

COUNTY COUNCIL OF BEAUFORT COUNTY

ADMINISTRATION BUILDING
100 RIBAUT ROAD
POST OFFICE DRAWER 1228
BEAUFORT, SOUTH CAROLINA 29901-1228
TELEPHONE: (843) 255-2180
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WM. WESTON J. NEWTON
CHAIRMAN

D. PAUL SOMMERVILLE
VICE CHAIRMAN

COUNCIL MEMBERS

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GERALD DAWSON
BRIAN E. FLEWELLING
HERBERT N. GLAZE
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STEWART H. RODMAN
GERALD W. STEWART
LAURA VON HARTEN

GARY KUBIC
COUNTY ADMINISTRATOR

BRYAN J. HILL
DEPUTY COUNTY ADMINISTRATOR

JOSHUA A. GRUBER
COUNTY ATTORNEY

SUZANNE M. RAINEY
CLERK TO COUNCIL

AGENDA COUNTY COUNCIL OF BEAUFORT COUNTY

Monday, March 12, 2012

4:00 p.m.

Council Chambers,
Administration Building

Citizens may participate in the public comment periods and public hearings from telecast sites at the Hilton Head Island Branch Library as well as Mary Field School, Daufuskie Island.

1. CAUCUS - 4:00 P.M.
Discussion is not limited to agenda items.
Executive Conference Room
2. REGULAR MEETING - 5:00 P.M.
Council Chambers
3. CALL TO ORDER
4. PLEDGE OF ALLEGIANCE
5. INVOCATION
6. MOMENT OF SILENCE
Mr. Reece Gibson. Former Chairman of County Council
Dr. Horace Williams, Jr., Chaplain, Detention Center
7. PUBLIC COMMENT
8. PROCLAMATION
A. Disabilities Awareness Month ([backup](#))
Mrs. Gardenia Simons-White and Mr. Jonathan Brown
9. COUNTY ADMINISTRATOR'S REPORT
Mr. Gary Kubic, County Administrator ([backup](#))
A. The County Channel / Broadcast Update ([backup](#))
B. Announcement / South Carolina State Firefighters' Association Media Award Recipient
- The County Channel

Over



- C. Two-Week Progress Reports / County Administrator and Deputy County Administrator
([backup](#))
- D. Presentation / Center for Heirs' Property Preservation
Ms. Jennie Stephens, Executive Director
- E. Introduction of New Animal Shelter Director / Ms. Tallulah Trice

10. CONSENT AGENDA – ITEMS A THROUGH J

- A. AUTHORIZING THE ISSUANCE AND SALE OF NOT EXCEEDING \$2,500,000 OF GENERAL OBLIGATION BOND ANTICIPATION NOTES TO PROVIDE FUNDS FOR THE ACQUISITION OF THE BUILDING AND REAL PROPERTY KNOWN AS THE MYRTLE PARK COUNTY ADMINISTRATION BUILDING, LOCATED AT 4815 BLUFFTON PARKWAY, BLUFFTON, SOUTH CAROLINA ([backup](#))
 - 1. Consideration of second reading approval to occur March 12, 2012
 - 2. Public hearing announcement – Monday, March 26, 2012, beginning at 6:00 p.m. in Council Chambers of the Administration Building, 100 Ribaut Road, Beaufort
 - 3. First reading approval occurred February 27, 2012 / Vote 11:0
 - 4. Finance Committee discussion and recommendation to approve occurred February 20, 2012 / Vote 7:0
- B. RESOLUTION / AUTHORIZING INSTALLATION OF TRAFFIC CONTROL SIGNS ([backup](#))
 - 1. Finance Committee discussion and recommendation to approve occurred February 20, 2012 / Vote 7:0
- C. ARCHITECTURAL DESIGN AND CONSTRUCTION SERVICES FOR A NEW BLUFFTON FIRE STATION FOR THE BLUFFTON TOWNSHIP FIRE DISTRICT ([backup](#))
 - 1. Contract award: Fraser Construction / Court Atkins Architects, Bluffton, South Carolina
 - 2. Contract amount: \$2,200,000
 - 3. Funding source: Bluffton Fire District General Fund
 - 4. Public Facilities Committee discussion and recommendation to approve occurred February 28, 2012 / Vote 6:0
- D. DESIGN BUILD CONSTRUCTION FOR DIRT ROAD PAVING CONTRACT #45 ([backup](#))
 - 1. Contract award: REA Contracting, LLC/Andrews & Burgess, Inc., Beaufort, South Carolina
 - 2. Contract amount: \$912,158.40
 - 3. Funding source: Beaufort County Transportation Committee (CTC) and Motorized Vehicle Fee (TAG)
 - 4. Road Paving: L.H. Nelson Drive (Council District 9), Salt Creek Drive, West (Council District 8), River Oaks Road (Council District 6), Gumwood Drive (Council District 7), Ferguson Lane (Council District 2)
 - 5. Public Facilities Committee discussion and recommendation to approve occurred February 28, 2012 / Vote 6:0
- E. DESIGN BUILD CONSTRUCTION FOR DIRT ROAD PAVING CONTRACT #46 ([backup](#))
 - 1. Contract award: REA Contracting, LLC/Andrews & Burgess, Inc., Beaufort, South Carolina

2. Contract amount: \$1,658,752.30
 3. Funding source: Beaufort County Transportation Committee (CTC) and Motorized Vehicle Fee (TAG)
 4. Road Paving: Halifax Drive, First Coleman Road, Queens Road, Cee Cee Road, Inglewood Circle (Council District 5)
 5. Public Facilities Committee discussion and recommendation to approve occurred February 28, 2012 / Vote 6:0
- F. US HIGHWAY 278 WATER QUALITY ENHANCEMENT PLAN ([backup](#))
1. Contract award: Coleman Snow Consultants, LLC, North Charleston, South Carolina
 2. Contract amount: \$56,000
 3. Funding source: 65% Stormwater Utility Fees; 35% One Cent Sales Tax Projects
 4. Public Facilities Committee discussion and recommendation to approve occurred February 28, 2012 / Vote 6:0
- G. SC HIGHWAY 170 WIDENING DESIGN SERVICES ([backup](#))
1. Contract award: Thomas & Hutton, Myrtle Beach, South Carolina
 2. Contract amount: \$197,015 (\$68,815 additional design costs; \$129,200 completion of right-of-way acquisition and design plan updates Phase 2)
 3. Funding source: One Cent Sales Tax Projects
 4. Public Facilities Committee discussion and recommendation to approve occurred February 28, 2012 / Vote 6:0
- H. F&ME CONSULTANTS – CONSTRUCTION MANAGEMENT, ENGINEERING AND INSPECTION SERVICES FOR SC 802 WIDENING AND NEW BRIDGE CONSTRUCTION ([backup](#))
1. Contract award: F&ME Consultants, Myrtle Beach, South Carolina
 2. Contract amount: \$180,000
 3. Funding source: One Cent Sales Tax Projects
 4. Public Facilities Committee discussion and recommendation to approve occurred February 28, 2012 / Vote 6:0
- I. SC HIGHWAY 802 WIDENING FROM RIBAUT ROAD TO US 21 (SEGMENT A) AND SC 802 WIDENING FROM SC HIGHWAY 170 TO SC HIGHWAY 280 (SEGMENT B) ([backup](#))
1. Contract award: Sanders Brothers Construction, North Charleston, South Carolina
 2. Contract amount: \$532,469.51 (\$472,967.26 November and December pay applications; \$59,502.25 change orders 38 through 45)
 3. Funding source: One Cent Sales Tax Projects
 4. Public Facilities Committee discussion and recommendation to approve occurred February 28, 2012 / Vote 6:0
- J. PALMETTO ELECTRIC COOPERATIVE SUPPLEMENTAL AGREEMENT FOR BLUFFTON PARKWAY PHASE 5A INFRASTRUCTURE RELOCATION
1. Justification: Increased material cost and additional relocation of three main feeders at Tanger 2 Outlet Shops, PEC Buckingham Substation and the feeders at Hilton Head National ([backup](#))
 2. Cost: \$162,235.71
 3. Funding source: One Cent Sales Tax Projects
 4. Public Facilities Committee discussion and recommendation to approve occurred February 28, 2012 / Vote 6:0

Agenda
March 12, 2012
Page 4 of 4

11. COMMITTEE REPORTS ([backup](#))

12. PUBLIC COMMENT

13. ADJOURNMENT

Proclamation

WHEREAS, more than 500,000 South Carolina residents and families are impacted by severe lifelong disabilities, including autism, traumatic brain injuries, spinal cord injuries, and intellectual and related disabilities without regard to race, culture, geography, age, sex or economic class; and

WHEREAS, people with lifelong disabilities are productive citizens, neighbors, and family members deserving of respect and opportunities for economic self-sufficiency, independence and personal growth; and

WHEREAS, South Carolina Department of Disabilities and Special Needs and the Beaufort County Disabilities and Special Needs Board work with families to provide services that promote independence and inclusion; and

WHEREAS, we owe a special debt of gratitude to the caregivers who selflessly provide physical, emotional and spiritual support to our residents with disabilities and special needs; and

WHEREAS, the 2012 observance of Disabilities Awareness Month celebrates the successful partnership between people with and without disabilities as well as the increasing involvement of people with disabilities in education, employment and community activities.

NOW, THEREFORE, BE IT RESOLVED, Beaufort County Council hereby proclaims March 2012 as

Disabilities Awareness Month

throughout Beaufort County and encourages our citizens to work together to promote increased opportunities for people with disabilities; to recognize the many contributions made by people with disabilities to our community; and to honor the dedication of the caregivers who bring support and hope to their fellow citizens.

Dated this 12th day of March, 2012.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: 

Wm. Weston J. Newton, Chairman

ATTEST:



Clerk to Council



OFFICE OF THE COUNTY ADMINISTRATOR
COUNTY COUNCIL OF BEAUFORT COUNTY

GARY KUBIC
COUNTY ADMINISTRATOR

CHERYL HARRIS
EXECUTIVE ASSISTANT

ADMINISTRATION BUILDING
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BRYAN J. HILL
DEPUTY COUNTY ADMINISTRATOR

JOSHUA A. GRUBER
STAFF ATTORNEY

COUNTY ADMINISTRATOR'S REPORT

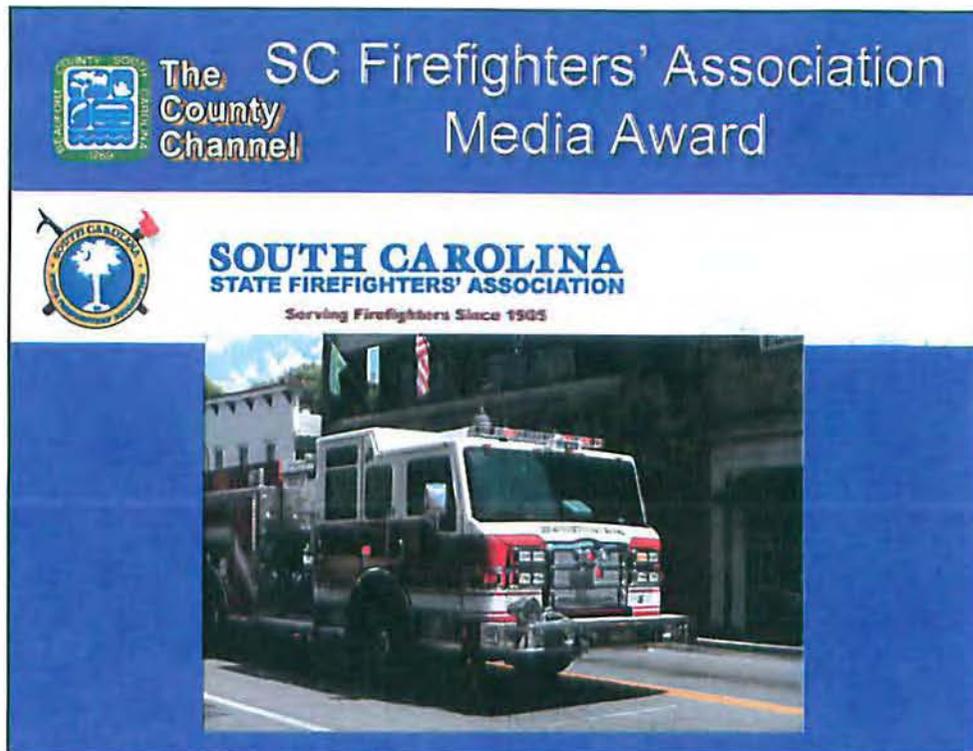
Monday, March 12, 2012

5:00 p.m.

County Council Chambers
Administration Building

INFORMATION ITEMS:

- The County Channel / Broadcast Update (Enclosure)
 - Announcement / South Carolina State Firefighters' Association Media Award Recipient - *The County Channel*
- Two-Week Progress Reports / County Administrator & Deputy County Administrator (Enclosures)
- Presentation / Center for Heirs Property Preservation
Ms. Jennie Stephens, Executive Director
- Introduction of Ms. Tallulah Trice / Director of Animal Control



The County Channel continues racking up accolades... This time we have won the South Carolina State Firefighters' Association Media Award. The award is given to a public media station for outstanding promotion of the Fire Services in a community. We take pride in positively representing our firefighters, as well as disseminating important information to the public. Here is an example of one of our Public Service Announcements about water-safety, produced in partnership with our Fire Department.

{NEXT SLIDE, WITH VIDEO}



{VIDEO PLAYS WITH AUDIO}



The
County
Channel

Port Royal Cypress Wetlands Project



Downtown Port Royal,
On Parris Avenue



The County Channel is working with the Town of Port Royal officials, naturalist Chris Marsh, and our own planner, Amanda Flake, to produce a short video on the Port Royal Cypress Wetlands project. The project includes low-impact construction of boardwalks and an amphitheater on Parris Ave. The walking park will feature great views of some rare birds that have nested in the 2 islands in the middle of the wetland. {NEXT SLIDE WITH VIDEO}



The
County
Channel

Port Royal Cypress Wetlands Project



{VIDEO PLAYS WITH AUDIO}



Memorandum

DATE: March 9, 2012

TO: County Council

FROM: Gary Kubic, County Administrator

SUBJ: County Administrator's Progress Report

The following is a summary of activities that took place February 27, 2012 through March 9, 2012:

February 27, 2012

- Introduction of New Animal Shelter Director Tallulah Trice to staff
- Staff meeting re: New River TIF update
- Meeting with Roland Gardner, Executive Director of Beaufort-Jasper-Hampton Comprehensive Health Services, Inc., Bryan Hill, Deputy County Administrator, Morris Campbell, Director of Community Services, and Mark Roseneau, Director of Facilities Maintenance re: Expansion of Beaufort-Jasper Hampton Comprehensive Health Services facility
- County Council Caucus meeting
- County Council meeting

February 28, 2012

- Staff meeting Re: Develop process to access private property via easement to pursue maintenance of stormwater ditches
- Center for Heirs Property Preservation Educational Workshop at City of Beaufort
- Public Facilities Committee meeting

February 29, 2012

- Bluffton Office

March 1, 2012

- Department Head meeting

COUNTY COUNCIL

March 9, 2012

Page 2

- Meeting with Facilities Management Director Mark Roseneau re: County-owned property / vehicles / equipment

March 2, 2012

- Groundbreaking Ceremony for the New Ruth P. Fields Medical Center at 721 Okatie Highway, Okatie

March 5, 2012

- Meeting with Deputy County Administrator Bryan Hill
- National Transportation Safety Board briefing at USC-B.
- Bluffton Newscast interview
- Meeting with Deputy County Administrator Bryan Hill and Chief Financial Officer David Starkey re: Unfunded sales tax projects
- Governmental Committee meeting

March 6, 2012

- Conference call with Chairman Weston Newton, Vice Chairman Paul Sommerville, and Deputy County Administrator Bryan Hill re: Council Retreat Goals 2012 / Review draft agenda for March 12th Council meeting
- Meeting with City Manager Scott Dadson and Facilities Maintenance Director Mark Roseneau
- Lowcountry Economic Alliance Board meeting

March 7, 2012

- Meeting with Lowcountry leaders Re: Economic development efforts at USC-B
- Manatron group meeting

March 8, 2012

- Meeting with Rob McFee, Division Director of Engineering and Infrastructure re: SC 170 accelerated schedule

March 9, 2012

- Staff meeting with Bryan Hill, Deputy County Administrator, Rob McFee, Division Director of Engineering and Infrastructure, and Robert Klink, Engineer re: Deposition protocol
- Meeting with Bryan Hill, Ladson Howell, and Josh Gruber



MEMORANDUM

DATE: March 9, 2012
TO: County Council
FROM: Bryan Hill, Deputy County Administrator
SUBJECT: Deputy County Administrator's Progress Report

The following is a summary of activities that took place February 27, 2012 through March 9, 2012:

February 27, 2012 (Monday):

- Animal Shelter - Introduction of New Director - Tallulah Trice
- Attend New River TIF Update
- Meeting re: Expansion of BJHCHS Facility with Gary Kubic, Roland Gardner, Morris Campbell and Mark Roseneau
- County Council

February 28, 2012 (Tuesday):

- Meet with Phillip Foot, Public Safety Director
- Meet with Jim Minor, Public Works
- Meeting re: Access to Private Property/Stormwater/Ditch Maintenance
- Attend Heirs Property Preservation Educational Workshop

February 29, 2012 (Wednesday):

- Meet with Duffie Stone, Solicitor
- Meet with Steve Murphy, Solicitor's Staff
- Bluffton Hours P.M.

March 1, 2012 (Thursday):

- Department Head Meeting
- BTAG Meeting with David Starkey, CFO, Robert Klink, Engineering and Joshua Gruber, Staff Attorney
- Meet with Suzanne Gregory, Employee Services
- Tour ETV Facility with Scott Grooms, Broadcasting

March 2, 2012 (Friday)--Bluffton:

- Attend Ground Breaking Ceremony for the New Ruth P. Field Medical Center
- Work on BTAG Memo and Spreadsheet
- Meet with Dan Morgan, MIS Director and Joanne Romine re: Business Property Tax
- Bluffton Hours

March 5, 2012 (Monday):

- Meet with Gary Kubic, County Administrator
- Meet with David Thomas, Purchasing Director re: Huspah Bridge Removal
- Telephone Conference with Phillip Foot re: Animal Shelter
- Meet with Gary Kubic, County Administrator and David Starkey, CFO re: Borrowing Capacity for the Remaining Unfunded Sales Tax Projects
- Meet with Gary Kubic, County Administrator and Joshua Gruber, Staff Attorney re: Various Issues
- Attend Governmental Committee Meeting

March 6, 2012 (Tuesday):

- Conference with Gary Kubic and Weston Newton re: County Council Retreat - 2012 Goals and Agenda Review
- Meet with Phillip Foot, Public Safety Director
- Bluffton Hours P.M.

