount of \$492,177.

The 2016 SCDOT Resurfacing is a unit price contract and includes approximately 28 miles of roadway at various locations throughout the County.

This budget adjustment is necessary for the significant amount of full depth patching and leveling required on most of the 28 miles of roadway due to years of deferred maintenance. The total adjustment needed for the project budget has been calculated at \$240,000.

Funding for this budget increase would require a \$90,000 transfer of unspent funds from the remaining 2016 25% mandate and \$150,000 from the Beaufort County Transportation Committee's total uncommitted funds with a present uncommitted balance of \$2,574,461. The new budget for the 2016 SCDOT Resurfacing is \$6,400,000 and is funded from the following sources: 2016 Nonrecurring C Fund Revenue \$5,667,823, 2016 25% Mandate from Recurring C Fund Revenue \$582,177 and Uncommitted C Funds \$150,000.

The Beaufort County Transportation Committee, at its March 15, 2017 meeting, approved a budget increase of \$240,000 for the 2016 Resurfacing Project funded from the remaining unspent \$90,000 2016 mandate and \$150,000 Uncommitted C Funds.

**Motion:** It was moved by Mrs. Howard, seconded by Mr. Caporale, that Committee recommend Council approve a budget increase of approximately 3.9% of the 2016 SCDOT Resurfacing Project of \$240,000 with funding from the remaining unspent 2016 25% Mandate funds of \$90,000 and \$150,000 from the Uncommitted Project C Fund. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Glover, Mrs. Howard, Mr. Rodman and Mr. Stewart. Mr. Vaux temporarily left the room. The motion passed.

**Recommendation:** Council approve a budget increase of approximately 3.9% to the 2016 SCDOT Resurfacing Project of \$240,000 with funding from the remaining unspent 2016 25% Mandate funds of \$90,000 and \$150,000 from the Uncommitted Project C Fund.

## **INFORMATION ITEMS**

### **2. Consideration of Daufuskie Island Cooperative, Inc. Lease and Marshside Mama Sublease Agreements**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Discussion:** Mr. Josh Gruber, Deputy County Administrator/Special Counsel, spoke before the Committee. This item came before the January 17, 2017 Public Facilities Committee, where the history of this lease and sublease was provided. Beaufort County entered into a lease with the Daufuskie Island Cooperative, Inc. (Cooperative) on May 13, 2010 for the use of two buildings (1,600 square feet) to be used as a general store and a restaurant. The Cooperative subleases that property to Marshside Mama and collects rents in the amount of \$600 a month. The lease expired December 31, 2015, but they have been continuing on a month-to-month lease. In meeting with the Cooperative and legal counsel, the Cooperative would like to renew the lease agreement on similar terms.

The County had its independent auditor look at the rents received by the Cooperative from Marshside Mama during the lease terms and there is about \$15,000 in rents not paid. The Cooperative said they gave a credit to Marshside Mama for improvements to the property that amounted to \$15,000.

The Cooperative could not attend today's meeting, and the Committee agreed to take the item up at a later time for further discussion and consideration.

Mr. Ed Campbell, Daufuskie Island Cooperative, stated all of the financial issues have been resolved. Daufuskie Island Cooperative Treasurer, Laura Leigh Miles, has a handout outlining the building repairs paid by Marshside Mamas, which total \$16,157 and include items that were used to serve the community as well as building upkeep.

Ms. Miles provided this document to the Committee. Invoices and descriptions have been provided to the County's Legal Department.

Mr. Gruber stated the list of repairs provided will be reviewed by staff to ensure these repairs do not include building repairs and maintenance as part of the sublease agreement. There were a number of repairs when the lease was entered into, as well as maintenance over the course of the lease.

Questions and concerns of the Committee included:

- Is there a mechanism in place whereby the lease will not have to be reviewed again?
- The requirement of active financial reporting would be in place as part of any relationship moving forward.
- The list does not include details as to the work that has been done.

Mr. Gruber stated staff is seeking guidance and input on the previous lease agreement and whether or not it is the directive of Council for staff to move forward in drafting a similar lease agreement.

Mr. Caporale referenced a letter from Mr. Delaney and asked staff to comment on his letter.

Mr. Gruber stated Mr. Delaney lives on Daufuskie Island and supports the use of that property as a bar/grill. He would be willing to entering into an agreement with the County to guarantee it continues being used in the same manor. He has offered to purchase the property. No price or terms have been discussed. The relationship that the County has had with the Cooperative has ensured that the property and the revenues have been used for the benefit of the residents. Historically, that is what Council wanted. If Council would like to entertain the option of selling this property, staff can entertain that while going through the property procedures. However, it would have to be opened up Countywide.

Mr. Caporale stated it is not a bad idea. However, the County, to continue as a landlord, is a bad idea.

Mr. Kubic said the overriding issue is whether or not Council, as a matter of public policy, wants to be in the bar business. As County Administrator, he does not want the County owning property that serves alcohol.

Mr. Covert is uncomfortable with the County being in the bar and grill business.

Committee Chairman Stu Rodman stated the Committee can ask staff to bring forth a recommendation and review the following: (1) the possibility of selling the property and (2) the details of the repairs/maintenance done by Marshside Mamas.

Mr. Vaux would like input from the Daufuskie Island Council.

**Status:** Staff to bring forth a recommendation and review the following: (1) the possibility of selling the property and (2) the details of the building repairs/maintenance done by Marshside Mamas.

### **3. Daufuskie Island Park Trail and Amenities Construction**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Discussion:** Mr. Josh Gruber, Deputy County Administrator / Special Counsel, reviewed this item with the Committee. Beaufort County received bids on August 23, 2016 for construction of the Daufuskie Island Park trail and amenities. This work includes 960 linear feet of walking trail, landscaping, parking area, men's and women's restroom facility, including electric service, ground water well and septic system. On September 26, 2016 County Council awarded a contract to ACCI for construction of the Daufuskie Island Park Trail and Amenities in the amount of \$135,305. The funding sources for this project were a South Carolina Department of Parks & Recreation CPRT Grant funds of \$99,808 and \$85,369 from County Hospitality Tax. Unfortunately, ACCI is not able to secure the required performance and payment bond or the alternative bank letter of credit. Options for proceeding forward are: (1) request an extension of the park grant from SCPRT a fourth time and re-advertise a fifth time; (2) return the grant funds.



The bid numbers are likely to be substantially in excess of the contemplated project budget. At that point, staff would recommend investing the money into the public restrooms at Marshside Mamas, rather than the park restrooms. If that is the desire of Council, staff would put out an RFP for remodeling of the existing restrooms.

Mr. Vaux stated after speaking with a bidder, things are expected to be resolved with a letter of credit. Staff should attempt to resolve with bidder over the course of the next ten days, and if not successful, move forward with the RFP for remodeling of existing restrooms. You build bathrooms where people are, not where you want them to go. People are at the beach and Marshside Mamas.

Ms. Deborah Smith, Daufuskie Island Council, stated the community park has been in motion for years. There are a lot of people on the Island who have put a lot of work on making this Park a reality. It is a dream; there is a vision. She asked Council to preserve this vision of a community park. The Daufuskie Island Council has not had an opportunity to review this latest issue and get input from the community.

Questions and concerns of the Committee included the following:

- At some point we would need to return the money.
- Are the dollars from the State tied to the Park?
  - It is trail grant funding. The money must build a trail and ancillary to that we can build restrooms. The submission sent in, as part of the application, specifically delineated the installation of restrooms.

**Status:** This item was postponed until the next Public Facilities Committee meeting.

#### **4. An Ordinance Regulating the Operation of Golf Carts on Public Streets and Secondary Highways in the Unincorporated Portions of Beaufort County**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Discussion:** Committee Chairman Stu Rodman provided the Committee with three handouts: (i) spreadsheet outlining regulations required by the State, proposed Beaufort County Ordinance, and proposed Daufuskie Island Ordinance, (ii) comments/input from the Daufuskie Community Focus Group dated March 22, 2017, and a (iii) memorandum from the Daufuskie Island Council regarding their recommendations on nighttime use of golf carts on Daufuskie Island.

Comments, questions and suggestions of the Committee included the following:

- Mr. Stewart would like to the ordinance to clarify that the intent is for Daufuskie Island, not unincorporated Beaufort County.
- Mrs. Howard wanted to know why an individual would not want the additional safety equipment, even on Daufuskie Island. The safety equipment should be included in its entirety.

- Mr. Vaux suggested including a grandfather provision or give a timeframe regarding installing of the safety equipment. There are individuals on Daufuskie Island, who are in the golf cart rental business, that this ordinance would hit hard.
- Mr. Covert felt segregating safety is a slippery slope to a disaster waiting to happen. Safety is safety. Is there any liability on the County's behalf if an accident did occur? If you are on a road, you should have a qualified vehicle that is properly maintained to be on that road. If we, in the future, are looking at having an ordinance separating different parts of the County, we get into a minutia of legal ramification. He cannot support, but one ordinance to include safety equipment.
- Mr. Rodman wanted to know if there can be two ordinances.
- Mr. Keaveny stated yes. It could get complicated. In the interest of public safety, County Council can enact different ordinances for different parts of the County when you have such disparate characteristics in locations. There is a rational basis for treating the two differently. In reaching out to the Sheriff's Office regarding golf cart accidents on Daufuskie Island, he was informed that they do happen. Some are serious. He will forward the details to Council.
- Mr. Glover wanted to know the maximum speed of a golf cart? 16 mph
- Mr. Glover feels lighting is an important factor, but items such as DOT tires and acrylic windshields do not seem necessary.
- Mr. Rodman feels a light on top would suffice.
- Mr. Caporale said there is a basic safety equipment package that should be required.
- Mr. Stewart feels some of the equipment in the proposed ordinance is pretty standard. A part of the issue is not individuals, but the costs for the rental golf carts.
- Mr. Sommerville feels DOT tires may not be a critical item and could possibly be removed.
- Mr. Vaux stated the only items he feels should be applicable to Daufuskie Island is a horn and seat belts. There are very few cars on Daufuskie Island.
- Mr. Covert agrees that there should be a timeframe for compliance. In regard to the DOT tires, the reason is to avoid the use of golf carts that are specific to golf courses with turf tires. On roadways turf tires do not have the same control.
- Mr. Fobes said the speed of a golf cart can be anywhere from 15 mph to 20 mph. He wanted to know if ATV and other types of vehicles would be included.
- Mr. Keaveny replied that there is a statute that governs low speed vehicles that differs from golf carts.
- Mr. Fobes said Council should err on the side of caution and would support basic equipment. He asked that Sheriff Tanner to provide his thoughts, suggestions and details on enforcement.

**Status:** Discussion will continue at the next Public Facilities Committee.



## **5. Lease Renewal / Bridges Preparatory School / Property Known as the Greene Street Gym or the Charles “Lind” Brown Activity Center**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Discussion:** Mr. Josh Gruber, Deputy County Administrator/Special Counsel, reviewed this item with the Committee. This is a request to renew the lease agreement between Beaufort County and Bridges Preparatory School for the property known as the Charles “Lind” Brown Activity Center (formerly Greene Street Gym). The City of Beaufort has no interest in the property the next few years and supports Bridges continued use.

**Motion:** It was moved by Mr. Glover, seconded by Mrs. Howard that Committee approve a lease agreement between Beaufort County and Bridges Preparatory School for the continued use of the property known as the Greene Street Gym or the Charles “Lind” Brown Activity Center. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Stewart and Mr. Vaux. The motion passed.

**Status:** Committee approved a lease agreement between Beaufort County and Bridges Preparatory School for the continued use of the property known as the Greene Street Gym or the Charles “Lind” Brown Activity Center.

## **6. Beaufort County Transportation Committee / 2017 SCDOT Resurfacing Project Selection**

**Discussion:** Mr. Rob McFee, Division Director–Construction Engineer, reviewed this item with the Committee. On July 2016, the SCDOT C Program Manager notified the Beaufort County Transportation Committee Chairman about the FY 2016/2017 C Fund Revenue. Per the attached July 1, 2016 correspondence, Beaufort County's one time distribution of non-recurring C Fund revenue would be \$1,296,700. The County Treasurer received this one-time deposit on August 18, 2016 and it has been posted to the C Fund Revenue Acct #2342000 1-43050. Also, in the July 1, 2016 correspondence the SCDOT C Program Manager requested the Beaufort County Transportation Committees' (BCTC) allocate the 2016/2017 non-recurring C Fund revenue for improvements to SCDOT primary system roads. Lastly, in the July correspondence was the projection of \$2,317,888 for the FY2016/2017 recurring C Fund distribution of which 25% is mandated by C Fund law to be spent on state highway infrastructure. With the 2017 nonrecurring/recurring distributions, ± \$1.9 million is available for the BCTC 2017 SCDOT resurfacing projects.