March 7, 2012 (Wednesday)--Bluffton:

- Meet with Marc Orlando, Town of Bluffton
- Meet with Matt Whitmore, M.C. Riley School
- Meet with Duffie Stone, Solicitor
- Complete Email Best Practices Training Course
- Bluffton Hours

March 8, 2012 (Thursday):

- Meet with Audra Antonacci, Code Enforcement re: One Stop Shop
- Meet with Alicia Holland re: Budget
- Meet with Tony Criscitiello, Planning Director re: Opticos

March 9, 2012 (Friday):

- Meet with Monica Spells, Compliance Officer re: Title VI Compliance Report
- Meet with Gary Kubic, Robert McFee and Robert Klink re: Deposition Protocol
- Meet with Gary Kubic, Joshua Gruber and Ladson Howell
- Bluffton Hours P.M.

ORDINANCE NO. _____

AUTHORIZING THE ISSUANCE AND SALE OF NOT EXCEEDING \$2,500,000 OF GENERAL OBLIGATION BOND ANTICIPATION NOTES TO PROVIDE FUNDS FOR THE ACQUISITION OF THE BUILDING AND REAL PROPERTY KNOWN AS THE MYRTLE PARK COUNTY ADMINISTRATION BUILDING, LOCATED AT 4815 BLUFFTON PARKWAY, BLUFFTON, SOUTH CAROLINA; FIXING THE FORM AND DETAILS OF THE NOTES; AUTHORIZING THE COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE NOTES; PROVIDING FOR THE PAYMENT OF THE NOTES AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

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

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

(a) Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended (the "Constitution"), provides that counties may incur general obligation bonded indebtedness upon such terms and conditions as the General Assembly may prescribe by general law subject to the following limitations: (i) such debt must be incurred only for a purpose which is a public purpose and a corporate purpose for a county and (ii) unless excepted from the bonded debt limit, such debt may be issued in an amount not exceeding eight percent of the assessed value of all taxable property of such county.

(b) Pursuant to Chapter 15, Title 4, Code of Laws of South Carolina 1976, as amended (the same being and hereinafter referred to as the "County Bond Act"), the governing body of any of the counties of the State may issue general obligation bonds for any authorized purpose and in any amount not exceeding such county's applicable constitutional debt limit.

(c) The County Bond Act provides that as a condition precedent to the issuance of bonds an election be held and result favorably thereto. Chapter 27, Title 11, Code of Laws of South Carolina 1976, as amended (the "Article X Enabling Act") provides that if an election be prescribed by the provisions of the County Bond Act, but is not required by the provisions of Article X, then in every such instance, no election need be held (notwithstanding the requirement therefor) and the remaining provisions of the County Bond Act shall constitute a full and complete authorization to issue bonds in accordance with such remaining provisions.

(d) The assessed value of all the taxable property in the County as of June 30, 2011, is \$1,833,479,546. Eight percent of the assessed value is \$146,678,364. As of the date hereof, the outstanding general obligation debt of the County subject to the limitation imposed by Article X, Section 14(7) of the Constitution is not more than \$93,722,603. Thus, the County may incur not exceeding \$52,955,761 of additional general obligation debt within its applicable debt limitation.

(e) Article X, Section 15 of the Constitution further provides that general obligation bond anticipation notes may be issued in anticipation of the proceeds of general obligation bonds which may lawfully be issued under such terms and conditions that the General Assembly may prescribe by law.

(f) Pursuant to the provisions of Title 11, Chapter 17 of the Code of Laws of South Carolina, 1976, as amended (“Title 11, Chapter 17”), any county, whenever authorized by general or special law to issue bonds, may, pending the sale and issuance thereof, borrow in anticipation of the receipt of the proceeds of the bonds. Such provisions also provide that if any approval be necessary prior to the issuance of bonds by the county, the county must obtain the same approval prior to the issuance of temporary financing provided therein.

(g) The County Council finds that pending the issuance and sale of general obligation bonds it is necessary and in the best interest of the County to provide for the issuance and sale of general obligation bond anticipation notes of the County pursuant to the provisions of the Constitution and laws of the State of South Carolina for the purposes of providing funds: (i) to defray the costs of the acquisition of the building and real property known as the Myrtle Park County Administration building, located at 4815 Bluffton Parkway, Bluffton, South Carolina; and (ii) to pay the costs of issuance of the Notes.

SECTION 2. Authorization and Details of Bonds. Pursuant to the provisions of the Constitution and laws of the State of South Carolina, there is hereby authorized to be issued general obligation bonds of the County in an amount sufficient to pay the principal and interest on the Notes (hereinafter defined) together with additional amounts authorized for other capital projects. The bonds authorized hereunder shall be identified as “General Obligation Bonds of Beaufort County, South Carolina” (the “Bonds”). In order to reduce issuance costs, the Bonds may be issued as part of another issue of bonds comprising the Bonds and separately authorized bonds. The Bonds may be designated with such further series description and designation as shall be determined by the County Administrator of the County prior to any sale. The Bonds may be issued in one or more series and may be sold in conjunction with any other bonds heretofore or hereafter authorized.

SECTION 3. Authorization and Details of Notes. Pursuant to the provisions of the Constitution and laws of the State of South Carolina, there is hereby authorized to be issued general obligation bond anticipation notes of the County for the purposes set forth in Section 1(e) above in an aggregate amount not exceeding \$2,500,000. The notes authorized hereunder shall be identified as “General Obligation Bond Anticipation Notes of Beaufort County, South Carolina” (the “Notes”).

The Notes will initially be issued under the DTC Book-Entry-Only System in the form of a single fully registered note, registered in the name of Cede & Co. as the registered owner and nominee of The Depository Trust Company, New York, New York, which will act as securities depository for the Notes. The Notes shall be dated as of the first day of the month in which the Notes are delivered to the initial purchaser(s) thereof or such other date as shall be selected by the County Administrator; shall be in denominations of \$5,000 or any integral multiple thereof not exceeding the principal amount of the Notes; shall be numbered from R-1 with an appropriate series designation, if any; shall bear interest from their date as may be accepted by the County Administrator at the time of the sale thereof; and shall mature in annual installments as determined by the County Administrator.

Both the principal of and interest on the Notes shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts.

SECTION 4. Delegation of Authority to the County Administrator. The County Council hereby expressly delegates to the County Administrator the authority, with respect to the Notes, to determine (a) the principal amount, the date of sale, and the maturity date of the Notes; (b) the redemption provisions, if any, for the Notes; (c) the Registrar/Paying agent for the Notes; (d) whether to publish notice of the adoption of this ordinance under the provisions of Section 11-27-40(8), Code of Laws of South Carolina, 1976, as amended; and (e) such other matters regarding the Notes as are necessary or

appropriate. The County Administrator is further directed to consult with the County's financial advisor and bond counsel in making any such decisions.

The County Administrator is hereby authorized and directed to conduct the sale of the Notes pursuant to the provisions of Section 13 hereof. The County Council hereby expressly delegates to the County Administrator the authority to award the sale of the Notes in accordance with a notice of sale referenced in Section 13, provided that the net interest cost of the Notes shall not exceed 3% unless authorized by a separate resolution of the County Council.

SECTION 5. Registrar/Paying Agent. Both the principal of and interest on the Notes shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts. Within twenty-four hours of the sales of the Notes, the County shall appoint a Registrar/Paying Agent therefor.

SECTION 6. Registration and Transfer. The County shall cause books (herein referred to as the "registry books") to be kept at the offices of the Registrar/Paying Agent, for the registration and transfer of the Notes. Upon presentation at its office for such purpose, the Registrar/Paying Agent shall register or transfer, or cause to be registered or transferred, on such registry books, the Notes under such reasonable regulations as the Registrar/Paying Agent may prescribe.

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

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

SECTION 7. Record Date. The County hereby establishes a record date for the payment of interest or for the giving of notice of any proposed redemption of Notes, and such record date shall be the 15th day of the calendar month next preceding an interest payment date on such Notes or, in the case of any proposed redemption of Notes, such record date shall not be more than 15 days prior to the mailing of notice of redemption of Notes.

SECTION 8. Lost, Stolen, Destroyed, or Defaced Notes. In case the Notes shall at any time become mutilated, or be lost, stolen or destroyed, or be so defaced as to impair the value thereof to the owner, the County shall execute and the Registrar/Paying Agent shall authenticate and deliver at the

principal office of the Registrar/Paying Agent, or send by registered mail to the owner thereof at his request, risk and expense, a new Note of the same interest rate and maturity and of like tenor and effect in exchange or substitution for and upon the surrender for cancellation of such defaced, mutilated or partly destroyed Note, or in lieu of or in substitution for such lost, stolen or destroyed Note. In any such event the applicant for the issuance of a substitute Note shall furnish the County and the Registrar/Paying Agent evidence or proof satisfactory to the County and the Registrar/Paying Agent of the loss, destruction, mutilation, defacement or theft of the original Note, and of the ownership thereof, and also such security and indemnity in such amount as may be required by the laws of the State of South Carolina or such greater amount as may be required by the County and the Registrar/Paying Agent. Any duplicate Note issued under the provisions of this Section in exchange and substitution for any defaced, mutilated or partly destroyed Note or in substitution for any allegedly lost, stolen or wholly destroyed Note shall be entitled to the identical benefits under this Ordinance as was the original Note in lieu of which such duplicate Note.

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

SECTION 9. Book-Entry-Only System. The Notes initially issued (the “Initial Notes”) will be eligible securities for the purposes of the book-entry system of transfer maintained by The Depository Trust Company, New York, New York (“DTC”), and transfers of beneficial ownership of the Initial Notes shall be made only through DTC and its participants in accordance with rules specified by DTC. Such beneficial ownership must be of \$5,000 principal amount of Notes of the same maturity or any integral multiple of \$5,000.

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

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

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

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

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

SECTION 10. Execution of Notes. The Notes shall be executed in the name of the County with the manual or facsimile signature of the Chair attested by the manual or facsimile signature of the Clerk to County Council under a facsimile of the seal of the County which shall be impressed, imprinted or reproduced thereon. The Notes shall not be valid or become obligatory for any purpose unless there shall have been endorsed thereon a certificate of authentication. The Notes shall bear a certificate of authentication manually executed by the Registrar/Paying Agent in substantially the form attached hereto as Exhibit B.

SECTION 11. Form of Notes. The Notes shall be in substantially the form attached hereto as Exhibit B.

SECTION 12. Security for Notes. For the payment of the principal of and interest, if necessary, on the Notes as they respectively mature there are hereby pledged the proceeds of the Notes and the full faith, credit and taxing power of the County. The County at its option may also utilize any other funds available therefor for the payment of the principal of and interest on the Notes.

SECTION 13. Exemption from Taxation. Both the principal of and interest on the Notes shall be exempt, in accordance with the provisions of Section 12-2-50, Code of Laws of South Carolina, 1976, as amended, from all State, county, municipal, County and all other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate and transfer taxes, but the interest thereon may be includable in certain franchise fees or taxes.

SECTION 14. Sale of Notes, Form of Notice of Sale. The Notes shall be sold at public sale. A summary Notice of Sale shall be published not less than seven days prior to the date fixed for sale, in a newspaper having general circulation in the State of South Carolina and, if deemed appropriate by the County Administrator, in a financial publication published in the City of New York, State of New York. The official Notice of Sale shall be distributed simultaneously with the distribution of the Preliminary Official Statement, if any, prepared in connection with the Notes, and shall be in the form attached hereto as Exhibit C, with such modifications as may be determined to be necessary by the financial advisor, if any, and bond counsel. The County Administrator may determine to establish a fixed date of sale in the notice or provide for the subsequent dissemination in electronic form of the date selected for such sale, in which event such subsequent notice shall be provided not less than 48 hours prior to the time and date fixed for sale. In the event a fixed date of sale is provided in the notice, such date may be modified by a subsequent notice in electronic form not less than 48 hours prior to the date fixed for the rescheduled sale.

SECTION 15. Deposit and Use of Proceeds. The proceeds derived from the sale of the Notes are to be used for the purposes set forth in Section 1(h) above, and shall be applied by the County solely to the purposes for which the Notes have been issued, except that the premium, if any, shall be placed in a sinking fund.

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

SECTION 17. Defeasance. The obligations of the County under this Ordinance and the pledges, covenants and agreements of the County herein made or provided for, shall be fully discharged and satisfied as to any portion of the Notes, and such Bond or Notes shall no longer be deemed to be outstanding hereunder when:

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

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

“Government Obligations” shall mean any of the following:

- (a) direct obligations of the United States of America or agencies thereof or obligations, the payment of principal or interest on which, in the opinion of the Attorney General of the United States, is fully and unconditionally guaranteed by the United States of America;
- (b) non-callable, U. S. Treasury Securities - State and Local Government Series (“SLGS”);
- (c) general obligation bonds of the State, its institutions, agencies, school districts and political subdivisions; and
- (d) a defeasance obligation as defined in Section 6-5-10 of the S.C. Code as such as may be amended from time to time.

(c) Such Note or Notes shall be defeased as provided in Section 11-14-110 of the S.C. Code as such may be amended from time to time.

SECTION 18. Tax Covenants. The County hereby covenants and agrees with the holders of the Notes that it will not take any action which will, or fail to take any action which failure will, cause interest on the Notes to become includable in the gross income of the holders of the Notes for federal income tax purposes pursuant to the provisions of the Code and regulations promulgated thereunder in effect on the date of original issuance of the Notes. The County further covenants and agrees with the holders of the Notes that no use of the proceeds of the Notes shall be made which, if such use had been reasonably expected on the date of issue of the Notes would have caused the Notes to be “arbitrage bonds,” as defined in Section 148 of the Code, and to that end the County hereby shall:

(a) comply with the applicable provisions of Sections 103 and 141 through 150 of the Code and any regulations promulgated thereunder so long as the Notes are outstanding;

(b) establish such funds, make such calculations and pay such amounts, in the manner and at the times required in order to comply with the requirements of the Code relating to required rebates of certain amounts to the United States; and

(c) make such reports of such information at the time and places required by the Code.

SECTION 19. Notice of Public Hearing. The County Council hereby ratifies and approves the publication of a notice of public hearing regarding the Note and this Ordinance, such notice in substantially the form attached hereto as Exhibit D, having been published in The Island Packet and The Beaufort Gazette, newspapers of general circulation in the County, not less than 15 days prior to the date of such public hearing.

SECTION 20. Notice. Pursuant to Section 11-27-40, Paragraph 8, of the Code of Laws of South Carolina, 1976. In order that the Council may proceed as soon as possible to issue and deliver the Notes, the County Administrator may determine that the County avail itself of the provisions of paragraph 8 of Section 11-27-40, Code of Laws of South Carolina, 1976, as amended. If such determination is made, the notice prescribed thereby shall be provided in substantially the form attached hereto as Exhibit E.

SECTION 21. Engagement of Bond Counsel. The County Council hereby engages McNair Law Firm, P.A., as bond counsel in connection with the issuance of the Notes. The County Administrator is further authorized to execute such contract, document or engagement letter as may be necessary and appropriate to effectuate the engagement. In addition, the County Administrator is authorized to contract with other professionals, including a financial advisor, he deems appropriate in order to carry out the intent of this ordinance and the issuance of the Notes.

SECTION 22. Authorization to Execute Documents. The County Council hereby authorizes the Chair and Clerk of County Council, the County Administrator and the Chief Financial Officer of the County to execute such documents and instruments as may be necessary to effect the issuance of the Notes.

SECTION 23. General Repealer. All rules, regulations, resolutions and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the Notes are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its adoption.

[Signature Page to Follow]

Adopted this ____ day of _____, 2012.

BEAUFORT COUNTY, SOUTH CAROLINA

Chair of County Council

(SEAL)

ATTEST:

Clerk to County Council

First Reading: February 27, 2012

Second Reading:

Public Hearing:

Third and Final Reading:

FORM OF NOTE

UNITED STATES OF AMERICA
 STATE OF SOUTH CAROLINA
 BEAUFORT COUNTY
 GENERAL OBLIGATION BOND ANTIICIPATION NOTE
 SERIES _____

No. R-

<u>Interest</u> <u>Rate</u>	<u>Maturity</u> <u>Date</u>	<u>Original</u> <u>Issue Date</u>	<u>CUSIP</u>
--------------------------------	--------------------------------	--------------------------------------	--------------

REGISTERED OWNER:

PRINCIPAL AMOUNT: DOLLARS

KNOW ALL MEN BY THESE PRESENTS that Beaufort County, South Carolina (the “County”) hereby acknowledges itself indebted, and for value received promises to pay to the registered owner hereof, the principal sum of _____ Dollars (\$_____) at the principal office of _____, in the City of _____, State of _____ on the ___ day of _____, 2009, and to pay interest (calculated on the basis of a 360-day year of twelve 30-day months) on said principal sum from the date hereof, at the rate of _____%, payable upon the maturity of this note. This note is not subject to prepayment prior to its maturity.

Both the principal of and interest on this note are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for the payment of public and private debts.

This note represents a series of general obligation bond anticipation notes (the “Notes”), issued by the County, pursuant to the authorization of Title 11, Chapter 17, Code of Laws of South Carolina 1976, as amended, in anticipation of the receipt of the proceeds to be derived from the general obligation bonds of the County to be issued pursuant to and in accordance with the provisions of the Constitution and Laws of the State of South Carolina including Article X, Section 15 of the Constitution of the State of South Carolina, 1895, as amended; Title 11, Chapter 27, Code of Laws of South Carolina, 1976, as amended; Title 59, Chapter 71, Code of Laws of South Carolina, 1976, as amended, and an ordinance duly enacted by the Beaufort County Council on _____, 2012 (the “Ordinance”). The full faith, credit and taxing power of the County and the proceeds to be derived from the sale of bonds are pledged for the payment of the principal of and interest on the Notes.

The Notes are being issued by means of a book-entry system with no physical distribution of certificates to be made except as provided in the Ordinance. One certificate registered in the name of the Securities Depository Nominee is being issued and is required to be deposited with the Securities Depository. The book-entry system will evidence positions held in the Notes by the Securities Depository’s participants, beneficial ownership of the Notes in the principal amount of \$5,000 or any

multiple thereof being evidenced in the records of such Participants. Transfers of ownership shall be effected on the records of the Securities Depository on the records of the Securities Depository and its participants pursuant to rules and procedures established by the Securities Depository and its Participants.