The County Engineering Department, working with SCDOT and municipality staff, had recommended to the BCTC resurfacing improvements for the following SCDOT roadways: Palmetto Bay Road resurfacing/improvements of four-lane roadway from Sea Pines Circle to the Charles E. Fraser Bridge, U.S. Highway 21 resurfacing and ride ability improvements on both ends of bridge expansion, S.C. Highway 170 resurfacing and ride ability improvements on both

ends of bridge expansion at Broad River Bridge, and S.C. Highway 170 resurfacing and ride ability improvements on both ends of bridge expansion at the Chechessee River Bridge.

The BCTC, at its March 15, 2017 meeting, approved the improvements for the 2017 SCDOT Resurfacing Project with funding from FY2017 nonrecurring C Fund Revenue and the 25% mandate from the FY2017 recurring C Funds.

Mr. Kubic asked Council to consider changing the current characteristics from the ability to enter into a contract to and advisory board of the County Council. This was generated from a request from BCTC members for professional liability insurance. He supports the concept that the BCTC should be advisory. Staff will bring forth a draft ordinance.

**Motion:** It was moved by Mrs. Howard, seconded by Mr. Caporale, that Committee confirm the improvements for the 2017 SCDOT Resurfacing Projects as follows: Palmetto Bay Road resurfacing/improvements of four-lane roadway from Sea Pines Circle to the Charles E. Fraser Bridge, U.S. Highway 21 resurfacing and ride ability improvements on both ends of bridge expansion, S.C. Highway 170 resurfacing and ride ability improvements on both ends of bridge expansion at Broad River Bridge, and S.C. Highway 170 resurfacing and ride ability improvements on both ends of bridge expansion at the Chechessee River Bridge. Funding will come from FY 2017 nonrecurring C Fund Revenue and the 25% mandate from the FY2017 recurring C Funds. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Glover, Mrs. Howard, Mr. Rodman and Mr. Stewart. Mr. Vaux temporarily left the room. The motion passed.

**Status:** Committee confirm the improvements for the 2017 SCDOT Resurfacing Projects as follows: Palmetto Bay Road resurfacing/improvements of four-lane roadway from Sea Pines Circle to the Charles E. Fraser Bridge, U.S. Highway 21 resurfacing and ride ability improvements on both ends of bridge expansion, S.C. Highway 170 resurfacing and ride ability improvements on both ends of bridge expansion at Broad River Bridge, and S.C. Highway 170 resurfacing and ride ability improvements on both ends of bridge expansion at the Chechessee River Bridge. Funding will come from FY2017 nonrecurring C Fund Revenue and the 25% mandate from the FY 2017 recurring C Funds.

## **7. McTeer Drive / St. Helena Island**

**Discussion:** Mr. Josh Gruber, Deputy County Administrator/Special Counsel, reviewed this item with the Committee. The Stormwater Department has been in the process of trying to alleviate drainage issues related to McTeer Drive since February 2016. A study provided by Four Waters Engineering, dated June 16, 2016 determined solutions to the drainage issues. The Stormwater Department used the data provided to request drainage easements from the adjacent property owners along the ditch in June 2016. To date, only seven easement requests have been granted. Five requests were denied and five nonresponsive.

As a result of Hurricane Matthew, more drainage complaints were received from the community. On February 2017, follow-up letters were mailed to the property owners who had

not granted easements. Many property owners scheduled a neighborhood meeting with the Stormwater Manager and their County Council representative, Mr. Paul Sommerville.

Staff research has shown that the County does not have right-of-way for that portion of McTeer Drive south of Avenue of the Oaks. This limits the County's ability to make repairs to the storm drainage system within this portion of the road.

The Stormwater and Engineering Departments are recommending that the following three options be considered by the Public Facilities Committee.

1. Proceed with easement acquisition for the ditch to St. Helena Sound. Condemnation of the drainage system to the outfall at St. Helena Sound. Approximately \$80,000 in legal fees.
2. Proceed with condemnation of the properties adjacent to McTeer Drive to secure the right of way for McTeer Drive only from Avenue of the Oaks, east to the east side of the cross line pipe and outfall ditch to St. Helena Sound. Approximately \$65,000 in legal fees.
3. Accede that McTeer Drive, south of the Avenue of Oaks, is a private road and discontinue any maintenance activities.

**Motion:** It was moved by Mr. Sommerville, seconded by Mr. Glover, that Committee accede that McTeer Drive, south of Avenue of the Oaks, is a private road and discontinue any maintenance activities. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. (Paul Sommerville, as County Council Chairman, serves as an *ex-officio* member of each standing committee of Council and is entitled to vote.) The motion passed.

**Status:** Committee acceded that McTeer Drive, south of Avenue of the Oaks, is a private road and discontinue any maintenance activities.

## **8. Update / East Coast (Bicycle) Greenway**

**Discussion:** Mr. Frank Babel, Co-Chairman, Hilton Head Bicycle Advisory Committee spoke about the East Coast Greenway (ECG), a nearly 3,000 mile linear park stretching from the Canadian border in Maine to Key West, Florida. Mr. Babel provided to the Committee three handouts:

- East Coast Greenway Vision
- Brochure on Southeast Biking Symposium
- Hardeeville Bicycle and Pedestrian Trails Master Plan

**Status:** Information only.

## **9. Dialog with Staff / Open Issues / Future Agenda Items**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Status:** No items brought forth for discussion.

DRAFT

Boards and Commissions  
Reappointments and Appointments  
April 10, 2017

**1 Governmental Committee**

***Bluffton Township Fire District 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>
04.10.17	Louis Poindexter	Council District 6	Appoint	6/11	Partial	2/2020

## **RESOLUTION 2017 /**

### **A RESOLUTION OPPOSING THE FISCAL YEAR 2017-2018 PROPOSED SOUTH CAROLINA HOUSE OF REPRESENTATIVES BUDGET RECOMMENDATION**

WHEREAS, the Fiscal Year 2017-2018 budget proposed by the South Carolina House of Representatives adds \$50 to the base student cost, increasing such from \$2,350 to \$2,400 per student; and

WHEREAS, the South Carolina Index of Taxpaying Ability is included in the South Carolina Educational Finance Act ("EFA") calculations; and

WHEREAS, despite the proposed increase in base student cost, of 81 South Carolina public school districts, 45 are projected to receive decreased funding from the State of South Carolina in the Fiscal Year 2017-2018 budget proposed by the South Carolina House of Representatives; and

WHEREAS, the funding reductions to the 45 school districts are projected to total \$10,652,163.32; and

WHEREAS, the funding reduction to the Beaufort County School District is projected to be \$4,138,685.51, which represents 38.9% of the total projected statewide reductions to school districts; and

WHEREAS, State mandated increases to the Beaufort County School District Fiscal Year 2018 budget are projected to total \$4,268,885; and

WHEREAS, due to the Index of Taxpaying Ability calculations and the State unfunded mandates, the Beaufort County School District is projected to require an additional \$8,407,570.51 to offset budget reductions and to meet State mandated budget increases.

NOW, THEREFORE, BE IT RESOLVED, that the County Council of Beaufort County hereby:

1. Opposes the Fiscal Year 2017-2018 budget proposed by the South Carolina House of Representatives; and

2. Calls upon the Beaufort County Legislative Delegation and the South Carolina General Assembly to review and reweight the Index of Taxpaying Ability so that South Carolina school districts, particularly the Beaufort County School District, are not substantially harmed by the Index of Taxpaying Ability calculations and weighting; and

3. Calls upon the Beaufort County Legislative Delegation and the South Carolina General Assembly to insert a hold harmless safeguard into the Index of Taxpaying Ability calculations such that no South Carolina school district, including the Beaufort County School District, has funding reduced as a result of the Index of Taxpaying Ability calculations and weighting; and

4. Calls upon the South Carolina Department of Revenue to verify and correct the accuracy of the Index of Taxpaying Ability index.

Adopted this \_\_\_\_\_ day of April, 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 / \_\_\_\_

**WHEREAS**, Daufuskie Island is a barrier island accessible primarily by use of water transportation; and

**WHEREAS**, the County Council of Beaufort County and the South Carolina Department of Transportation provide funds to assist in the transportation of Daufuskie Island property residents and owners to and from the mainland; and

**WHEREAS**, the County Council of Beaufort County desires to continue assistance in providing opportunities for the Island's residents and property owners to travel to and from the island in the pursuit of life-sustaining activities, such as employment, medical services, clothing, food, and supplies; and

**WHEREAS**, the availability of this service is critical to the island as the primary source of transportation for most of the residents and property owners; and

**WHEREAS**, the County Council of Beaufort County agrees with the need to submit an application to the South Carolina Department of Transportation for a dollar-to-dollar matching grant in the amount of Eighty Thousand Dollars (\$80,000) for ferry service for residents and property owners of Daufuskie Island.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Council of Beaufort County does hereby agree to apply to the State of South Carolina Department of Transportation for a matching grant to assist with ferry service to and from Daufuskie Island.

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



**ORDINANCE NO. \_\_\_\_\_**

**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**

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

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

**WHEREAS**, MCAS Beaufort, one of Beaufort County's strongest economic drivers, will host the 2017 MCAS Air Show at its facility in Beaufort County between April 29-30, 2017 which will feature, among others, static displays and live performers designed to showcase naval aviation at its best with demonstrations by the United States Naval Flight Demonstrations Team, the Blue Angels all of which is expected to draw approximately 100,000 visitors; and

**WHEREAS**, given that MCAS Beaufort is remote and that most, if not all, attendees will utilize highways, streets and roads to access the facility resulting in unusually large volumes of traffic on the highways, streets and roads all of which will need to be managed by law enforcement, including Beaufort County Sheriff's office; and

**WHEREAS**, the Sheriff estimates his office will incur approximately \$30,000 in unanticipated and unbudgeted expenses directly related to providing police and traffic services to the community as a result of the 2017 MCAS Beaufort Air Show; and

**WHEREAS**, Beaufort County Council believes these tourism related expenses should be shared by the City of Beaufort and Beaufort County equally and that its share of these expenses should be appropriated from the State 2% Accommodations Tax Fund.

**NOW THEREFORE, BE IT ORDAINED** that Beaufort County Council, duly assembled, hereby appropriates \$15,000.00 from the State 2% Accommodations Tax Fund to the Beaufort County Sheriff's Office to defray a portion of the anticipated expenses associate with the 2017 MCAS Beaufort Air Show.

DONE, this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: \_\_\_\_\_

D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

\_\_\_\_\_  
Thomas J. Keaveny, II  
Beaufort County Attorney

ATTEST:

\_\_\_\_\_  
Ashley M. Bennett, Clerk to Council

First Reading:

Second Reading:

Public Hearing:

Third and Final Reading:



**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 Jerry Stewart, Chairman, Finance Committee

**FROM:** David L Thomas. CPPO. Purchasing Director

**SUBJ:** Sole Source Purchase  
Change Order Request for RFQ #070915, Request for Qualifications for Arborist Services for Beaufort County

**DATE:** 04/03/2017

**BACKGROUND:**

Beaufort County, in partnership with the Town of Hilton Head, contracted with Preservation Tree Care for arborist services in support of obstruction removal projects at Hilton Head Island Airport. The approved contract was a "Not-to-exceed" contract of \$80,000. The actual arborist requirements increased based on the project's need for more intense oversight and education from the arborist to the contractor. This was needed because of the sensitive nature of the project. Once the project commenced, additional tree measuring and verifications were added to the scope of field work in order to better assure stakeholders that specifications were closely followed. The project has been highly successful in achieving the scope of work and in demonstrating strict adherence to the specifications. Below is a listing of the RFQ responses and ranking. The attached document provides an explanation of the need for the additional budget.