_____ as Registrar/Paying Agent will recognize the Securities Depository Nominee, while the registered owner of the Notes, as the owner of the Notes for all purposes, including payments of principal of and redemption premium, if any, and interest on the Notes, notices and voting. Transfer of principal and interest payments to Participants of the Securities Depository will be the responsibility of the Securities Depository, and transfer of principal, redemption premium, if any, and interest payments to beneficial owners of the Notes by Participants of the Securities Depository will be the responsibility of such participants and other nominees of such beneficial owners. The County and Registrar/Paying Agent will not be responsible or liable for such transfers of payment or for maintaining, supervision or reviewing the records maintained by the Securities Depository, the Securities Depository Nominee, its Participants or persons acting through such Participants. While the Securities Depository Nominee is the owner of the Notes, notwithstanding the provision hereinabove contained, payments of principal of, redemption premium, if any, and interest on the Notes shall be made in accordance with existing arrangements between the Registrar/Paying Agent or its successors under the Resolution and the Securities Depository.

This note and the interest hereon are exempt from all State, county, municipal, County, and all other taxes or assessments of the State of South Carolina, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate and transfer taxes but the interest on this note may be included for certain franchise fees or taxes.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required by the Constitution and Laws of the State of South Carolina to exist, to happen, or to be performed precedent to or in the issuance of this note, do exist, have happened, and have been performed in regular and due time, form and manner, and the amount of this note, and the issue of which this note is one, does not exceed any constitutional or statutory limitation.

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

BEAUFORT COUNTY, SOUTH CAROLINA

(SEAL)

Chair, County Council

ATTEST:

Clerk to County Council

[FORM OF REGISTRAR/PAYING AGENT'S CERTIFICATE OF AUTHENTICATION]

Date of Authentication:

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

[REGISTRAR/PAYING AGENT] as Registrar/Paying Agent

By: _____
Authorized Officer

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

TEN COM - as tenants in common

UNIF GIFT MIN ACT -

TEN ENT - as tenants by the
entireties

_____ Custodian _____
(Cust) (Minor)

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

under Uniform Gifts to Minors
Act _____
(state)

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

(FORM OF ASSIGNMENT)

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

(Name and Address of Transferee)

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

Dated: _____

Signature Guaranteed

(Authorized Officer)

Signature must be guaranteed by
a participant in the Securities Transfer
Agent Medallions Program (STAMP)

Notice: The signature to the assignment must correspond
with the name of the registered owner as it appears
upon the face of the within Note in every particular,
without alteration or enlargement or any change
whatever

FORM OF NOTICE OF SALE

NOTICE OF SALE
\$ _____ GENERAL OBLIGATION BOND ANTICIPATION NOTES, SERIES _____
OF BEAUFORT COUNTY, SOUTH CAROLINA

Sealed, facsimile and electronic bids for the purchase of all but not part of the above notes (the "Notes") will be received by Beaufort County, South Carolina (the "County"), in the case of sealed and facsimile bids, at the offices of the County Administrator, _____, Beaufort, South Carolina, and in the case of electronic bids, via PARITY (as explained below) until _____ (Eastern Time) on _____, _____, 2012.

BID SUBMISSION: Sealed and facsimile bids must be submitted on bid forms furnished by the County. Sealed bids shall be enclosed in a sealed envelope marked on the outside "Proposal for the Purchase of the County of Beaufort County, South Carolina, \$ _____ General Obligation Bond Anticipation Notes, Series _____." Bids submitted by facsimile should be preceded by a cover sheet addressed to the Superintendent and should be sent only once to (843) _____. Electronic proposals must be submitted through i-Deal's Parity Electronic Bid Submission System ("Parity"). No electronic bids from any other providers of electronic bidding services will be accepted. Information about the electronic bidding services of Parity may be obtained from i-Deal, 1359 Broadway, 2nd Floor, New York, New York 10018, Customer Support, telephone (212) 404-8102. The County, McNair Law Firm, P.A. and Ross, Sinclair & Associates, LLC shall not be responsible for any failure, misdirection or error in the means of transmission selected by any bidder.

GOOD FAITH DEPOSIT: No good faith deposit will be required.

NOTE DETAILS: The Notes will be issued in book-entry form in the denomination of \$5,000 or any integral multiple thereof. The Notes will be dated as of _____, 2012, the expected date of delivery, and due on _____, 2009. Interest, calculated on the basis of a 360-day year of twelve 30-day months, will be payable at maturity on _____, 2009.

REDEMPTION PROVISIONS: The Notes are not subject to optional redemption prior to maturity.

RATINGS: Moody's and S&P ratings have been applied for.

INTEREST RATES: Bidders must specify the fixed rate of interest the Notes shall bear according to the following restrictions: (a) the interest rate may not exceed six percent (6%) and (b) the interest rate specified must be a multiple of 1/100th of one percent.

REGISTRAR/PAYING AGENT: Within twenty-four hours of the sale of the Notes, the County will designate a registrar/paying agent (the "Registrar/Paying Agent") for the Notes.

BASIS OF AWARD: The Notes will be awarded to the responsive bidder whose bid results in the lowest NET INTEREST COST (the "NIC") to the County. The NIC will be calculated as the total interest from _____, 2012 to _____, 2009, minus any premium. If two or more bids provide for the same lowest NIC, the County shall award the bid to the bidder whose bid is in the best interest of the County to be determined by the County in its sole discretion, and such determination shall be final. Any bid for less than par will be rejected. The County reserves the right to reject any and all bids and to waive informalities in any or all bids.

In order to calculate the yield on the Notes for federal tax law purposes and as a condition precedent to the award of the Notes, the successful bidder will be required to disclose to the County the price (or yield to maturity) at which the Notes will be reoffered to the public.

The Notes will be awarded or all bids will be rejected by no later than 2:00 P.M. (Eastern Time) on the day bids are opened, _____, 2012.

SECURITY: The full faith, credit and taxing power of the County and the proceeds derived from the sale of bonds are pledged to the payment of the principal of and interest on the Notes.

AUTHORIZATION: The Notes are being issued pursuant to Article X, Section 15 of the Constitution of the State of South Carolina, Title 11, Chapter 17, Code of Laws of South Carolina, 1976, as amended, the favorable results of a referendum, and a resolution duly adopted by the County Council of the County on _____, 2012.

INTEREST AND PRINCIPAL PAYMENTS: Payment of principal of and interest on the Notes will be made directly by the Registrar/Paying Agent to Cede & Co., as the registered owner of the Notes and nominee for The Depository Trust Company ("DTC"), on _____, 2012, in immediately available funds.

CUSIP NUMBERS: It is anticipated that CUSIP numbers will be printed on the Notes, but neither the failure to print such numbers on the Notes nor any error with respect thereto shall constitute cause for failure or refusal by the successful bidder to accept delivery of and pay for the Notes.

DELIVERY AND PAYMENT: Delivery of the properly executed Notes is expected to be made through DTC on or about _____, 2012. Payment for the Notes shall be made in immediately available funds.

OFFICIAL STATEMENT: The Preliminary Official Statement, dated _____, 2012, has been deemed final by the County for purposes of paragraph (b)(1) of Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") but is subject to revision, amendment and completion in a final Official Statement as provided in the Rule. Within seven (7) business days of the bid opening date, the County will deliver the final Official Statement to the successful bidder in sufficient quantity to comply with the Rule.

LEGAL OPINION AND CLOSING CERTIFICATES: The County will furnish upon delivery of the Notes: a Receipt for the Notes; a Signature and No-Litigation Certificate; a Rule 15c2-12 Certificate; a Federal Tax Certificate, and the approving opinion of McNair Law Firm, P.A., Columbia, South Carolina, as Bond Counsel, all without cost to the purchasers.

INFORMATION FROM PURCHASER: At or before delivery, the purchaser of the Notes shall provide a certificate to the County in a form acceptable to Bond Counsel stating the information necessary to enable the County to determine the issue price of the Notes as defined in Section 1273 or 1274 of the Internal Revenue Code of 1986, as amended.

ADDITIONAL INFORMATION: The Preliminary Official Statement, Official Notice of Sale and Official Bid Form of the County with respect to the Notes are available via the internet at <http://www.i-dealprospectus.com> and will be furnished to any person interested in bidding for the Notes upon request to Francenia B. Heizer, McNair Law Firm, P. A., Post Office Box 11390, Columbia, South Carolina 29211, attention: Francenia B. Heizer, Esquire, telephone (803) 799-9800, e-mail: fheizer@mcnair.net. The Preliminary Official Statement shall be reviewed by bidders prior to submitting a bid. Bidders may not rely on this Official Notice of Sale as to the complete information concerning the Notes. For additional information, please contact the County's Bond Counsel, Francenia B. Heizer, Esquire, McNair Law Firm, P. A., Post Office Box 11390, Columbia, South Carolina 29211, telephone (803) 799-9800, e-mail: fheizer@mcnair.net

_____, 2012

FORM OF NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the County Council of Beaufort County, South Carolina (the "County"), in the _____, South Carolina, at 6:00 p.m. on Monday, _____, 2012.

The purpose of the public hearing is to consider an Ordinance providing for the issuance and sale of General Obligation Bond Anticipation Notes of Beaufort County, South Carolina, in the principal amount of not exceeding \$2,500,000 (the "Notes"). The proceeds of the Notes will be used for the purposes of providing funds (i) to defray the costs of the acquisition of the building and real property known as the Myrtle Park County Administration building, located at 4815 Bluffton Parkway, Bluffton, South Carolina; and (ii) to pay the costs of issuance of the Notes.

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

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

COUNTY COUNCIL OF BEAUFORT COUNTY,
SOUTH CAROLINA

FORM OF NOTICE OF ADOPTION OF AN ORDINANCE

NOTICE OF ADOPTION OF AN ORDINANCE

Notice is hereby given that on _____, 2012, the Beaufort County Council adopted an ordinance entitled: "ORDINANCE NO. _____ AUTHORIZING THE ISSUANCE AND SALE OF NOT EXCEEDING \$2,500,000 OF GENERAL OBLIGATION BOND ANTICIPATION NOTES TO PROVIDE FUNDS FOR THE ACQUISITION OF THE BUILDING AND REAL PROPERTY KNOWN AS THE MYRTLE PARK COUNTY ADMINISTRATION BUILDING, LOCATED AT 4815 BLUFFTON PARKWAY, BLUFFTON, SOUTH CAROLINA; FIXING THE FORM AND DETAILS OF THE NOTES; AUTHORIZING THE COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE NOTES; PROVIDING FOR THE PAYMENT OF THE NOTES AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO" (the "Ordinance").

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

By order of the Beaufort County Council, _____, 2012.

Chair, Beaufort County Council

RESOLUTION NO. 2012-____

A RESOLUTION AUTHORIZING THE BEAUFORT COUNTY TRAFFIC AND ENGINEERING DEPARTMENT TO ERECT TRAFFIC CONTROL DEVICES ON CERTAIN COUNTY ROADS AND FOR THE ENFORCEMENT FOR A VIOLATION THEREOF.

WHEREAS, South Carolina Code of Laws Section 56-5-940 provides, “[s]ubject to the limitations prescribed in § 56-5-930, local authorities in their respective jurisdictions shall place and maintain such traffic-control devices upon highways under their jurisdiction as they may deem necessary to indicate and to carry out the provisions of this chapter or local traffic ordinances or to regulate, warn or guide traffic. All such traffic-control devices so erected by such local authorities shall conform to the State manual and specifications;” and

WHEREAS, Beaufort County Council has determined that it is in the best interests of its citizens to provide for the erection of traffic control devices on certain county maintained roadways; and

WHEREAS, it is the intent of Beaufort County Council that any violation that occurs subsequent to the installation of these traffic control devices be subject to prosecution in the same manner and in the same amounts as provided for in the uniform traffic regulations and South Carolina law.

NOW, THEREFORE, BE IT RESOLVED by Beaufort County Council, that the Beaufort County Traffic and Engineering Department is hereby authorized to post the following traffic control devices upon the identified county maintained roadway:

1. No Through Trucks: Malphrus Road from Bluffton Parkway to Foreman Hill Road
2. No Through Trucks: Foreman Hill Road
3. No Through Trucks: Old Jericho Road from Parris Island Gateway north to Robert Smalls Parkway
4. No Through Trucks: St. Paul’s Church Road from Parris Island Gateway to Josephine Drive
5. No Through Trucks: Rue Du Bois Road from Meridian Road to Beaufort High School Driveway

Done this ____ day of _____, 2012.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Wm. Weston J. Newton, Chairman

APPROVED AS TO FORM:

Joshua A. Gruber, Staff Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

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5. No Through Trucks: Rue Du Bois Road from Meridian Road to Beaufort High School Driveway

Done this ____ day of _____, 2012.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Wm. Weston J. Newton, Chairman

APPROVED AS TO FORM:

Joshua A. Gruber, Staff Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council



**COUNTY COUNCIL OF BEAUFORT COUNTY
PURCHASING DEPARTMENT**

Building 2, 102 Industrial Village Road
Post Office Drawer 1228, Beaufort, SC 29901-1228
Phone: (843) 255-2353 Fax: (843) 255-9437

TO: Councilman Herbert Glaze, Chairman, Public Facilities Committee

VIA: Gary Kubic, County Administrator *G. Kubic*
Bryan Hill, Deputy County Administrator *B. Hill*
David Starkey, Chief Financial Officer *D. Starkey*
Rob McFee, Director, Engineering & Infrastructure *R. McFee*
Monica Spells, Compliance Officer *M. Spells*
Chief Barry Turner, Bluffton Township Fire District *B. Turner*

FROM: Dave Thomas, CPPO, Purchasing Director *D. Thomas*

SUBJ: RFQ # 3918/120907 to provide Architectural Design and Construction Services for a new Bluffton Fire Station for the Bluffton Township Fire District

DATE: February 21, 2012

BACKGROUND: Beaufort County issued a Request for Qualifications (RFQ) to firms capable of designing and constructing a new fire station for the Bluffton Township Fire District. Qualification statements were received on September 15, 2012 from nine firms and subsequently evaluated by a selection committee. The selection committee consisted of the following: John Thompson, Deputy Fire Chief Bluffton Township Fire District, Captain George Brown, Bluffton Township Fire District, Terry Reynolds, Treasurer, Bluffton Township Fire District, and Mark Roseneau, Beaufort County Facilities Management Director. Oversight of the process was provided by the Purchasing Director. The evaluation committee interviewed the top three ranked firms and selected Fraser Construction and Court Atkins Architects as the number one ranked project team. The Bluffton Township Fire District Board approved the project award recommendation on January 17, 2012.

The Design-Build Qualification process differs from a typical construction bid, in that the qualified firms are selected based upon set evaluation criteria, which does not include project cost. After a project team is selected, a not-to-exceed price is negotiated with the number one ranked project team. During negotiations, project budget and value added engineering concepts are considered and discussed with the project team.

Once design and construction documents are complete, the project team will not only implement its own business outreach plan for local participation (attached), but also comply with the County's Small and Minority Business Participation Plan as part of its good faith outreach efforts.

FINAL EVALUATION RANKING:

1. Fraser Construction/Court Atkins Architects, Bluffton, SC
2. Allen Bachelor Construction/Virgo Gambill Architects, Augusta, GA
3. M. B. Kahn Construction, Columbia, SC/MBAJ Architecture, Charlotte, NC
4. New South Construction, Precision Planning, Inc, Atlanta, GA
5. Watkins Associates, Savannah, GA/Dabbs Williams Construction, Statesboro, GA
6. Mitchell Construction, Walterboro, SC/Watson Tate Savory Liollo Architecture, Charleston, SC
7. Pike McFarland Architects, Myrtle Beach, SC
8. Beaufort Construction, Beaufort, SC/Michael Griffith Architect, Hilton Head Island, SC
9. Hutter Construction Design Build, New Ipswich, NH

FUNDING: The full purchase price will be realized from the Bluffton Township Fire District's General Fund balance. The Fire District had a General Fund balance of \$4,054,606 as of June 30, 2011 per their FY 2011 CAFR. At June 30, 2011, the entire General Fund balance was classified as unassigned and mostly consisted of cash on hand or cash held by the County. The current balance of the Fire District's General Fund cash held by the County totals \$6,713,897.

RECOMMENDATION: The Public Facilities Committee approve and recommend to County Council approval of a contract award to Fraser Construction and Court Atkins Architects, the top ranked team, for a not-to-exceed contract award of \$2,200,000 for design build and construction services for the Bluffton Township Fire District's new fire station #30.

cc: Elizabeth Wooten, Chief John Thompson

Attachments: Bluffton Township Fire District's Contract Recommendation Letter, Bluffton Fire District's Financing Plan Summary for the Construction to Relocate Fire Station #30, and the joint letter from Fraser Construction and Court Atkins Architects reference Small and Women/Minority Owned Business Participation Plan.

**BLUFFTON TOWNSHIP
FIRE DISTRICT RFQ
(RFQ 3918/120907)**



**Bluffton Fire Station #30
Conceptual Phasing Diagram 6**

Revised
January 9, 2012

Team Members

Design-Builder:	Fraser Construction Company
Architect:	Court Atkins
Engineers:	Optima - MEP Moulton-Structural
Civil Engineer:	Ward Edwards, Inc.
Land Planner/ Architect:	Wood+Partners, Inc.
Fire Station Consultant:	Paul Miller



PLAN IS CONCEPTUAL
AND SUBJECT TO CHANGE



SCALE: 1" = 100'

NORTH



COURT ATKINS
ARCHITECTS



COUNTY COUNCIL OF BEAUFORT COUNTY
BEAUFORT COUNTY ENGINEERING DIVISION
102 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 Herbert Glaze, Chairman, Public Facilities Committee

VIA: Gary Kubic, County Administrator
Bryan Hill, Deputy Administrator
David Starkey, Chief Financial Officer
Rob McFee, Director, Engineering & Infrastructure
Dave Thomas, Purchasing Director
Monica Spells, Compliance Officer

FROM: Bob Klink, County Engineer

SUBJ: **Beaufort County Design Build Construction for Dirt Road Paving Contract #45 RFP #2909/120116**
L.H. Nelson Drive (Council District 9), Salt Creek Dr. West (Council District 8), River Oaks Road (Council District 6), Gumwood Drive (Council District 7), Ferguson Lane (Council District 2)

DATE: February 20, 2012

BACKGROUND. Beaufort County issued a Request for Proposals from qualified firms to design and build the Dirt Road Paving Contract #45. The following four firms responded and provided proposals for the project on 1/26/12.