**VENDOR INFORMATION:**

**COST:**

1. Preservation Tree, LLC, Lady's Island, SC	NTE \$29,925
2. Mullane Associates, Hilton Head Island, SC	0
3. Carolina Tree Care, Summerton, SC	0
4. Ossabaw Consulting, Savannah, GA	0

**FUNDING:**

90% FAA Grant 31, 5% South Carolina Aeronautics Commission, 2.5% by Beaufort County and 2.5% by the Town of Hilton Head Island


Funding approved:  By:  Date:

**FOR ACTION:** Finance Committee meeting occurring April 3, 2017.

**RECOMMENDATION:**

The Finance Committee approve, and recommend to County Council, approval of the contract change order for Preservation Tree LLC, for additional Arborist Services for a total cost not to exceed \$29,925.

Attachment:

 RFQ 070915 Attachments to Change Order Request 04032017.pdf  
103.84 KB

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: ☒

**After Initial Submission, Use the Save and Close Buttons**



Michael P. Murphy,  
NJ-0146B

July 29, 2016

Jon Rembold  
Beaufort County Director of Airports  
120 Beach City Road  
Hilton Head Island, SC 29925

Re: Arborists Services Contract

Dear Jon,

I am aware of the fact that the estimated time which I had anticipated would complete the project for the arborist services has expired. I would like to list some items here for you that were not evident or pertinent to the assignment when we discussed the budget prior to the start of the project. These items, although part of the original contract, had grown in scope and importance as the project progressed.

- Tree mitigation and compatibility with the Town of Hilton Head's Land management Ordinance.
- Parcel by Parcel tree field grading and analysis for mitigation purposes.
- Application of accurate tree measuring systems for cut to height requirements.
- Re-measurement after trimming for as-builts accuracy
- Training for specific ANSI A300 Pruning Standards that needed to be applied

- Special attention required to be paid to the extraordinary needs of two residential Parcels, one National historic site and one local historic church.

The extra hours that have been generated on this project were necessary because of the importance of the accuracy that we needed to assure, the significance of keeping the public informed and the quality of the canopy that we were charged with protecting. These extra hours were an essential and integral part of this all important project.

The following graph details the extra hours and dollar cost, over and above the original \$80,000.00 budgeted amount, needed to finish the Runway 3 and Runway 21 projects. It also includes the projected amount of time that will be needed to complete the yet to be started St. James Church Parcel.

	HOURS	COST
RWY 3	34.5	\$5175.00
RWY21	121	\$18,150.00
MITIGATION	44	\$6,600.00
GRAND TOTAL	199.5	\$29,925.00

Respectfully submitted,



Michael P. Murphy  
Board Certified Master Arborist, NJ-0146B

**Maletta, Linda**

---

**From:** Riley Steve [SteveR@hiltonheadislandsc.gov]  
**Sent:** Thursday, March 09, 2017 8:36 AM  
**To:** Rembold, Jon  
**Subject:** RE: HXD Project Arborist

Jon,

This is fine. Will there be a separate invoice or how do we best settle up accounts?

## Steve Riley

Town Manager  
Town of Hilton Head Island  
843.341.4700

**From:** Rembold, Jon [mailto:jrembold@bcgov.net]  
**Sent:** Wednesday, March 08, 2017 2:13 PM  
**To:** Riley Steve <SteveR@hiltonheadislandsc.gov>  
**Subject:** HXD Project Arborist

Steve,

As you know, the Town agreed to jointly employ Preservation Tree Care as the project arborist for the tree projects at both ends of the Hilton Head Island Airport. There is a need to approve additional funding as the scope grew when the field work commenced. As you may imagine, contractors are different and we are subject to procurement regs when selecting... More time was needed in the field for Michael to ensure the project (specifically south end) was completed to Hilton Head standards. Please see the attached write up by Michael Murphy of Preservation. I'm asking that the Town extend the agreement to cover 2.5% of the cost related to RWYs 3 and 21, not the mitigation. Total = 2.5% of \$23,325 = \$583. Your original commitment was \$2,000.

Kindest regards,

Jon Rembold  
Airports Director  
Hilton Head Island Airport (KHXD)  
Beaufort County Airport (KARW)  
843-255-2952 (o)  
843-441-5871 (m)



## Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in

relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).





**COUNTY COUNCIL OF BEAUFORT COUNTY**  
**BEAUFORT COUNTY ENGINEERING DEPARTMENT**  
104 Industrial Village Road, Building #3, Beaufort, SC 29906  
Post Office Drawer 1228, Beaufort, SC 29901-1228  
Telephone: 843-255-2700 Facsimile: 843-255-9420

TO: Councilman Stewart Rodman, Chairman, Public Facilities Committee

VIA: Gary Kubic, County Administrator  
Josh Gruber, Deputy County Administrator  
Alicia Holland, Assistant County Administrator for Finance

FROM: Rob McFee, PE, Division Director for Construction, Engineering & Facilities

SUBJ: **Budget Adjustment for the BCTC 2016 SCDOT Resurfacing Project**

DATE: March 16, 2017

**BACKGROUND.** On April 25, 2016, the Beaufort County Council appropriated \$6,160,000 for the County wide SCDOT resurfacing project to Lane Contracting, Inc. Funding for the 2016 SCDOT road resurfacing is taken from the following sources:

2016 Non-Recurring C Fund Revenue	\$5,667,823
2016 25% Mandate from Recurring C Fund Revenue	\$ 492,177
	\$6,160,000

The 2016 SCDOT Resurfacing is a unit price contract and includes approximately 28 miles of roadway at various locations throughout the County.

This budget adjustment is necessary for the significant amount of full depth patching and leveling required on most of the 28 miles of roadway due to years of deferred maintenance. The total adjustment needed for the project budget has been calculated at  $\pm$ \$240,000.

**FUNDING.** The funding for this budget increase would be a \$90,000 transfer of unspent funds from the remaining 2016 25% mandate and \$150,000 from the BCTC's total uncommitted funds with a present uncommitted present balance of \$2,574,461. The new budget for the 2016 SCDOT Resurfacing would be \$6,400,000 and is funded from the following sources:

2016 Non-Recurring C Fund Revenue	\$5,667,823
2016 25% Mandate from Recurring C Fund Revenue	\$ 582,177
Uncommitted C Funds	\$ 150,000

The BCTC at its March 15, 2017 meeting approved a budget increase of \$240,000 for the 2016 SCDOT Resurfacing Project funded from the remaining unspent \$90,000 2016 mandate and \$150,000 from the uncommitted C funds.