PROPOSER	ADDRESS	AMOUNT
REA Contracting, LLC with Andrews & Burgess, Inc.	42 Jeter Road, Beaufort, SC 40A Shanklin Road, Beaufort, SC	\$912,158.40
J.R. Wilson Construction with Thomas & Hutton	P.O Box 919, Varnville, SC	\$1,036,000.00
Cleland Site Prep with Carolina Engineering	P.O Box 3822, Bluffton, SC	\$1,059,255.20
Sanders Brothers Construction with Sinclair	P.O Box 60969, N. Charleston, SC	\$1,246,760.00
C&H Paving with Civil Design Solutions	167 Knox Rivers Rd, Thomson, GA	Non-Responsive

The Design-Build proposal process differs from a typical construction bid, in that the proposers outline how they would accomplish the project within a specified cost. In this regard, proposals are reviewed on the basis of the "value offered" rather than solely on the lowest price. A committee consisting of the County Engineer, Engineering Construction Manager, Construction Engineer and General Support Superintendent reviewed the proposals and interviewed J.R. Wilson Construction and REA Contracting, LLC.

After the interviews, REA Contracting/Andrews & Burgess, Inc. was selected as the proposer providing best value for the design and construction of this project. This team's proposal was also reviewed for compliance with the County's Small & Minority Business Subcontractor Guidelines. It has been determined that they made a "Good Faith Effort" and are in compliance with respect to Beaufort County's requirements regarding the Small & Minority Business Subcontractor Guidelines.

On the basis of the qualification of the firm and the value offered, the committee recommends award of a design/build contract to REA Contracting, LLC/Andrews & Burgess, Inc. The project will be funded by BCTC/TAG funds from the following: L.H. Nelson Dr; 3322C-54740; Salt Creek Dr. W., 3322C-54644; River Oaks Rd, 3322C-54741; Gumwood Dr., 3322C-54747; Ferguson Ln, 3322C-54651.

RECOMMENDATION. The Public Facilities Committee approve and recommend to County Council approval of a contract award to REA Contracting, LLC/Andrews & Burgess, Inc. to design and build the Dirt Road Paving Contract #45 in the amount of \$912,158.40.

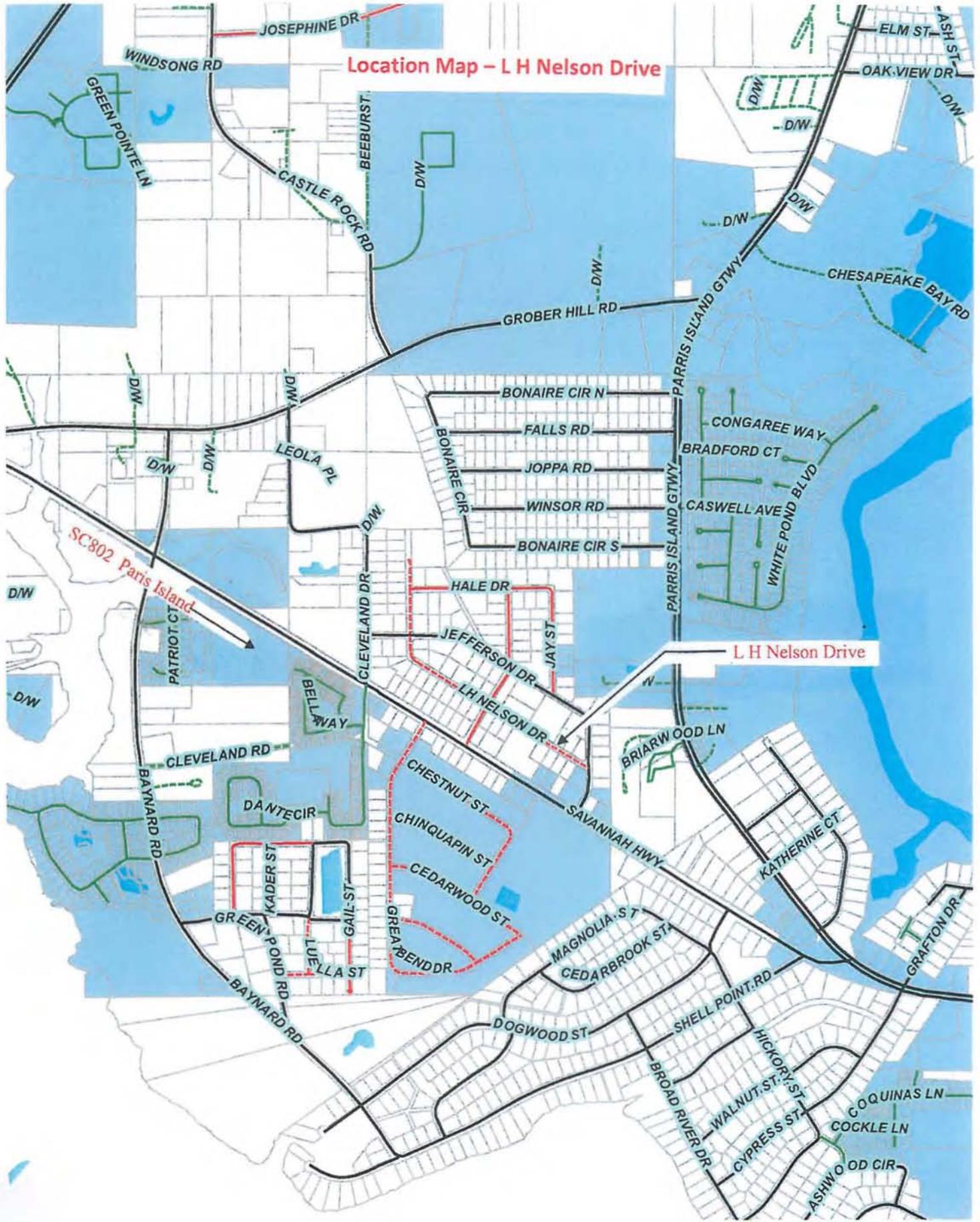
REK/DS/mjh

Attachments: 1) Location Maps/w Description 2) SMB Information 3) C Fund Balance Detail

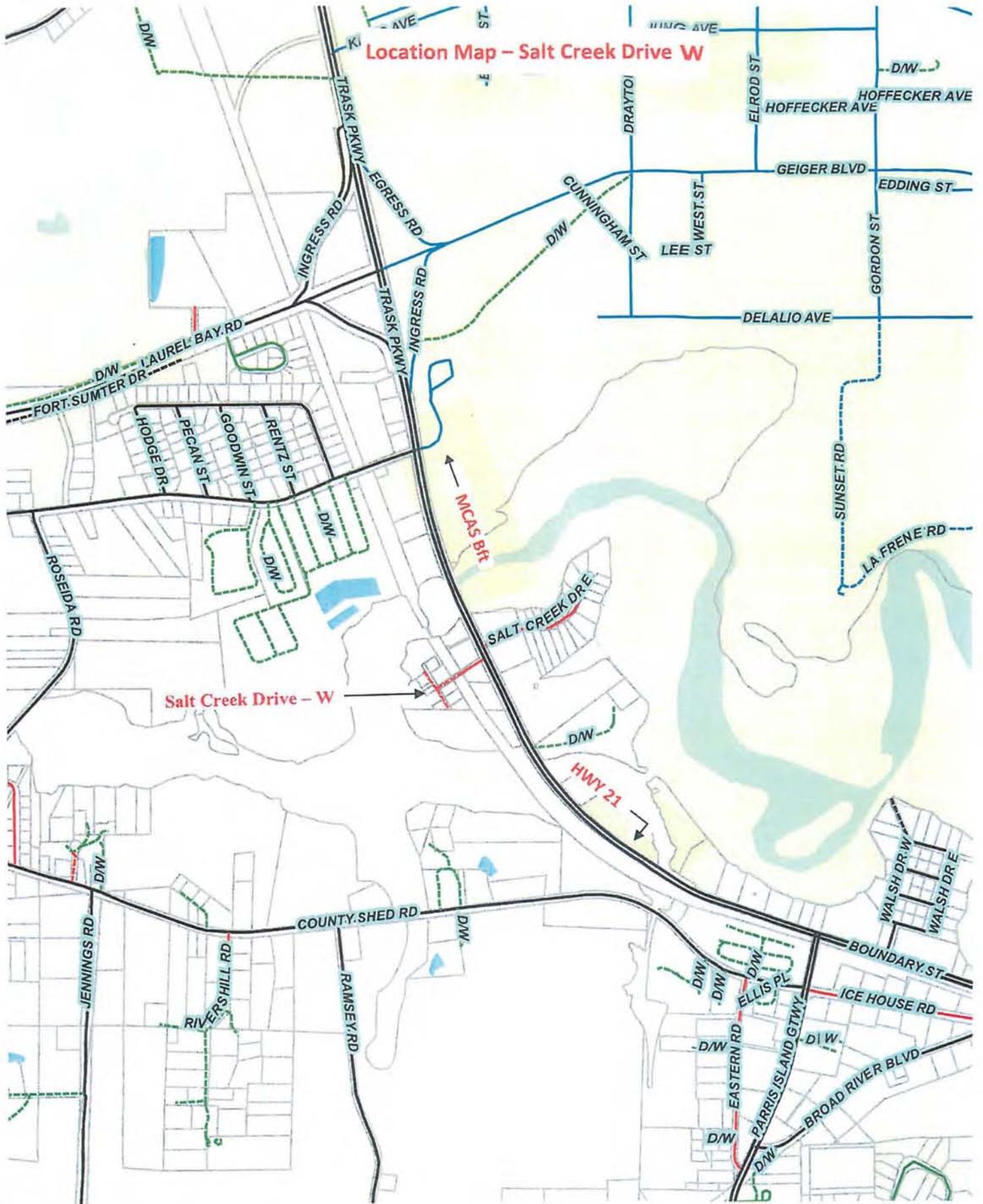
cc: Eddie Bellamy

(contract/45.rds/desbldpfcapp)

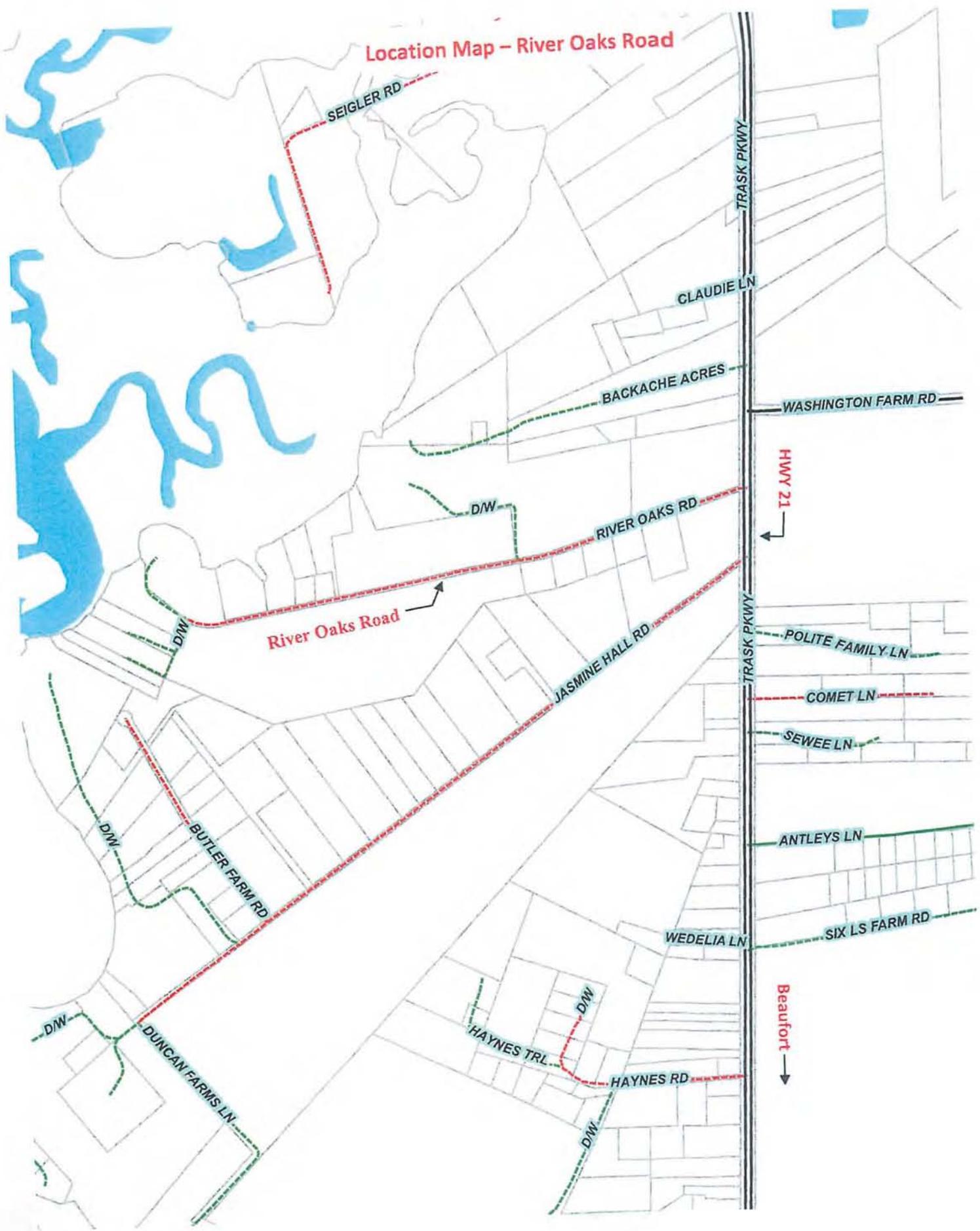
Location Map - L H Nelson Drive



Location Map - Salt Creek Drive W



Location Map - River Oaks Road



River Oaks Road

SEIGLER RD

TRASK PKWY

CLAUDIE LN

BACKACHE ACRES

WASHINGTON FARM RD

RIVER OAKS RD

HWY 21

JASMINE HALL RD

POLITE FAMILY LN

COMET LN

SEWEE LN

ANTLEYS LN

WEDELIA LN

SIX LS FARM RD

Beaufort

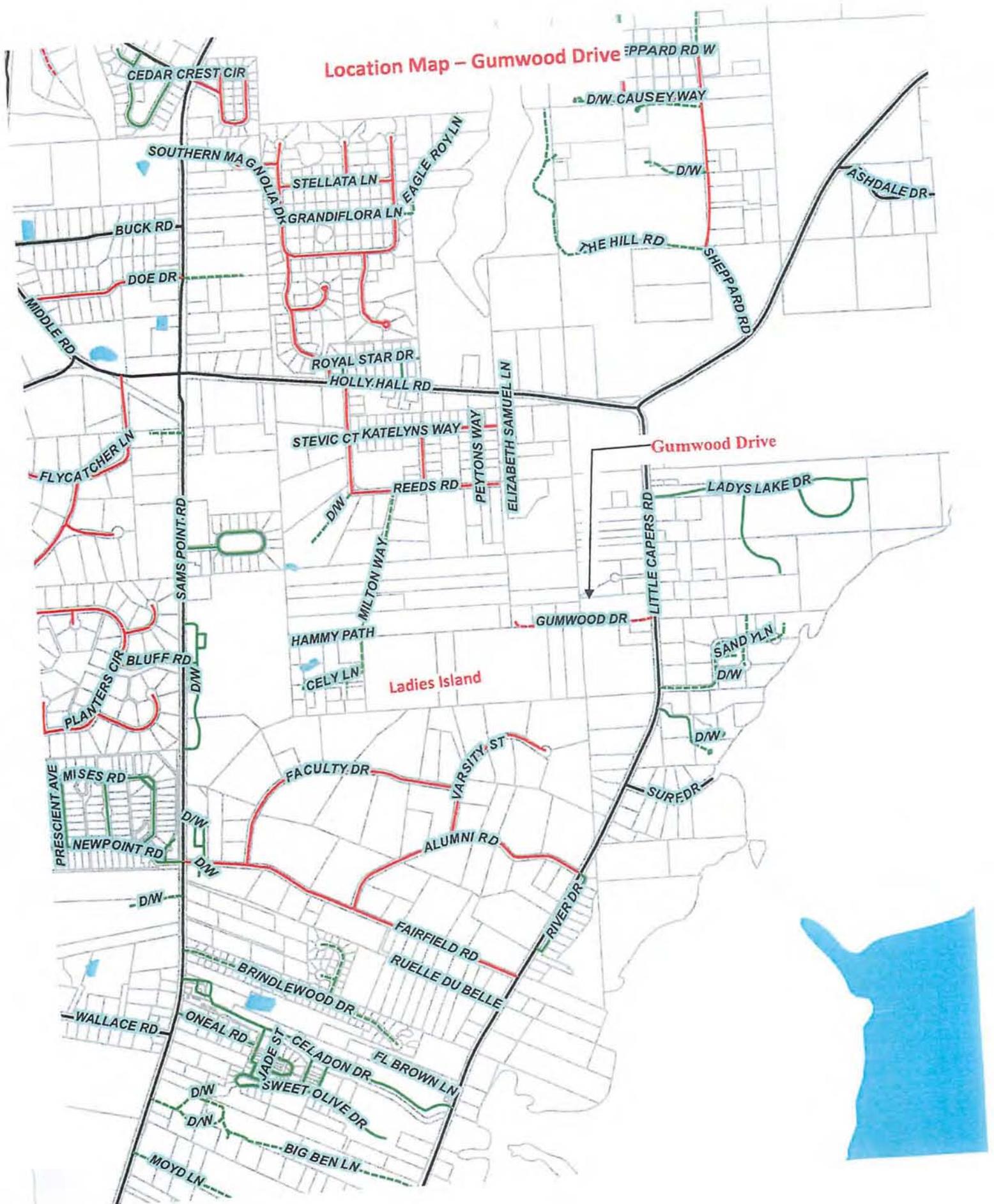
HAYNES TRL

HAYNES RD

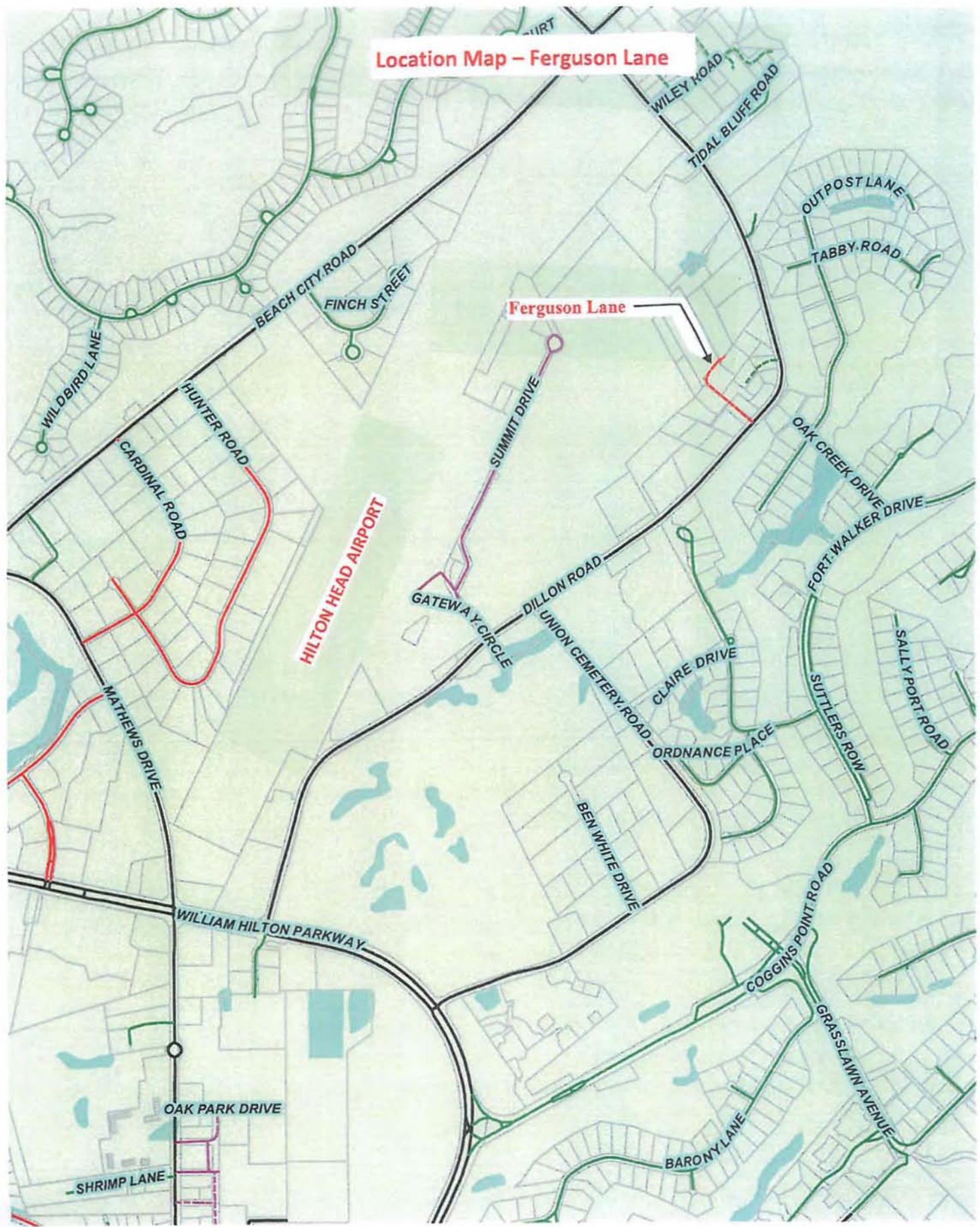
BUTLER FARM RD

DUNCAN FARMS LN

Location Map - Gumwood Drive



Location Map – Ferguson Lane





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TO: Councilman Herbert Glaze, Chairman, Public Facilities Committee

VIA: Gary Kubic, County Administrator
 Bryan Hill, Deputy Administrator
 David Starkey, Chief Financial Officer
 Rob McFee, Director, Engineering & Infrastructure
 Dave Thomas, Purchasing Director
 Monica Spells, Compliance Officer

FROM: Bob Klink, County Engineer

SUBJ: **Beaufort County Design Build Construction for Dirt Road Paving Contract #46 RFP #2909/120117
 Halifax Drive, First Coleman Road, Queens Road, Cee Cee Road, Inglewood Circle
 (County Council District #5)**

DATE: February 20, 2012

[Handwritten signatures and initials: Bryan Hill, Rob McFee, Dave Thomas, Monica Spells, Bob Klink]

BACKGROUND. Beaufort County issued a Request for Proposals from qualified firms to design and build the Dirt Road Paving Contract #46. The following four firms responded and provided proposals for the project on 1/26/12.

<u>PROPOSER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
REA Contracting, LLC with Andrews & Burgess, Inc.	42 Jeter Road, Beaufort, SC 40A Shanklin Road, Beaufort, SC	\$1,658,752.30
J.R. Wilson Construction with Thomas & Hutton	P.O Box 919, Varnville, SC	\$1,793,945.00
Cleland Site Prep with Carolina Engineering	P.O Box 3822, Bluffton, SC	\$2,225,420.84
Sanders Brothers Construction with Sinclair	P.O Box 60969, N. Charleston, SC	\$2,326,388.00
C&H Paving with Civil Design Solutions	167 Knox Rivers Rd, Thomson, GA	Non-Responsive

The Design-Build proposal process differs from a typical construction bid, in that the proposers outline how they would accomplish the project within a specified cost. In this regard, proposals are reviewed on the basis of the "value offered" rather than solely on the lowest price. A committee consisting of the County Engineer, Engineering Construction Manager, Construction Engineer and General Support Superintendent reviewed the proposals and interviewed J.R. Wilson Construction and REA Contracting, LLC.

After the interviews, REA Contracting/Andrews & Burgess, Inc. was selected as the proposer providing best value for the design and construction of this project. This team's proposal was also reviewed for compliance with the County's Small & Minority Business Subcontractor Guidelines. It has been determined that they made a "Good Faith Effort" and are in compliance with respect to Beaufort County's requirements regarding the Small & Minority Business Subcontractor Guidelines.

On the basis of the qualification of the firm and the value offered, the committee recommends award of a design/build contract to REA Contracting, LLC/Andrews & Burgess, Inc. The project will be funded by BCTC/TAG funds from the following: Halifax Dr, 3322C-54742; 1st Coleman Rd, 3322C-54743; Queens Rd, 3322C-54744; Cee Cee Rd, 3322C-54745; Inglewood Circle, 3322C-54746.

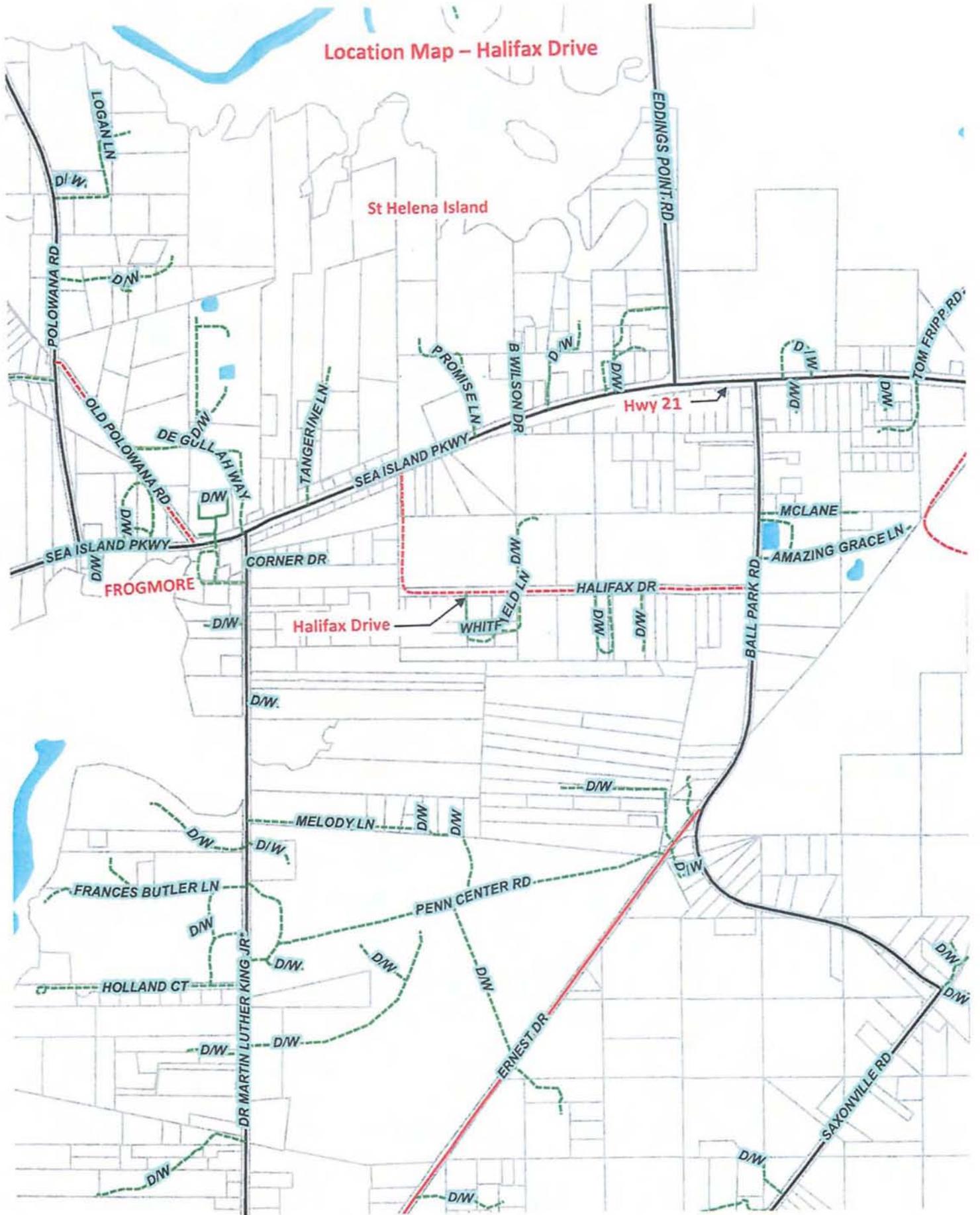
RECOMMENDATION. The Public Facilities Committee approve and recommend to County Council approval of a contract award to REA Contracting, LLC/Andrews & Burgess, Inc. to design and build the Dirt Road Paving Contract #46 in the amount of \$1,658,752.30.

REK/DS/mjh

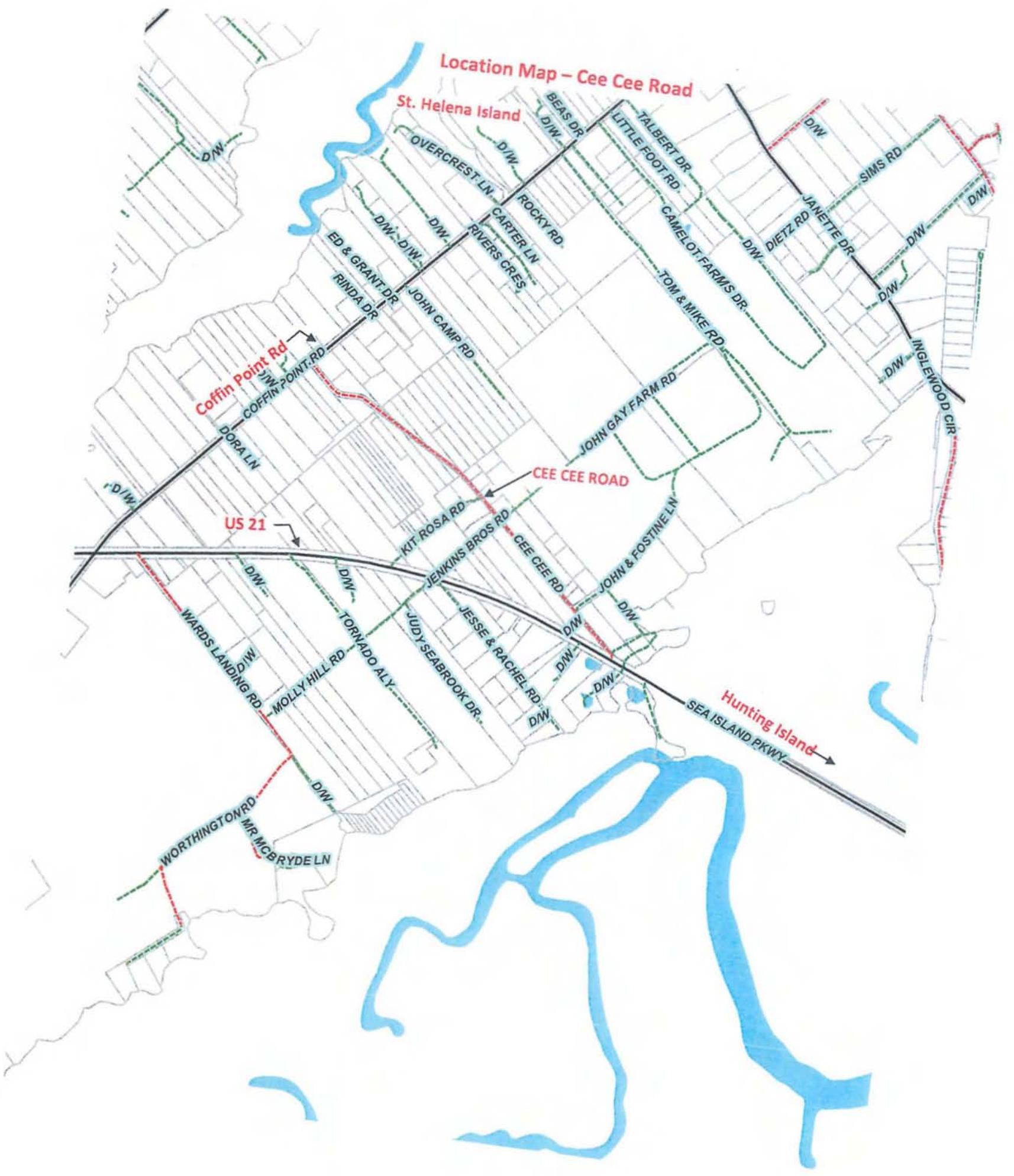
Attachments: 1) Location Maps/w Description 2) SMB Information 3) C Fund Balance Detail

cc: Eddie Bellamy

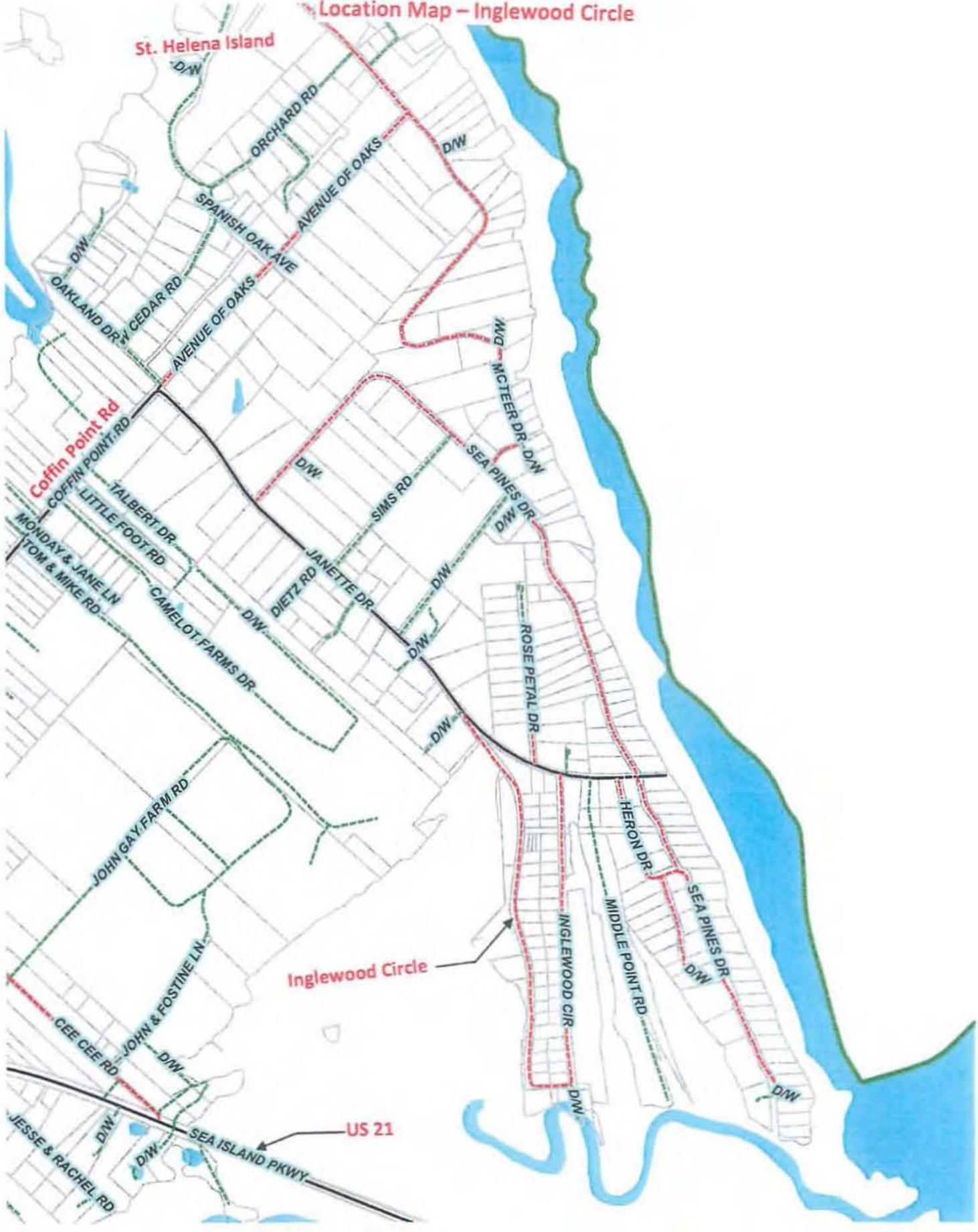
Location Map - Halifax Drive



Location Map - Cee Cee Road



Location Map - Inglewood Circle





BEAUFORT COUNTY STORMWATER UTILITY
120 Shanklin Road
Beaufort, South Carolina 29906
Voice (843) 255-2801 Facsimile (843) 255-9478



TO: Councilman Herbert Glaze, Chairman, Public Facilities Committee

VIA: Gary Kubic, County Administrator *B Hill*
 Bryan Hill, Deputy County Administrator *B Hill*
 David Starkey, Chief Financial Officer *Starkey*
 Rob McFee, P.E., Director of Engineering & Infrastructure *Rob McFee*
 Dave Thomas, Purchasing Director *Da Thomas*
 Monica Spells, Compliance Officer *Spells*

FROM: Dan Ahern, P.E., Stormwater Manager *Dan Ahern*
 Robert Klink, P.E. County Engineer *REK*

SUBJ: **US Highway 278 Water Quality Enhancement Plan**

DATE: February 15, 2012

BACKGROUND. The County adopted storm water volume controls for new and redevelopment construction in October 2009. The County then approved a water quality restoration plan for Battery Creek and Okatie River in January 2012. The existing portion of US 278 that is being widened has approximately 13 acres of existing impervious surface in the project area. The widening will add an additional 7 acres of impervious surface. Approximately 53% of the runoff will drain into the Okatie River to sections that are now impaired because of elevated fecal coliform levels. The remainder of the flow goes to the Colleton River.