**ACTION.** Public Facilities Committee meeting on March 20, 2017.

**RECOMMENDATION.** That the Public Facilities Committee approve and recommend to County Council a budget increase of approximately 3.9% to the 2016 SCDOT Resurfacing Project of \$240,000 with funding from the remaining unspent 2016 25% mandate funds of \$90,000 and \$150,000 from the uncommitted project C fund balance presently at \$2,574,461.

JRM/AA/mjh

Attachment: 1) BCTC 3/15/17 Motion 2) BCTC Financial Statement at March 14, 2017

**BEAUFORT COUNTY C FUND REPORT**  
**JULY 1, 2016- MARCH 31, 2017**

(unaudited)

3/14/2017

**INCOME AND EXPENSES**

Balance of Funds as of July 1, 2016		\$8,623,593
Income: July 1 2016 thru March 31, 2017		
Nonrecurring Funds Received	\$1,295,000	
Recurring Funds Received (Jul thru Jan 2017 Deposit)	\$1,553,124	
Interested Earned	\$2,591	
Total Income July 1, 2016 thru March 31, 2017		\$2,850,715
Expenses: July 1, 2016 thru March 31, 2017		
Administrative Expenses Bid Ad, Postage, Office Supplies, PerDiem	\$902	
Local Paving Project Expenditures	\$301,080	
Note 1   2016 State Road Resurfacing Expenditures	\$141,733	
Signal Enhancement at US21/SC170	\$47,114	
Total Expenditures July 1, 2016 thru March 31, 2017		\$490,829
Balance of Funds as of March 31, 2017		\$10,983,479

**FUNDING COMMITMENTS**

Note 1	2016 State Road Resurfacing Project (State System) Under Construction	\$6,018,110	
	2017 State Road Resurfacing Project (State System)	\$1,965,927	
	City of Beaufort Southside Blvd Sidewalk Repair	\$130,000	
	Town of Port Royal Sidewalk Project	\$39,451	
	Beaufort County Traffic Signal Enhancement/Data Collection US21/SC170	\$139,886	
Note 2	Reserve Fund Allocation for FY 2016 (5% Annual Income)	\$115,644	
	Total Committed Funds		\$8,409,018
	Total Uncommitted Funds Available for New Projects		<b>\$2,574,461</b>

Note 1	Funding is \$5,667,823 from Nonrecurring Funds Received	For FY 2017 the mandatory 25%
	\$492,020 from Recurring Funds Received	is \$388,281 (Obligation State System)
	\$6,159,843 Total Budget 2016 SCDOT Road Resurfacing	
Note 2	BCTC approved Reserve Fund Allocation at May 18, 2016 Meeting	
	at 25% of average annual income over a 5 year period at a minimum of 20% per year.	

**BCTC MEETING MARCH 15, 2017 – DRAFT MOTION**

**AGENDA ITEM 4C – BUDGET ADJUSTMENT FOR THE BCTC 2016 SCDOT ROADWAY RESURFACING CONTRACT**

Mr. McFee Presented the Budget Adjustment Request from the County Engineering Department pertaining to the budget increase of \$240,000 for the BCTC's 2016 SCDOT Roadway Resurfacing Project

**MOTION:** A motion was made Mr. Forrest and Seconded by Mr. England for the BCTC to approve a budget increase to the 2016 SCDOT Resurfacing Project for \$240,000 with funding from the remaining unspent 2016 25% mandate funds of \$90,000 and \$150,000 from the uncommitted C fund balance. The motion passed unanimously.

**ORDINANCE 2017 / \_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE ASSIGNMENT AND/OR GRANTING OF  
CERTAIN UTILITY EASEMENTS TO  
BEAUFORT-JASPER WATER AND SEWER AUTHORITY**

**WHEREAS**, Beaufort County is the owner of that certain property located at the intersection of Lady's Island Parkway and Rue Du Bois Road on Lady's Island, Beaufort County, South Carolina, Beaufort County Tax Identification Number R200 018 000 020B 0000; and

**WHEREAS**, said property has been developed into a public park and is commonly known as Crystal Lake Park; and

**WHEREAS**, as part of the development of the park, water and sewage systems were installed as part of the infrastructure; and

**WHEREAS**, in order to install said water and sewer systems, Beaufort County obtained Limited Utility Easements from adjacent property owners for the purpose of boring, laying, constructing, maintaining, operating, repairing, replacing and removing underground pipelines, together with valves, tie overs, and appurtenant facilities for the purpose of sanitary sewer or substances which can be transported through a pipeline; and

**WHEREAS**, and more specifically, Limited Utility Easements, for valuable consideration, were obtained by Beaufort County and were recorded in the Office of the Beaufort County Register of Deeds as follows:

1. WB Rentals, LLC granted to Beaufort County, a limited utility easement as more particularly described within said easement on December 1, 2014 and recorded on December 9, 2014 in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 3365 at Page 1028;
2. R. Ray Kearns, Jr. granted to Beaufort County, a limited utility easement as more particularly described within said easement on November 24, 2014 and recorded on December 17, 2014 in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 3367 at Page 2202;
3. Gibson Enterprises, L.P. granted to Beaufort County, a limited utility easement as more particularly described within said easement on December 15, 2014 and recorded on December 17, 2014 in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 3367 at Page 2207;
4. Ameris Bank granted to Beaufort County, a limited utility easement as more particularly described within said easement on January 20, 2015 and recorded on January 29, 2015 in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 3375 at Page 3263; and

5. Beaufort County School District granted to Beaufort County, a limited utility easement as more particularly described within said easement on February 26, 2015 and recorded on March 5, 2015 in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 3383 at Page 927; and

**WHEREAS**, Beaufort County acquired all that certain piece, parcel and lot of land, with improvements, referenced by the Beaufort County Office of the Assessor as R200 018 000 020B 0000 by Deed from The Trust for Public Land recorded in the Office of the Register of Deeds on October 15, 2004 and recorded in Book 2036 at Page 1987; and

**WHEREAS**, said property contains improvements that require water/sewer services and the County is desirous of turning the existing water/sewer systems over to Beaufort-Jasper Water and Sewer Service by granting a limited utility easement across R200 018 000 020B 0000 for said purposes; and

**WHEREAS**, Beaufort-Jasper Water and Sewer Authority ("BJWSA") has requested an assignment and/or grant of these easements in order to manage, maintain and operate the water/sewer systems on and under those portions of the properties described in the aforementioned easements of record for the benefit of the park; and

**WHEREAS**, staff has reviewed this request and believes it is in the best interest of the County to assign the aforementioned easements to BJWSA; and

**WHEREAS**, S.C. Code Ann. § 4-9-130 requires the transfer of any interest in real property owned by the County to be authorized by the adoption of an Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY BEAUFORT COUNTY COUNCIL**, that the County Administrator is hereby authorized to execute any and all documents necessary to assign and/or grant to BJWSA the necessary easements mentioned above for the perpetual management, maintenance and operation of the water/sewer systems thereon and which service PIN R200 018 000 020B 0000.