ACTIVITIES TO ADDRESS EXCESS RUNOFF. Initially, it was decided to explore addressing this excess runoff volume control as part of value engineering effort for the US 278 highway improvement contract. This did not turn out to be a viable option, but did highlight a unique low cost alternative. There are a number of County owned parcels that were adjacent to US 278 and preliminary soil analysis indicated soils suitable for infiltration and use on highway construction. The ponds were preliminary measured and it appears that 4 ponds can retain and infiltrate up to 1 million gallons of runoff. As per the attached 1/27/12 email, the construction cost was estimated by APAC, US 278 widening contractor, to cost no more than \$300,000 for the water quality enhancement plan improvements. It was decided by staff to pursue this alternative and recommend utilizing the engineering consultant that had done the initial value engineering work. An engineering scope of services proposal was requested and the 2/14/12 proposal from Coleman Snow Consultants, LLC for \$56,000 is attached.

The cost of engineering and construction costs will be split based on the amount of new and existing impervious surface between stormwater fees and US 278 widening sales tax project funds. The total cost of the US 278 water quality enhancement is \$356,000 which includes the engineering services and construction. The following breakdown is provided.

65 % from Storm Water Fees for rehab of existing impervious surface	Acct #13531- 54450	\$231,400
35% from US 278 Sale Tax Project funds for new impervious surface impacts	Acct #33402-54500	<u>\$124,600</u>
	Total	\$356,000

Stormwater Utility had not budgeted for this cost in this Fiscal Year's budget so it is requested that the Stormwater Utility be authorized to utilize its cash reserve for this cost. Utility has an unrestricted reserve of \$1,812,765 as of December 31, 2011 and is projecting a \$1,500,000 reserve at the end of the Fiscal Year.

RECOMMENDATION. Recommend that the Public Facilities Committee approve and recommend to County Council the following:

- 1) Approval of the US 278 Water Quality Enhancement Initiative
- 2) Approval of proposed contract with Coleman Snow for design of services totaling \$56,000
- 3) The use of the Stormwater Utility reserve fund for the US 278 water quality retrofit costs for engineering & construction for approximately \$231,400.
- 4) The use of US 278 Sales Tax Project funds for addressing excess storm water runoff from the new US 278 impervious surface engineering and construction with a cost of approximately \$124,600.

Attachments: 1) 1/27/12 APAC Email
 2) 2/14/12 Coleman Snow Consultants Proposal



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TO: Councilman Herbert N Glaze, Chairman, Public Facilities Committee

VIA: Gary Kubic, County Administrator
Bryan Hill, Deputy County Administrator
David Starkey, Chief Financial Officer
Robert McFee, Director of Engineering and Infrastructure
Dave Thomas, Purchasing Director
Monica Spells, Compliance Officer

B. Hill

Robert McFee

open

REK

FROM: Bob Klink, County Engineer

SUBJ: SC 170 WIDENING DESIGN SERVICES

DATE: February 17, 2012

BACKGROUND. In May 2007, Beaufort County approved a contract with Thomas & Hutton Engineering Company to design the SC 170 Widening Sales Tax Project from SC 46 roundabout to Tide Watch Drive (Phases 1 thru 3). Total contract value was \$1,419,855.

Due to additional design costs as out lined in attachment #1, Thomas & Hutton's contract with the County would need to be increased by \$68,815. This increase will pay their December 2011 and January 2012 invoices totaling \$47,711. The remaining \$21,000 will complete any remaining right of way acquisition assistance for Phase 1 (US 278 to Bluffton Parkway) and the bid administration services when Phase 1 is advertised for bid.

Also, Thomas & Hutton has been asked to provide a scope of services for completing the right of way acquisition and design plan updates for Phase 2 SC 170 widening improvements. Phase 2 improvements are from the SC 46 roundabout to the intersection with the Bluffton Parkway. Per attachment #2, total cost for these services would be \$129,200. On February 16th 2012, the SC Transportation Infrastructure Bank announced that Beaufort County has been approved for a \$25 million grant for the SC 170 project.

Engineering design services for the SC 170 widening improvements are paid for from sales tax project funds, Account #33403-54500.

The Engineering Division has reviewed Thomas & Hutton's December 2011 and January 2012 pay applications and their request for additional services to complete Phase 1 and found them to be reasonable. Therefore, the Engineering Division recommends approval of additional funds totaling \$68,815 needed for the engineering design services to complete Phase 1. The scope of services for Phase 2 was reviewed and is recommended for approval with a total cost of \$129,200.

RECOMMENDATIONS

- 1) That the Public Facilities Committee approve and recommend to County Council the authorization of the additional engineering services and inspection fees for Thomas & Hutton totaling \$68,815. This authorization will pay Dec 2011 and Jan 2012 invoices and complete any remaining items for SC 170 Phase 1.
- 2) That The Public Facilities Committee approve and recommend to County Council the approval of the SC 170 Phase 2 Scope of Services totaling \$129,200.

REK/mjh

- Attachments:
- 1) 2/20/12 T & H SC 170 Widening Additional Cost Email w/Detail
 - 2) 2/6/12 T & H SC 170 Phase 2 Scope of Services
 - 3) Dec 2011 T & H Invoice #0116307
 - 4) Jan 2012 T & H Invoice #0116846

SUN CITY

JASPER
COUNTY

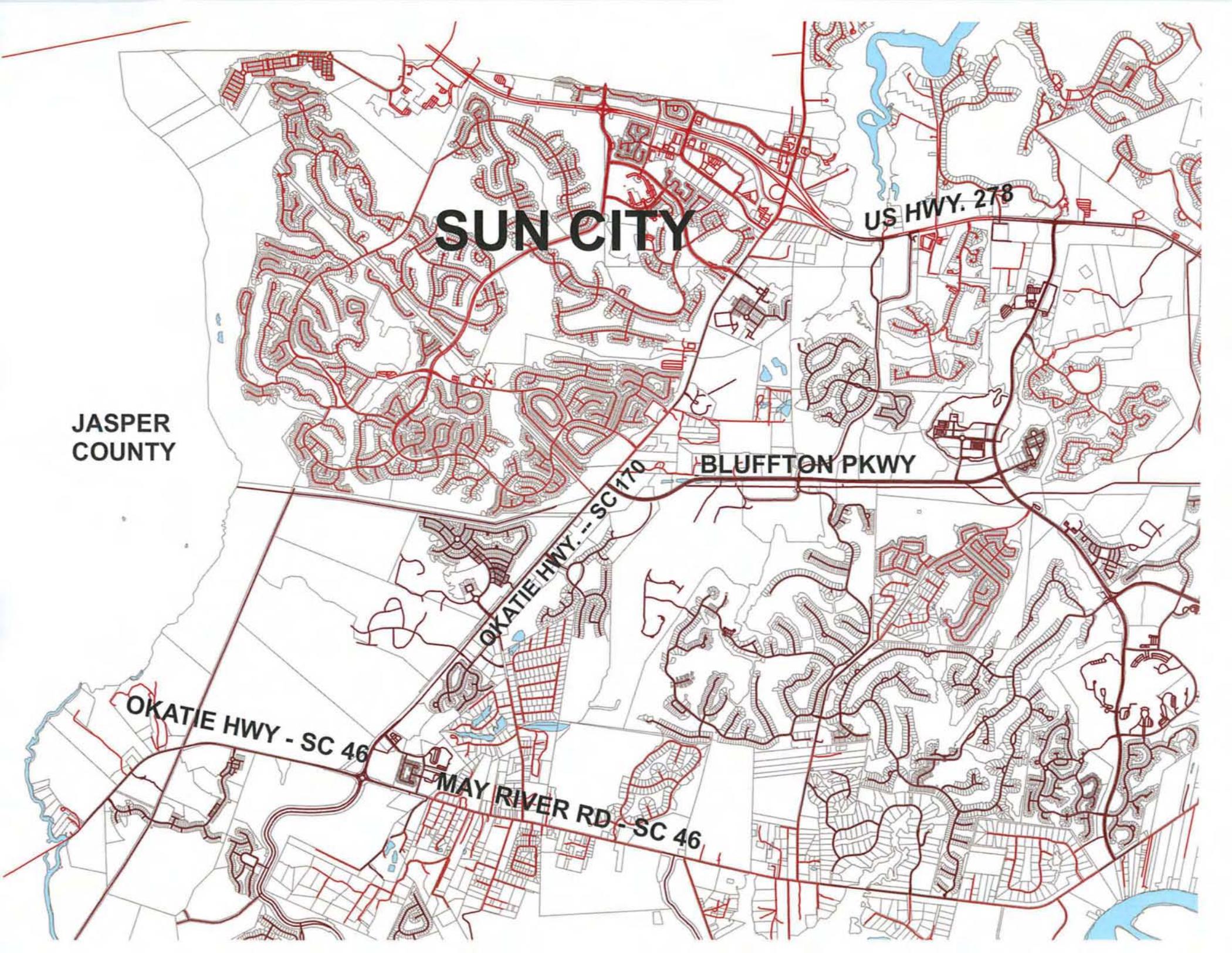
US HWY. 278

BLUFFTON PKWY

OKATIE HWY. - SC 170

OKATIE HWY - SC 46

MAY RIVER RD - SC 46





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BEAUFORT COUNTY ENGINEERING DIVISION
102 Industrial Village Road, Building #3, Beaufort, SC 29906
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Telephone: 843-255-2700 Facsimile: 843-255-9420**

TO: Councilman Herbert N Glaze, Chairman, Public Facilities Committee

VIA: Gary Kubic, County Administrator
Bryan Hill, Deputy County Administrator
David Starkey, Chief Financial Officer
Robert McFee, Director of Engineering and Infrastructure
Dave Thomas, Purchasing Director
Monica Spells, Compliance Officer

FROM: Bob Klink, County Engineer

SUBJ: **F&ME CONSULTANTS - CONSTRUCTION MANAGEMENT, ENGINEERING AND
INSPECTION SERVICES FOR SC 802 WIDENING AND NEW BRIDGE CONSTRUCTION**

DATE: February 13, 2012

BACKGROUND. In Dec 2010, Beaufort County had to procure emergency, sole source construction management, engineering and inspection services for the SC 802 widening and new Beaufort River bridge construction. F&ME Consultants replaced Dennis Corporation. F&ME provided immediate construction management/inspection services because the widening and bridge construction were well underway. F&ME's contract amount was \$1,587,020.92 with contract length for a year.

Due to additional construction/engineering management for re-design of storm water elements, pavement grade changes, additional survey verification, and for extension of construction engineering/ inspection services for 3 additional months due to construction delays, F&ME's contract with the County would need to be increased by \$180,000. This increase will pay the remainder of their January 2012 invoice (\$30,000) and construction engineering and inspection services (\$150,000) thru March 2012.

Also, F&ME has been asked by the County to provide a scope of services to conduct a noise study at the new bridge to show post construction changes in the noise profile for the area. The residents at Riverwinds and Port Royal Landing subdivisions have expressed concerns about the need for a noise barrier. The County had stipulated that study would be conducted post construction. The noise study per the attached 2/7/12 correspondence, will cost \$12,500.

Construction management and inspection fees for the SC 802 widening and new Beaufort River Bridge construction are paid for from sales tax project funds, Account #33408-54500 and Account #33410-54500. The noise study would also be paid from Account #33408-54500.

The Engineering Division has reviewed F&ME's Jan 2012 pay application, their request for additional services for February and March 2012 and found them to be reasonable. Therefore, the Engineering Division recommends approval of additional funds totaling \$180,000 needed for the construction management/ inspections fees. The noise study scope of services submitted by F&ME was reviewed and is recommended for approval with a lump sum payment of \$12,500.

RECOMMENDATIONS

- 1) That the Public Facilities Committee approve and recommend to County Council the authorization of the additional construction management/engineering and inspection fees for F&ME totaling \$180,000. This authorization will pay F&ME's January 2012 invoice and extend F&ME's contract thru March 2012.
- 2) That The Public Facilities Committee approve the Scope of Services for the SC 802 new bridge area noise study with a lump sum contract amount of \$12,500.

REK/mjh

Attachments: 1) F&ME Jan 2012 Invoice #0125988
2) F&ME 2/14/12 Email
3) 1/14/11 County Director of Eng & Infrastructure Memo
4) 2/7/12 Noise Study Scope of Services
5) 1/22/10 County Council Chairman ltr
6) 4/8/09 County Director of Eng & Infrastructure ltr



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Bryan Hill, Deputy County Administrator
David Starkey, Chief Financial Officer
Robert McFee, Director of Engineering and Infrastructure
Dave Thomas, Purchasing Director
Monica Spells, Compliance Officer

FROM: Bob Klink, County Engineer

SUBJ: **SC 802 WIDENING FROM SC RIBAUT ROAD TO US 21 (SEGMENT A -LADY'S ISLAND DRIVE)**
SC 802 WIDENING FROM SC 170 TO SC 280 (SEGMENT B - SAVANNAH HWY)

DATE: February 13, 2012

BACKGROUND. On Apr 27, 2009, County Council awarded the subject sales tax projects to Sanders Brothers Construction Company, Inc. The total contract amount awarded was \$10,852,393.96.

The Engineering Division has received November & December 2011 pay applications submitted by Sanders Brothers Construction Company which total \$472,967.26 and Change Orders 38 thru 45 for \$59,502.25 that need approval authorization to fund and process for payment. Total paid to date to Sanders Brothers for the widening of SC 802 is \$12,840,764.

The cost increases on the SC 802 Widening Project were due primarily to increased asphalt quantities because of inaccuracies in the original design, design changes due to grade issues not identified in the original design, utility conflicts, and compliance with COE permitting requirements for storm water system not included in the original bid documents. (See Attachment #4)

Construction fees for the SC 802 widening are paid for from sales tax project funds, Account #33408-54500 and Account #33410-54500.

The project Construction Manager and Engineering Division have reviewed Nov and Dec 2011 pay applications and change orders 38 thru 45 and found them to be reasonable. Therefore, the Engineering Division recommends approval of these pay applications and Change Orders totaling \$532,469.51 from the funding sources listed above.

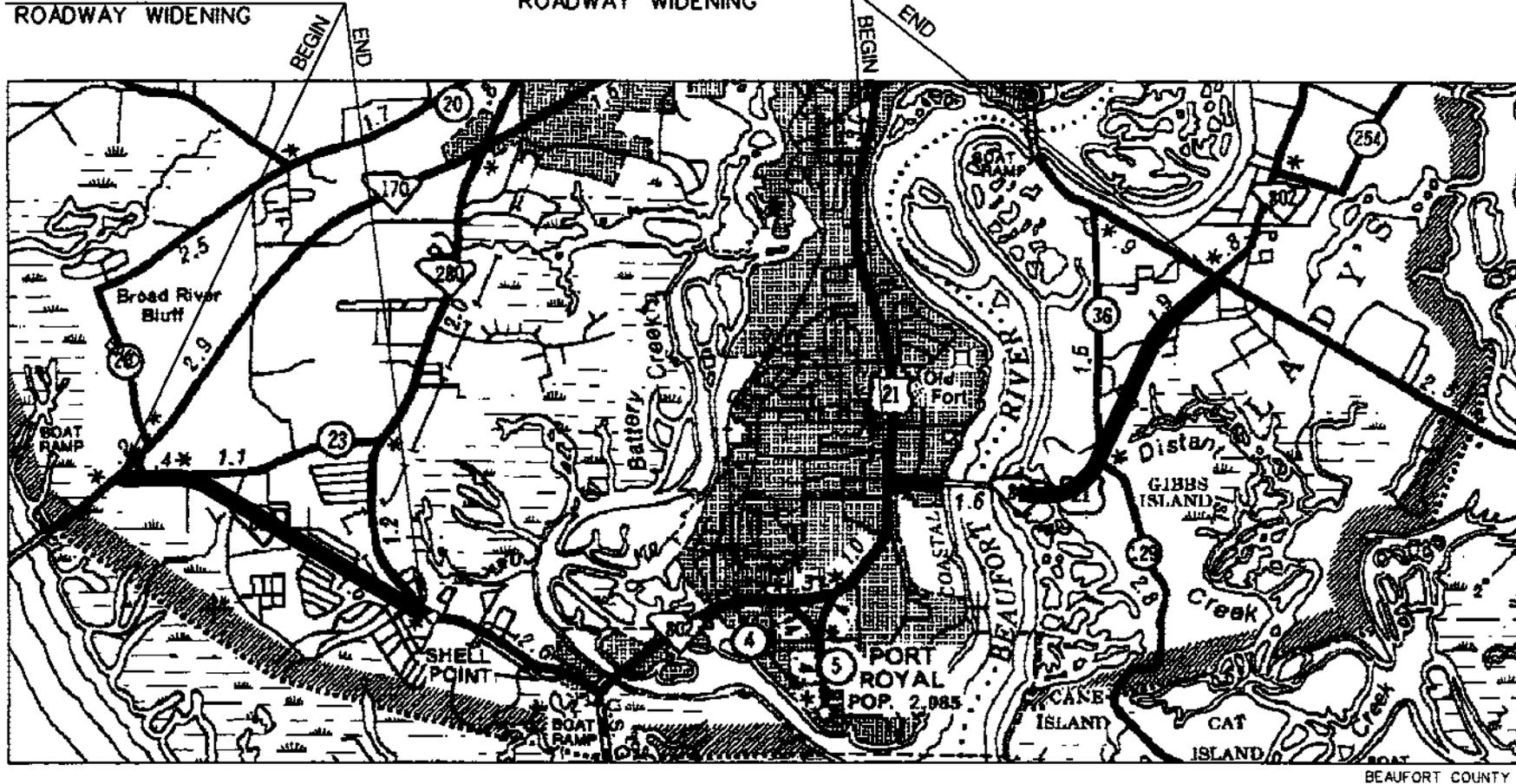
RECOMMENDATION. That the Public Facilities Committee approve and recommend to County Council the authorization of Nov and Dec 2011 pay applications totaling \$472,967.26 and Change Orders 38 thru 45 for \$59,502.25 to Sanders Brothers Construction Company, Inc., from the sales tax project funds.

REK/mjh

Attachments: 1) Location Map
2) Pay Applications Nov & Dec 2011
3) Change Orders 38 thru 45
4) SC 802 Cost Increase Detail

SC RTE. 802 - SECTION B
ROADWAY WIDENING

SC RTE. 802 - SECTION A
ROADWAY WIDENING



SC802 ROADWAY WIDENING PROJECT SITE LOCATION

SCALE = NOT TO SCALE



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David Starkey, Chief Financial Officer
Robert McFee, Director of Engineering and Infrastructure
Dave Thomas, Purchasing Director
Monica Spells, Compliance Officer

FROM: Bob Klink, County Engineer

SUBJ: **PALMETTO ELECTRIC COOPERATIVE SUPPLEMENTAL AGREEMENT FOR
BLUFFTON PARKWAY PHASE 5A INFRASTRUCTURE RELOCATION**

DATE: February 8, 2012

B. Klink
1/11
Set 02-15-12
Spells
JK McFee

BACKGROUND. At the April 2009 meeting, the Public Services Committee was presented for information only Utility Agreements #1 thru #3 between Beaufort County and Palmetto Electric Cooperative (PEC) for relocation of PEC's electrical facilities on the Bluffton Parkway Phase 5A. The original Utility Agreement #2 estimated total of \$336,969.93 has increase by \$162,235.71 due to increased material costs for relocation of the three main feeders at Tanger 2 Outlet Shops, PEC Buckingham Substation and the feeders at Hilton Head National.

PEC has completed the infrastructure relocation for Agreement #2 and has presented the final invoice totaling \$509,205.64. This invoice includes the additional material costs. The following is a listing of all the utility relocation agreements for the Bluffton Parkway Phase 5A.

Utility	Total Number of Relocation Agreements	Original Relocation Cost Estimate	Total Billed/Paid to Date
BJWSA	4	\$ 668,439	\$ 705,578
PEC	4	845,439	807,880
Santee Cooper	1	7,823,405	6,996,914
SCE&G	1	117,578	71,759
		<u>\$ 9,454,861</u>	<u>\$8,582,131</u>

All utility relocations have been completed except for PEC's infrastructure in the Buckingham Plantation Drive area and SCE&G utility conflicts though out the construction zone. The PEC material cost increase of \$162,235.71 represents only a 1.8% increase for the overall total cost of utility infrastructure relocation on the Bluffton Parkway Phase 5A. Utility relocation costs for the Bluffton Parkway Phase 5 are paid for from sales tax project funds, Account #33401-54500.

RECOMMENDATION. The increase of \$162,235.71 in material costs for Palmetto Electric Cooperative Utility Infrastructure Relocation Agreement #2 for a total cost of \$509,205.64 is presented for information only. No formal action is required. The relocation of utility infrastructure conflicts during the construction process is inherent to the utility's ownership and have to be completed by the utility.

REK/mjh

- Attachments: 1) Palmetto Electric Cooperative 1/25/12 Invoice
2) 4/14/09 Public Services Committee Minutes w/4/6/09 Agenda Item

Committee Reports

March 12, 2012

A. COMMITTEES REPORTING

1. Community Services

- ① Minutes are provided from the [February 20](#) meeting. No action is required.
- ② Disabilities and Special Needs Board

<i>Nominated</i>	<i>Name</i>	<i>Position / Area / Expertise</i>	<i>Reappoint / Appoint</i>	<i>Votes Required</i>
02.27.12	Robert Collar	Countywide	Appoint	6/11

③ Library Board

<i>Nominated</i>	<i>Name</i>	<i>Position / Area / Expertise</i>	<i>Reappoint / Appoint</i>	<i>Votes Required</i>
02.27.12	Peggy Martin	Council District 9	Appoint	6/11

2. Finance

- ① Minutes are provided from the [February 20](#) meeting. No action is required.

3. Governmental

- ① Minutes are provided from the [March 5](#) meeting. No action is required.

4. Public Facilities

- ① Solid Waste/Recycling Board

<i>Nominate</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
3.12.12	LaShonda Scott	Solid Waste District #5- Sheldon Township	Appoint	6/11

- ② Minutes are provided from the [February 28](#) meeting. Action is required.
See main agenda items 10B, 10C, 10D, 10E, 10F, 10G, 10H, 10I and 10J

B. COMMITTEE MEETINGS

1. Community Services

William McBride, Chairman

Gerald Dawson, Vice Chairman

➔ Next Meeting – Monday, March 19 at 4:00 p.m., BIV#2

2. Executive

Weston Newton, Chairman

➔ Next Meetings – April, August and November / Status Report / Policy and Management Agendas 2012

3. Finance

Stu Rodman, Chairman

Rick Caporale, Vice Chairman

➔ Next Meeting – Monday, March 19 at 2:00 p.m., BIV #2

4. Governmental

Jerry Stewart, Chairman

Laura Von Harten, Vice Chairman

➔ Next Meeting – Monday, April 2 at 4:00 p.m., ECR

5. Natural Resources

Paul Sommerville, Chairman

Brian Flewelling, Vice Chairman

➔ Next Meeting – Monday, April 2 at 2:00 p.m., ECR

6. Public Facilities

Herbert Glaze, Chairman

Steven Baer, Vice Chairman

➔ Next Meeting – Tuesday, March 27 at 4:30 p.m., ECR

7. Transportation Advisory Group

Weston Newton, Chairman

Stu Rodman, Vice Chairman

➔ Next Meeting – March 2012

COMMUNITY SERVICES COMMITTEE

February 20, 2012

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

The Community Services Committee met on Monday, February 20, 2012 at 4:00 p.m., in the Conference Room, Building 2, Beaufort Industrial Village, 102 Industrial Village Road, Beaufort South Carolina.

ATTENDANCE

Community Services Committee Members: Chairman William McBride, Vice Chairman Gerald Dawson and members Steven Baer, Rick Caporale, Herbert Glaze, Paul Sommerville, and Laura Von Harten. Non-Committee member Brian Flewelling was also present.

Public: Denise Draper, Community and Economic Development Specialist, Lowcountry Council of Governments; Alford Givens, Circle of Hope Coalition; and Larry Holman, Circle of Hope Coalition.

County staff: Morris Campbell, Division Director – Community Services; and Fred Leyda, Alliance for Human Services Facilitator.

Media: Eleanor Lightsey O'Key, *LowCountry Inside Track, Ltd.*

Councilman McBride chaired the meeting.

ACTION ITEMS

1. Prioritization of Community Development Block (CDBG) Projects

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

Discussion: Committee members prioritized the 2012 Community Development Block Grant Program Projects as follows: Community Infrastructure, Community Enrichment, Village Renaissance, and Business Development.

Motion: It was moved by Ms. Von Harten, seconded by Mr. Dawson, that Committee approve and recommend to Council prioritization of the 2012 Community Development Block Grant Program Projects as follows: Community Infrastructure, Community Enrichment, Village Renaissance, and Business Development. The vote was: AYES – Mr. Baer, Mr. Caporale, Mr. Glaze, Mr. McBride, Mr. Sommerville and Mr. Von Harten. The motion passed.

2. Consideration of Reappointments and Appointments

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

- **Disabilities and Special Needs Board**

Motion: It was moved by Mr. Dawson, seconded by Mr. Caporale, that Community Services Committee recommends the nomination of Robert Collar to serve as a member of the Disabilities and Special Needs Board. The vote was: AYAS – Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Glaze, Mr. McBride, Mr. Sommerville and Ms. Von Harten. The motion passed.

Recommendation: Committee nominate Robert Collar to serve as a member of the Disabilities and Special Needs Board.

- **Library Board**

Motion: It was moved by Ms. Von Harten, seconded by Mr. Baer, that Community Services Committee recommends the nomination of Peggy Martin, Council District 7, to serve as a member of the Library Board. The vote was: AYAS – Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Glaze, Mr. McBride, Mr. Sommerville and Ms. Von Harten. The motion passed.

Recommendation: Committee nominate Peggy Martin, representing Council District 9, to serve as a member of the Library Board.

INFORMATION ITEM

3. Circle of Hope Coalition and Beaufort County Partnership

Discussion: At the February 2, 2012 Parks and Leisure Services Board meeting, members approved the partnership between the Circle of Hope Coalition (Coalition) and Beaufort County to lease the Charles Lind Brown Community Activity Center. The Coalition will provide evening programs and activities.

Status: This item is provided as information only. It will be discussed further at the next Community Services Committee meeting.

FINANCE COMMITTEE

February 20, 2012

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

The Finance Committee met on Monday, February 20, 2012 at 2:30 p.m., in the Conference Room, Beaufort Industrial Village, 102 Industrial Village Road, Beaufort, SC.

ATTENDANCE

Finance Committee Members: Chairman Stu Rodman, Vice Chairman Rick Caporale, and members Steven Baer, Brian Flewelling, William McBride, Paul Sommerville and Jerry Stewart were present. Non Committee member Gerald Dawson and Laura Von Harten were also present.

County staff: Paul Andres, Airports Director; Joshua Gruber, County Attorney; Bryan Hill, Deputy County Administrator; Greg Hunt, Mosquito Control Director; Gary Kubic, County Administrator; Colin Kinton, Traffic/Transportation Engineer; David Starkey, Chief Financial Officer; John Webber, Special Projects; and Doug Henderson, Treasurer.

Public: Todd Wrenn, Broker Investor, Morgan Stanley Smith Barney.

Media: Joe Croley, Hilton Head Island-Bluffton Chamber of Commerce; and Anne Christnovitch, *Island Packet/Beaufort Gazette*.

Councilman Rodman chaired the meeting.

ACTION ITEMS

1. \$2,500,000 Bond Anticipation Borrowing for Myrtle Park Building Purchase

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

Discussion: Mr. David Starkey, Chief Financial Officer, reviewed with Committee a proposed ordinance authorizing the issuance and sale of not to exceed \$2,500,000 of General Obligation Bond Anticipation Notes to provide funds for the acquisition of the building and real property known as Myrtle Park County Administration Building.

Motion: It was moved by Mr. Baer, seconded by Mr. Flewelling, that Committee recommend that Council approve on first reading an ordinance authorizing the issuance and sale of not to exceed \$2,500,000 of General Obligation Bond Anticipation Notes to provide funds for the acquisition of the building and real property known as Myrtle Park County Administration Building. The vote was: AYES – Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman and Mr. Stewart. The motion passed.

Recommendation: Council approve on first reading an ordinance authorizing the issuance and sale of not to exceed \$2,500,000 of General Obligation Bond Anticipation Notes to provide funds for the acquisition of the building and real property known as Myrtle Park County Administration Building.

2. Hilton Head Island Airport Through the Fence Agreement

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

Discussion: Joshua Gruber, County Staff Attorney reviewed with the Committee the amended and restated access easement and through the fence access agreement.

Motion: It was moved by Mr. Caporale, seconded by Mr. Flewelling, that Committee recommend and approve that Council enter into an amended and restated access easement and through-the-fence access agreement with Exec Air Property Owners Association, Inc. and the Exec Air/Hilton Head Hangar Owners Association, Inc. The vote was: AYES – Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman and Mr. Stewart. The motion passed.

Recommendation: Council enter into an amended and restated access easement and through-the-fence access agreement with Exec Air Property Owners Association, Inc. and the Exec Air/Hilton Head Hangar Owners Association, Inc.

3. Discussion of Bus Livability Grant

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

Discussion: Mr. Gary Kubic, County Administrator, reviewed this item with Committee. He presented Committee a memorandum dated February 13, 2012. The intent of the memorandum was to inform Committee of his plans regarding the Bus Livability Grant. He stated his plan is to inform the Federal Transit Administration, the South Carolina Department of Transportation, and the Lowcountry Council of Governments that Beaufort County does not intend to accept the \$3.1 million Bus Livability Grant due to stipulations required in acceptance of the Grant.

Motion: It was moved by Sommerville, seconded by Mr. Flewelling, that Committee approve and recommend that Council decline the Federal Transit Administration \$3.1 million Bus Livability Grant due to stipulations required in acceptance of the Grant. The vote was: AYES – Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman and Mr. Stewart. The motion passed.

Recommendation: Council decline the Federal Transit Administration \$3.1 million Bus Livability Grant due to stipulations required in acceptance of the Grant.

4. Consideration of Contract Award – EMS Ambulance 2012 and 2011 Model Type I Vehicle

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

Discussion: Mr. Dave Thomas, Purchasing Director, reviewed this item with Committee. Beaufort County issued an Invitation for Bid to vendors capable of providing one new 2012 and one new 2011 Ford F-450 4x2 Type I Ambulance to enhance the response capabilities of the Beaufort County EMS. Five Bids were received with Taylor Made Ambulance being the lowest responsible/responsive bidder. Funding for this would come from account 23160-54000 Vehicle Purchases.

Motion: It was moved by Mr. McBride, seconded by Mr. Flewelling, that Finance Committee approve and recommend to Council an award of contract for one new 2012 Ford F-450 Ambulance in the amount of \$140,575 to Taylor Made Ambulance. The vote was: AYES – Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman and Mr. Stewart. The motion passed.

Recommendation Council award a contract for one new 2012 Ford F-450 Ambulance in the amount of \$140,575 to Taylor Made Ambulance.

INFORMATION ITEMS

5. Tax Impact of Senate Bill 40

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

Discussion: Mr. Ed Hughes, Assessor, reviewed with Committee the impact of Senate Bill 40 and provided them with a spreadsheet which demonstrated the direct tax impact on different locations for single family, townhouses, and condominiums.

Status: This item was presented for information only.

6. Update of County Investments

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

Discussion: Mr. Todd Wrenn, Broker Investor, Morgan Stanley Smith Barney, updated the Committee on the County's investments.

Status: This item was for informational purposes.

7. Discussion / Financial Items Identified at the County Retreat

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

Discussion: The Committee discussed the various financial items identified at the Council Retreat.

Status: This item was for informational purposes only.

DRAFT

GOVERNMENTAL COMMITTEE

March 5, 2012

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

The Governmental Committee met on Monday, March 5, 2012 at 4:00 p.m., in the Executive Conference Room, Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Governmental Committee Members: Chairman Jerry Stewart, Vice Chairman Laura Von Harten and Committee members Rick Caporale, Gerald Dawson, Brian Flewelling, Herbert Glaze, and Stu Rodman attended the meeting. Non-Committee member William McBride also attended.

County Staff: Phil Foot, Division Director – Public Safety; Bryan Hill, Deputy County Administrator; Gary Kubic, County Administrator, and Duffie Stone, Solicitor.

Media: Joe Croley, Hilton Head Island Association of Realtors; and Anne Christnovitch, *Island Packet/Beaufort Gazette*.

Mr. Stewart chaired the meeting.

INFORMATION ITEMS

1. Discussion – Upcoming Legislative Session

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

Discussion: Committee Chairman Jerry Stewart informed the Committee that many Legislators are currently in Columbia and are unable to attend.

Status: This item was postponed.

2. Detention Center Annual Report – Calendar Year 2011

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

Discussion: Mr. Phil Foot, Detention Center Director, gave the Committee an overview of the Detention Center. The PowerPoint included information on the following:

- History of the Facility
- Administration Overview

- Admissions
- Monthly Book-ins
- Average Monthly Population
- Average Length of Stay
- Average Capacity for Year
- Building Maintenance, Furnishings and Equipment
- Inspections and Audits
- Public Relations
- Operations
 - Security
 - Classifications
 - Medical
 - Food Service
 - Inmate Programs
 - Visitations
 - Inmate Labor Services
 - Transportation/Court Section
- Fiscal Year Information
- Personnel and Training
- 2012 Forecast

Mr. Foot also announced the passing of his Chaplain, Rev. Horace Williams.

Status: This item was for informational purposes only.

3. Solicitor's Office – Electronic Monitoring Program

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

Discussion: Solicitor Duffie Stone provided the Committee with a PowerPoint Presentation on the 14th Circuit Offender Management Services. The presentation contained information regarding Global Position Satellite Tracking to include:

- Satellite Tracking of People (STOP)
- Monitored anytime and anywhere
- Immediate Violation alerts on ALL events
- Device collects track point every minute
- Charge twice a day for 30 minutes
- Inclusion vs. Exclusion Zones

He provided in-depth information regarding the zones, both inclusion and exclusion zones, and the ability to have multiple zones per unit. A sample of such was presented. He also

provided an overview of the different options which included the ability to see street views, violation activity summaries, and zone maps.

Mr. Stewart encouraged Council members to spend time with the Solicitor to see how he works. He said the Clerk to Council will help coordinate the visits.

Status: This item was for informational purposes only.

4. Announcement – 2012 Lobbying Day to Meet with Legislators is Tuesday, March 13

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

Discussion: Committee Chairman Jerry Stewart announced Tuesday, March 13 to be the 2012 Lobbying Day and encouraged Council members to participate. He stated his intent is to discuss extended rental property restrictions which impact tax revenues. Assessor Ed Hughes provided Council with an outline of the issue at the 2012 Retreat. This has an impact on Home Rule, and he expressed his intent to enlighten the delegation and request that they thoroughly think through the process.

Another issue is the local aid to government, to not increase per the formula but give C-Tax for transportation to be used for highway funding. They want to say it is tied to highway funds which local government what to do with the money.

Mr. Glaze stated if we are going to talk to delegation members, we need to make sure we have consensus.

Mr. Stewart agreed and is asking for consensus on items. The Legislature is making decisions for local government which is a Home Rule issue.

Mr. Stewart spoke about Government Restructuring which he finds to be an issue. The Senate is taking up the House Bill. It does not get anywhere near where we would hope, but it is a step in the right direction. It could still flounder.

Mr. Stewart stated H.4721, Solid Waste Flow Control, forces counties to have 2/3 vote to allow another county to dispose of waste in their county. It also says that any ordinance/agreements previously adopted will be null and void. This is a slippery-slope the legislature is stepping in on. This affects counties like ours, where we have no option but to send our waste elsewhere.

Mr. Stewart expressed his intent to watch S.772 which involved unlimited tort liability for public entities and charitable institutions to see if formal action needs to be taken.

Status: This item was for informational purposes only.

5. **Open Topics from Retreat**

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

Discussion: Committee Chairman Jerry Stewart stated there are two items from the Retreat that this Committee would need to take up – business license fees and economic development. He has asked administration to bring forth information regarding business license so Council can re-examine it. In regard to the Alliance, he would like to review the process and incur the opinions of the committee relative to economic development.

Status: This item was for informational purposes only.

DRAFT

PUBLIC FACILITIES COMMITTEE

February 28, 2012

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

The Public Facilities Committee met on Tuesday, February 28, 2012 at 4:30 p.m., in the Executive Conference Room of the Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Public Facilities Chairman Herbert Glaze, Vice Chairman Steve Baer, and members Gerald Dawson, Brian Flewelling, William McBride and Jerry Stewart. Non-committee members Rick Caporale present.

County staff: Bryan Hill, Deputy County Administrator; David Starkey, Chief Financial Officer; Josh Gruber, Staff Attorney; Rob McFee, Division Director – Engineering and Infrastructure; Paul Andres, Airports Director; Bob Klink, County Engineer; Colin Kinton, Transportation/Traffic Engineer; and Phil Foot, Division-Director Public Safety.