**ADOPTED BY BEAUFORT COUNTY COUNCIL, BEAUFORT, SOUTH CAROLINA, ON 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: March 13, 2017

Second Reading: March 27, 2017

Public Hearing:

Third and Final Reading:

**ORDINANCE 2017 / \_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO  
ENTER INTO A LEASE/PURCHASE AGREEMENT WITH  
GULLAH FARMERS' COOPERATIVE ASSOCIATION**

**WHEREAS**, Beaufort County is the owner of certain property located at 51 Ball Park Road, St. Helena Island, South Carolina (the "Property") which consists of a vacant single story building containing approximately 9,916 square feet on approximately 10 acres of land (Parcel R300-016-000-183A-0000) known generally in the community as LeRoy Browne Center; and

**WHEREAS**, the Gullah Farmers' Cooperative Association ("Cooperative") is an Association in good standing with the South Carolina Secretary of State. It is located on St. Helena Island, South Carolina with 17 farm members and a board of directors. The core values of the Cooperative are: (1) to provide a market for local produce that is environmentally and economically sustainable; (2) to encourage the next generation of farmers, thereby helping to keep farmland in production, leaving a legacy for future generations and an opportunity for economic support, growth and development; and (3) to benefit the local community by distributing fresh, locally grown and harvested vegetables to local schools, restaurants, grocery stores and governmental installations; and

**WHEREAS**, the Cooperative wishes to enter into a Lease/Purchase Agreement for the LeRoy Browne Center and five (5) acres of the surrounding land from the County the key provisions of which are set forth in its proposal which is attached hereto as Exhibit "A"; and

**WHEREAS**, Beaufort County Council has considered the Cooperative's proposal and has concluded it is in the best interests of its citizens to enter into a Lease/Purchase Agreement with the Cooperative for the Property.

**NOW, THEREFORE, BE IT ORDAINED BY BEAUFORT COUNTY COUNCIL**, that the County Administrator is hereby authorized to negotiate a Lease/Purchase Agreement with the Gullah Farmers' Cooperative Association for the LeRoy Browne Center and five (5) surrounding acres (the key provisions of which are attached as Exhibit "A") and to execute any and all documents necessary to consummate such an Agreement.

**ADOPTED BY BEAUFORT COUNTY COUNCIL, BEAUFORT, SOUTH CAROLINA,  
ON 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: March 13, 2017

Second Reading: March 27, 2017

Public Hearing:

Third and Final Reading:



# EXHIBIT "A"

## Proposed Lease/Purchase Terms

The key provisions for the lease sought by the Gullah Farmers' Cooperative:

Lease Term: 5 years with option to renew after 5 years

Lease Payments: Current estimated property taxes plus \$1000.00 per year.

Purchase Option: Option to buy the building from Beaufort County during lease period. It is the intent of the Gullah Farmers' Cooperative to buy the building. We propose a purchase price of \$225,000

Maintenance: The Gullah Farmers' Cooperative will be responsible for utilities and maintenance of the building while under the lease agreement.

Capital Improvements: The capital improvements made to the building will be handled differently depending on whether or not the building is purchased by the Gullah Farmer's Cooperative.

- If the building is purchased by the Gullah Farmers' Cooperative, then the book value (undepreciated amount) of capital improvements will be taken off the purchase option price.

**Example:** \$45,000 of capital improvements are put into the building in 2017. These leasehold improvements would be depreciated over 15 years. If the building is purchased after 10 years, \$30,000 of the improvements will have been depreciated. The remaining \$15,000 (book value) would be taken off the purchase option price.

- If the lease is terminated by the county, then the book value (undepreciated amount) of the capital improvements will be reimbursed to the Gullah Farmers' Cooperative upon lease termination.

**Example:** \$45,000 of capital improvements are put into the building in 2017. These leasehold improvements would be depreciated over 15 years. If the lease was terminated after 10 years, \$30,000 of the improvements will have been depreciated. The remaining \$15,000 (book value) would have to be reimbursed at the end of the lease. Or, when the building is subsequently sold to another party.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO APPROPRIATE \$207,896.00 FROM THE LOCAL (3%)  
ACCOMMODATIONS TAX FUND FOR REPAIR OF COUNTY DOCKS AND PIERS**

**WHEREAS**, County Council is authorized to utilize the Local (3% ) Accommodations Tax Fund for certain limited purposes including cultural, recreational or historic facilities and highways, roads, streets, bridges and boat ramps providing access to tourist destinations; and

**WHEREAS**, as a result of damage from Hurricane Matthew, there is a need for construction repair of County boat landing docks and piers at the following locations: Alljoy Landing, C.C. Haigh Landing, Edgar Glenn Landing, Whale Branch Fishing Pier, Bluffton Dock/Pier, Cross Island Landing, H.E. Trask Landing, White Hall Landing, Buddy & Zoo Landing, Daufuskie Landing, and Sam's Point Landing; and

**WHEREAS**, on March 6, 2017 Beaufort County Finance Committee recommended approval of a contract award to Patterson Construction, Inc. utilizing fund Local (3%) Accommodations Tax; and

**WHEREAS**, Beaufort County Code Ordinance Sec. 66-44(b) states "the authorization to utilize any funds from the 'County of Beaufort, South Carolina, Local (3%) Accommodations Tax Account,' shall be by ordinance duly adopted by the County Council"; and

**WHEREAS**, Beaufort County Council believes that it is in the best interests of its citizens to appropriate \$207,896.00 from the Local (3%) Accommodations Tax Fund for the repair of the above-referenced docks and piers.