Public: Terry Reynolds, Bluffton Fire Commission Chairman; Bluffton Fire Chief Barry Turner, Bluffton Deputy Chief John Thompson; Joe Fraser, Fraser Construction Company; and Roberts Vaux, Vaux & Marscher, PA.

Media: Joe Croley, Hilton Head Island-Bluffton Chamber of Commerce; and Anne Christnovitch, *Island Packet/Beaufort Gazette*.

Mr. Glaze chaired the meeting.

ACTION ITEMS

1. Resolution / Authorizing Installation of Traffic Control Signs

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

Discussion: Mr. Glaze explained that the resolution proposed deals with posting the following traffic control devices upon the identified county maintained roadway: (i) No Through Trucks: Malphrus Road from Bluffton Parkway to Foreman Hill Road; (ii) No Through Trucks: Foreman Hill Road (iii) No Through Trucks: Old Jericho Road from Parris Island Gateway north to Robert Smalls Parkway; (iv) No Through Trucks: St. Paul's Church Road from Parris Island Gateway to Josephine Drive; (v) No Through Trucks: Rue Du Bois Road from Meridian Road to Beaufort High School Driveway.

Motion: It was moved by Mr. Flewelling, seconded by Mr. Dawson, that Committee recommend to Council adoption of a resolution authorizing the posting the following traffic control devices upon the identified county maintained roadway: (i) No Through Trucks: Malphrus Road from Bluffton Parkway to Foreman Hill Road; (ii) No Through Trucks: Foreman Hill Road (iii) No Through Trucks: Old Jericho Road from Parris Island Gateway north to Robert Smalls Parkway; (iv) No Through Trucks: St. Paul’s Church Road from Parris Island Gateway to Josephine Drive; (v) No Through Trucks: Rue Du Bois Road from Meridian Road to Beaufort High School Driveway. The vote was: AYES – Mr. Baer, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride and Mr. Stewart. The motion passed.

Recommendation: Council adopt a resolution authorizing the posting the following traffic control devices upon the identified county maintained roadway: (i) No Through Trucks: Malphrus Road from Bluffton Parkway to Foreman Hill Road; (ii) No Through Trucks: Foreman Hill Road (iii) No Through Trucks: Old Jericho Road from Parris Island Gateway north to Robert Smalls Parkway; (iv) No Through Trucks: St. Paul’s Church Road from Parris Island Gateway to Josephine Drive; (v) No Through Trucks: Rue Du Bois Road from Meridian Road to Beaufort High School Driveway.

2. Architectural Design and Construction Services for a new Bluffton Fire Station for the Bluffton Township Fire District

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

Discussion: Mr. Dave Thomas, Purchasing Director, reported that Beaufort County issued a Request for Qualifications to firms capable of designing and constructing a new fire station for the Bluffton Township Fire District. Qualification statements were received on September 15, 2012 from nine firms and subsequently evaluated by a selection committee.

The full purchase price will be realized from the Bluffton Township Fire District's General Fund balance. The Fire District had a General Fund balance of \$4,054,606 as of June 30, 2011 per their FY 2011 CAFR. At June 30, 2011, the entire General Fund balance was classified as unassigned and mostly consisted of cash on hand or cash held by the County. The current balance of the Fire District's General Fund cash held by the County totals \$6,713,897.

Mr. Dawson reminded all concerned of the need to pursue minority subs.

Motion: It was moved by Mr. Stewart, seconded by Mr. Baer, that Committee recommend Council award a contract to Fraser Construction / Court Atkins Architects, the top ranked team, for a not-to-exceed contract award of \$2,200,000 for design build and construction services for the Bluffton Township Fire District's new fire station #30. The vote was: YEAS – Mr. Baer, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride and Mr. Stewart. The motion passed.

Recommendation: Council award a contract to Fraser Construction and Court Atkins Architects, the top ranked team, for a not-to-exceed contract award of \$2,200,000 for design build and construction services for the Bluffton Township Fire District's new fire station #30.

3. Design Build Construction for Dirt Road Paving Contract #45

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

Discussion: Mr. Rod McFee, Division-Director Engineering and Infrastructure, explained that Beaufort County issued a Request for Proposals from qualified firms to design and build the Dirt Road Paving #45. The proposal was also reviewed for compliance with the County's Small & Minority Business Subcontractor Guidelines. It has been determined that they made a "Good Faith Effort" and are in compliance with respect to Beaufort County's requirements regarding the Small & Minority Business Subcontractor Guidelines. The project will be funded by BCTC/TAG funds from the following: L. H. Nelson Drive, #3322C-54740; Salt Creek Drive, W., #3322C-54644; River Oaks Road, #3322C-54741; Gumwood Drive #3322C-54747; Ferguson Lane, #3322C-54651.

Mr. Dawson said the trucking firm is not local. "Are local companies not responding," he asked? Monica Spells, Compliance Officer, said they are responding but have not offered competitive bids, but all requirements in reaching out to minorities have been met.

Mr. Kubic said he has talked with representatives of the Black Chamber of Commerce and surety is an issue. He is working with the Chamber to find solutions.

Motion: It was moved by Mr. Flewelling, seconded by Mr. Baer, that Committee recommend to Council an award of contract to REA Contracting, LLC/Andrews & Burgess, Inc. to design and build the Dirt Road Paving Contract #45 in the amount of \$912,158.40. The vote was: YEAS – Mr. Baer, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride and Mr. Stewart. The motion passed.

Recommendation: Council award a contract to REA Contracting, LLC/Andrews & Burgess, Inc. to design and build the Dirt Road Paving Contract #45 in the amount of \$912,158.40.

4. Design Build Construction for Dirt Road Paving Contract #46

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

Discussion: Mr. Rod McFee, Division-Director Engineering and Infrastructure, Beaufort County issued a Request for Proposals from qualified firms to design and build the Dirt Road Paving #46. The proposal was also reviewed for compliance with the County's Small & Minority Business Subcontractor Guidelines. It has been determined that they made a "Good Faith Effort" and are in compliance with respect to Beaufort County's requirements regarding the

Small & Minority Business Subcontractor Guidelines. The project will be funded by BCTC/TAG funds from the following: Halifax Drive, #3322C-54742; 1st Coleman Road, #3322C-54743; Queens Road, #3322C-54744; Cee Cee Road, #3322C-54745; Inglewood Circle, #3322C-54746.

Motion: It was moved by Mr. McBride, seconded by Mr. Dawson, that Committee recommend to Council an award a contract to REA Contracting, LLC/Andrews & Burgess, Inc. to design and build the Dirt Road Paving Contract #46 in the amount of \$1,658,752.30. The vote was: YEAS – Mr. Baer, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride and Mr. Stewart. The motion passed.

Recommendation: Council award a contract to REA Contracting, LLC/Andrews & Burgess, Inc. to design and build the Dirt Road Paving Contract #46 in the amount of \$1,658,752.30.

5. US Highway 278 Water Quality Enhancement Plan

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

Discussion: Mr. Rod McFee, Division-Director Engineering and Infrastructure, explained the County adopted stormwater volume controls for new and redevelopment construction in October 2009. The County then approved a water quality restoration plan for Battery Creek and Okatie River in January 2012. The existing portion of US 278 that is being widened has approximately 13 acres of existing impervious surface in the project area. The widening will add an additional 7 acres of impervious surface. Approximately 53% of the runoff will drain into the Okatie River to sections that are now impaired because of elevated fecal coliform levels. The remainder of the flow goes to the Colleton River.

Mr. Dan Ahern, Stormwater Utility Manager, explained that 278 improvements create 7 additional acres of pervious surface that will result in more runoff into the Okatie. He recommends a contract with Coleman Snow for design of services totaling \$ 556,000 in order to mitigate the problem. He also recommends using \$231,400 from the Stormwater Utility reserve fund and \$124,600 from US 278 sales tax funds for surface engineering and construction.

Motion: It was moved by Mr. Stewart, seconded by Mr. Flewelling, that Committee recommend Council approve the US Highway 278 Water Quality Enhancement Initiative and award a contract to Coleman Snow for design of services totaling \$56,000. The vote was: YEAS – Mr. Baer, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride and Mr. Stewart. The motion passed.

Recommendation: Council approve the US Highway 278 Water Quality Enhancement Initiative and award a contract to Coleman Snow for design of services totaling \$56,000.

6. SC Highway 170 Widening Design Services

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

Discussion: Mr. Rod McFee, Division-Director Engineering and Infrastructure, explained that in May 2007, Beaufort County approved a contract with Thomas & Hutton Engineering Company to design the SC 170 Widening Sales Tax Project from SC 46 roundabout to Tide Watch Drive (Phases I through 3). Total contract value was \$1,419,855. Due to additional design costs, Thomas & Hutton's contract with the County would need to be increased by \$68,815. This increase will pay their December 20 11 and January 2012 invoices totaling \$47,711. The remaining \$21,000 will complete any remaining right of way acquisition assistance for Phase 1 (US 278 to Bluffton Parkway) and the bid administration services when Phase 1 is advertised for bid. Also, Thomas & Hutton has been asked to provide a scope of services for completing the right of way acquisition and design plan updates for Phase 2 SC 170 widening improvements. Phase 2 improvements are from the SC 46 roundabout to the intersection with the Bluffton Parkway. The cost for these services would be \$129,200. On February 16, 2012, the SC Transportation Infrastructure Bank announced that Beaufort County has been approved for a \$25 million grant for the SC 170 project. Engineering design services for the SC 170 widening improvements are paid for from sales tax project funds, Account #3340354500.

Mr. Baer said the project has gone ‘way over cost.’

Mr. Kubic said the estimate was made over six years ago and that since then there were problems with Dennis Corp. billing and higher gas prices. Revenue estimates were also off, he said. A discussion ensued about funding for all projects.

Motion: It was moved by Mr. Stewart, seconded by Mr. McBride, that Committee recommend to Council authorization of: (i) additional engineering services and inspection fees for Thomas & Hutton totaling \$68,815. This authorization will pay December 20, 2011 and January 2012 invoices and complete any remaining items for SC 170 Phase I; and (ii) Public Facilities Committee approve and recommend to County Council the approval of the SC 170 Phase 2 Scope of Services totaling \$129,200. The vote was: YEAS – Mr. Baer, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride and Mr. Stewart. The motion passed.

Recommendation: Council authorize (i) additional engineering services and inspection fees for Thomas & Hutton totaling \$68,815. This authorization will pay December 20, 2011 and January 2012 invoices and complete any remaining items for SC 170 Phase I; and (ii) Public Facilities Committee approve and recommend to County Council the approval of the SC 170 Phase 2 Scope of Services totaling \$129,200.

7. F & ME Consultants – Construction Management, Engineering and Inspection Services for SC 802 Widening and New Bridge Construction

Discussion: Mr. Rod McFee, Division-Director Engineering and Infrastructure, explained that in December 2010 Beaufort County had to procure emergency, sole source construction management, engineering and inspection services for the SC 802 widening and new Beaufort River bridge construction. F&ME Consultants replaced Dennis Corporation. F&ME provided immediate construction management/inspection services because the widening and bridge construction were well underway. F&ME's contract amount was \$1,587,020.92 with contract length for a year. Due to additional construction/engineering management for re-design of storm water elements, pavement grade changes, additional survey verification, and for extension of construction engineering inspection services for three additional months. Due to construction delays, F&ME's contract with the County would need to be increased by \$180,000. This increase will pay the remainder.

Motion #1: It was moved by Mr. McBride, seconded by Mr. Dawson, that Committee approve the Scope of Services for the SC 802 new bridge area noise study with a lump sum contract amount of \$12,500. The vote was: YEAS – Mr. Baer, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride and Mr. Stewart. The motion passed.

Motion #2: It was moved by Mr. McBride, seconded by Mr. Dawson, that Committee recommend to Council authorization of the additional construction management/engineering and inspection fees for F&ME totaling \$180,000. This authorization will pay F&ME January 2012 invoice and extend F&ME contract through March 2012. The vote was: YEAS – Mr. Baer, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride and Mr. Stewart. The motion passed.

Recommendation: Council authorize the additional construction management/engineering and inspection fees for F&ME totaling \$180,000. This authorization will pay F&ME January 2012 invoice and extend F&ME contract through March 2012.

8. SC Highway 802 Widening from Ribaut Road to US 21 (Segment A) and SC 802 Widening from SC Highway 170 to SC Highway 280 (Segment B)

Discussion: Mr. Rod McFee, Division-Director Engineering and Infrastructure, explained that on April 27, 2009, County Council awarded the subject sales tax projects to Sanders Brothers Construction Company, Inc. The total contract amount awarded was \$10,852,393.96. The Engineering Division has received November and December 2011 pay applications submitted by Sanders Brothers Construction Company which total \$472,967.26 and Change Orders 38 through 45 for \$59,502.25 that need approval authorization to fund and process for payment. Total paid to date to Sanders Brothers for the widening of SC 802 is \$12,840,764.

The cost increases on the SC 802 Widening Project were due primarily to increased asphalt quantities because of inaccuracies in the original design, design changes due to grade

issues not identified in the original design, utility conflicts, and compliance with COE permitting requirements for storm water system not included in the original bid documents. Construction fees for the SC 802 widening are paid for from sales tax project funds, Account #33408-54500 and Account #33410-54500.

Motion: It was moved by Mr. McBride, seconded by Mr. Dawson, that Council authorize the November and December 2011 pay applications totaling \$472,967.26 and change orders 38 through 45 for \$59,502.25 to Sanders Brothers Construction Company, Inc., from sales tax project funds.

Recommendation: Council authorize the November and December 2011 pay applications totaling \$472,967.26 and change orders 38 through 45 for \$59,502.25 to Sanders Brothers Construction Company, Inc., from sales tax project funds.

9. Palmetto Electric Cooperative Supplemental Agreement for Bluffton Parkway Phase 5A Infrastructure Relocation

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

Discussion: Mr. Rod McFee, Division-Director Engineering and Infrastructure, explained at the April 2009 meeting, the Public Services Committee was presented for information only Utility Agreements #1 through #3 between Beaufort County and Palmetto Electric Cooperative (PEC) for relocation of PEC's electrical facilities on the Bluffton Parkway Phase SA. The original Utility Agreement #2 estimated total of \$336,969.93 has increase by \$162,235.71 due to increased material costs for re location of the three main feeders at Tanger 2 Outlet Shops PEC Buckingham Substation and the feeders at Hilton Head National.

Status: The increase of \$162,235.71 in material costs for Palmetto Electric Cooperative Utility Infrastructure Relocation Agreement #2 for a total cost of \$509,205.64 is presented for information only. No formal action is required. The relocation of utility infrastructure conflicts during the construction process is inherent to the Utility's ownership and have to be completed by the utility.

10. Consideration of Reappointments and Appointments

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

- Stormwater Management Utility Board

Mr. Dawson nominated LaShonda Scott, representing Solid Waste District #5-Sheldon Township, to serve as a member on the Stormwater Management Utility Board.

INFORMATION ITEMS

11. Emergency Purchase of Construction Services for the Renovation of the Detention Center's Gymnasium Restroom Facilities for Beaufort County (less than \$50,000)

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

Discussion: Mr. Dave Thomas, Purchasing Director, explained the Detention Center continues to have overcrowding issues when using the multi-purpose gym as an overflow holding unit for inmates. At certain times of the year, the Gym may hold up to as many as 46 inmates at one time. The current gym has one toilet and one wash basin available for use. This creates a health risk as there are no showers or adequate restroom facilities available. The South Carolina Minimum Standards for Local Detention Facilities requires one shower for every 8 inmates and 1 toilet for every 12 inmates. Our Detention Center bathroom facilities are not in compliance with minimum required standards which creates a situation that is considered detrimental to the health, welfare, and safety of any person using the current facilities. The new gym bathroom facilities renovation will consist of the demolition of the old bathroom and wall replacement. These items also include new plumbing, waste lines, electrical, lighting fixtures, fans, concrete flooring, two sitting stainless steel toilets, one trough urinal, a large center drain system, two stainless steel lavatories, and a four-person shower.

Motion: It was moved by Mr. Flewelling, seconded by Mr. Dawson, that Committee award a contract to Patterson Construction in the amount of \$46,418 for the emergency renovation of the bathroom facilities at the Beaufort County Detention Center's Gym. The vote was: YEAS – Mr. Baer, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride and Mr. Stewart. The motion passed.

Status: Committee awarded a contract to Patterson Construction in the amount of \$46,418 for the emergency renovation of the bathroom facilities at the Beaufort County Detention Center's Gym.

12. Right of Way Acquisition Settlement Payment for Beaufort County Sales Tax Projects

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

Discussion: Mr. Rod McFee, Division-Director Engineering and Infrastructure, explained that for the month of February 2012, Beaufort County has received the following right of way acquisition settlement payment requests from the County's sales tax project attorney, Chris Murphy with Stuckey Law Offices, LLC: Old South Apartments II, Provident Health Services, Inc. and National Healthcare, Inc. Right of way acquisition for sales tax projects are paid for from sales tax project funds.

Status: There is no action required by the Public Facilities Committee. This agenda item is presented for information only. If there are any questions regarding these right of way acquisitions, it can be discussed at the next committee meeting.

13. Burton Wells Regional Park Phase 2 Change Orders 2, 3 and 4

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

Discussion: In FY 2007 County Council approved CIP funding for Phase II "passive" improvements to the Burton Wells Regional Park. Burton Wells Regional Park is a 313 acre park located at One Middleton Recreation Drive. Phase I, completed in 2004, is composed of active facilities which include racquetball courts, a fitness room, a basketball court, activity room s, soccer, and football and baseball fields. In January 2009, a 2,200-square foot Senior Center was constructed adjacent to the main facility.

On June 13, 2011 County Council awarded the phase II improvements to Beaufort Engineering Services (BES) totaling \$1,812,011. Improvements for this phase includes a picnic pavilion and shelters, an amphitheater (terraced lawn), pedestrian trails, restroom facilities , development of existing pond and construction of a pond pavilion , dock installation for canoes and kayaks, internal roads, landscaping, irrigation, parking change orders for Burton Wells Phase 2 improvements for \$29,279. These items were for information only and no action was taken.

Motion: It was moved by Mr. McBride, seconded by Mr. Baer, that Committee approve Burton Wells Park Phase 2 change orders 2, 3 and 4. The vote was: YEAS – Mr. Baer, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride and Mr. Stewart. The motion passed.

Status: No formal action by the Public Facilities Committee is requested. These change orders represent 1.6% or \$29,279. These items were for information only and no action was taken.