**NOW, THEREFORE, BE IT ORDAINED BY BEAUFORT COUNTY COUNCIL**, that an appropriation of \$207,896.00 be made from the Local (3%) Accommodations Tax Funds to pay for the repair of the above-referenced docks and piers.

**DONE 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: March 13, 2017

Second Reading: March 27, 2017

Public Hearing:

Third and Final Reading:

ORDINANCE 2017 /

TEXT AMENDMENT TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC): ARTICLE 3, SECTION 3.3.30 NEIGHBORHOOD MIXED USE (C3) ZONE STANDARDS, AND ARTICLE 4, SECTION 4.1.170 MULTI-FAMILY DWELLINGS (TO MODIFY THE REQUIREMENTS FOR MULTI-FAMILY RESIDENTIAL IN THE C3-NEIGHBORHOOD MIXED-USE DISTRICT)

Whereas, amended text is highlighted, text that is underscored shall be added text and text ~~lined through~~ shall be deleted text.

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 Bennett, Clerk to Council

First Reading: March 13, 2017  
Second Reading: March 27, 2017  
Public Hearing:  
Third and Final Reading:

## Article 3, Division 3.3.30

### 3.3.30 Neighborhood Mixed Use (C3) Zone Standards

#### A. Purpose

The Neighborhood Mixed Use (C3) Zone provides for high-quality, moderate-density (averaging under three dwelling units per acre) residential development, with denser areas of multi-family and mixed-use development to provide walkability and affordable housing options. The design requirements are intended to provide a suburban character and encourage pedestrian, as well as automobile, access. Open spaces shall be provided in sufficient quantity to ensure an open quality with a predominance of green space. Non-residential uses shall be limited to parcels having access to arterial or collector streets or within a Traditional Community Plan. This Zone provides for the lower densities of areas designated Neighborhood Mixed-Use in the Comprehensive Plan. It is intended to support the development of communities with a diverse range of housing types and uses.

#### B. Building Placement

##### Setback (Distance from ROW/Property Line)

Front	30' min. <sup>1</sup>
-------	-----------------------

Side:

Side, Main Building	10' min.
Side, Ancillary Building	10' min.

Rear	50' min.
------	----------

<sup>1</sup>The minimum front setback for mansion apartments in a Multi-family community on internal streets is 15 feet.

##### Lot Size

Lot Size	10,890 SF min.
Width	70' min.

##### Minimum Site Area

Single Family and Duplex	10,890 SF
Multi-Family	21,780 SF

##### Note:

For development within a Traditional Community Plan meeting the requirements of Division 2.3, setback, minimum lot size and minimum site area requirements of the transect zone established and delineated on the regulating plan shall apply.

#### C. Building Form

##### Building Height

Single Family and Duplex	2.5 stories max.
Multi-Family	2.5 stories max.
Non-Residential Buildings	2 stories max.
Institutional Buildings	35 feet above grade
Ground Floor Finish Level	No minimum

Multi-Family housing shall utilize the Mansion Apartment Building Type requirements in 5.1.110.

#### D. Gross Density<sup>1</sup> and Floor Area Ratio

##### Gross Density

Single Family Detached	2.6 d.u./acre
Single Family Attached/ Duplex	2.6 d.u./acre
Multi-Family Unit	12 d.u./acre, Maximum of 80 dwelling units
Traditional Community Plan	3.5 d.u./acre <sup>2</sup>

<sup>2</sup>Subject to the requirements in Division 2.3

##### Floor Area Ratio

Non-residential buildings	0.18 max.
---------------------------	-----------

<sup>1</sup>Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F)

#### E. Parking

##### Required Spaces: Residential Uses

Single-family detached	3 per unit
Single-family attached/duplex	2 per unit
Multi-family units	1.25 per unit
Accessory dwelling unit	1 per unit
Community residence	1 per bedroom
Live/work	2 per unit plus 1 per 300 GSF of work area

##### Required Spaces: Service or Retail Uses

Retail, offices, services	1 per 300 GSF
Restaurant, Café, Coffee Shop	1 per 150 GSF
Gas station/fuel sales	1 per pump plus requirement for retail
Lodging: Bed and breakfast	2 spaces plus 1 per guest room
Lodging: Inn/hotel	1 per room

For parking requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).

## Article 4, Division 4.1.170

- (2) The capacity of all truck route roads to carry traffic from the site to arterial or collector roads is evaluated; and
  - (3) Any sub-standard roads are brought up to adequate standards, both before and after mining activities, as determined by the County Engineer and/or SCDOT.
- b. **Operations Plan.** An operations plan shall identify the specific types of activities that are necessary for successful operation of the use, specific technologies that will be incorporated into the use, potential impacts on adjacent lands and mitigation measures, the size of the operation, the number of employees, and the operating hours of the use.
- c. **End Use Plan.** An end use plan shall be approved that demonstrates after completion of the mining/excavation, the site will be restored. The end use plan shall address the following:
  - (1) The ground surface on the site is restored to a condition permitting one of the following uses: agricultural, residential, recreation, or non-residential.
  - (2) If recreation is identified as the restored use, its management is established in the end use plan.
  - (3) Risks from any sub-surface materials to future restored use(s) is identified and mitigated.
  - (4) If surface water will be present, likely chemical water quality shall be identified.
  - (5) Where permanent water bodies are created as a result of surface mining, littoral shelves and wetland vegetation are encouraged to promote water quality and natural habitat.
6. **Final Excavation Plan.** Where surface water features remain, or a depressed area is created during mining/excavation, a final excavation plan shall be submitted that is consistent with the end use plan and approved as part of the Special Use Permit. The final excavation plan shall demonstrate that sufficient land will remain unexcavated and/or that the excavation will be done in a manner that allows the development to conform to this chapter's requirements without variances.
7. **Escrow Account.** An escrow account or a yearly fee approved by the County Attorney and County Council as part of the Special Use Permit may be required to ensure that there are sufficient funds set aside for restoration.

### 4.1.170 Multi-Family Dwellings

Multi-family dwellings shall comply with the following:

- A. **Specific to C3 District.** In the C3 District, multi-family ~~dwelling units shall meet the Mansion Apartment building type standards (see Section 5.1.110, Mansion Apartment).~~ uses shall be compatible with surrounding neighborhood character in size, scale, and architecture.
- B. Reserved.