

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

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INTERIM COUNTY ADMINISTRATOR

THOMAS J. KEAVENY, II
COUNTY ATTORNEY

ASHLEY M. BENNETT
CLERK TO COUNCIL

AGENDA
NATURAL RESOURCES COMMITTEE

Monday, October 16, 2017

3:00 p.m.

Executive Conference Room, Administration Building
Beaufort County Government Robert Smalls Complex
100 Ribaut Road, Beaufort

Committee Members:

Brian Flewelling, Chairman
Roberts "Tabor" Vaux, Vice Chairman
Rick Caporale
Gerald Dawson
Steve Fobes
York Glover
Alice Howard

Staff Support:

Anthony Criscitiello, Planning Director
Gary James, Assessor
Eric Larson, Division Director
Environmental Engineering
Dan Morgan, Division Director
Mapping & Applications

1. CALL TO ORDER – 3:00 P.M.
2. DISCUSSION / PREVIOUS PLANNING COMMISSION MEETING
3. DISCUSSION / PLASTIC BAG BAN ORDINANCE (backup)
 - A. USC-Beaufort Research
 - B. Changes to Ordinance
 - C. Intergovernmental Cooperation
 - D. Path Forward
4. CONSIDERATION OF CONTRACT AWARD
 - A. Lady's Island Area Plan Services for Beaufort County (backup)
5. CONSIDERATION OF REAPPOINTMENTS AND APPOINTMENTS
 - A. Planning Commission
 - B. Southern Beaufort County Corridor Beautification Board
6. ADJOURNMENT

2017 Strategic Plan Committee Assignments
Hilton Head National Rezoning/Development Agreement
Priority Investment – Capital Projects Long-Term Prioritized Requirements
Passive County Parks: Plan, Funding
Comprehensive Countywide System/Stormwater Utility (Agreements with Municipalities)
2018 Priority Projects: Immediate Opportunities
Stormwater Management Program/Policy: Implementation
Okatie River Restoration: Funding
May River Action Plan
Rivers and Creeks Water Quality: Evaluation
Transfer of Development Rights
Buckingham Plantation Community Development Plan: Amendment



Ordinance 2017/

AN ORDINANCE ADDING CHAPTER 38, ARTICLE 6: SINGLE-USE PLASTIC BAGS TO THE BEAUFORT COUNTY CODE OF ORDINANCES TO ENCOURAGE THE USE OF REUSABLE CHECKOUT BAGS AND RECYCLABLE PAPER CARRYOUT BAGS AND BANNING THE USE OF SINGLE-USE PLASTIC BAGS FOR RETAIL CHECKOUT OF PURCHASED GOODS IN THE UNINCORPORATED AREAS OF THE COUNTY

Section 38-161 Purpose.

This chapter is adopted to improve the environment of the county by encouraging the use of reusable checkout bags and recyclable paper carryout bags and banning the use of single-use plastic bags for retail checkout of purchased goods. Business establishments are encouraged to make reusable bags available for sale and recyclable paper carryout bags available for distribution.

Section 38-162 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- **Business Establishment.** Any commercial enterprise that provides carryout bags to its customers through its employees or independent contractors associated with the business. The term includes sole proprietorships, joint ventures, partnerships, corporations, or any other legal entity, whether for profit or not for profit.
- **Single-Use Plastic Carryout Bag.** A bag provided by a business establishment to a customer typically at the point of sale for the purpose of transporting purchases, which is made predominantly of plastic derived from either petroleum or a biologically-based source. "Single-use plastic carryout bag" includes compostable and biodegradable bags, but does not include reusable carryout bags.
- **Reusable Carryout Bag.** A carryout bag that is specifically designed and manufactured for multiple reuse, and meets the following criteria:
 - (1) Displays in a highly visible manner on the bag exterior, language describing the bag's ability to be reused and recycled;
 - (2) Has a handle; except that handles are not required for carryout bags constructed out of recyclable paper with a height of less than 14 inches and width of less than eight inches; and

- (3) Is constructed out of any of the following materials:
 - (a) Cloth, other washable fabric, or other durable materials, whether woven or non-woven; or
 - (b) Recyclable plastic, with a minimum thickness of 2.25 mils;

- **Customer.** A person who purchases merchandise from a business establishment.

Section 38-163 Regulations.

- (A) No person may provide single-use plastic carryout bags at any county facility, county-sponsored event, or any event held on county property.
- (B) No business establishment within the unincorporated county limits may provide single use plastic carryout bags to its customers.
- (C) Business establishments within the county limits are strongly encouraged to provide prominently displayed signage advising customers of the benefit of reducing, reusing and recycling and promoting the use of reusable carryout bags and recyclable paper carryout bags by customers.
- (D) All business establishments shall provide or make available to a customer reusable carryout bags or recyclable paper bags.

Section 38-164 Exemptions.

This chapter shall not apply to:

- (A) Laundry dry cleaning bags, door-hanger bags, newspaper bags, or packages of multiple bags intended for use as garbage, pet waste, or yard waste;
- (B) Bags provided by pharmacists or veterinarians to contain prescription drugs or other medical necessities;
- (C) Bags used by a customer inside a business establishment to:
 - (1) Contain bulk items, such as produce, nuts, grains, candy, or small hardware items;
 - (2) Contain or wrap frozen foods, meat, or fish, whether or not prepackaged;
 - (3) Contain or wrap flowers, potted plants or other items to prevent moisture damage to other purchases; or
 - (4) Contain unwrapped prepared foods or bakery goods; and
- (D) Bags of any type that the customer bring to the store for their own use for carrying away from the store goods that are not placed in a bag provided by the store.

Section 38-165 Effective Date and Waivers.

All of the requirements set forth in this chapter shall take effect January 1, 2018. In the event that compliance with the effective date of this chapter is not feasible for a business establishment because of either unavailability of alternative checkout bags or economic hardship, County Council may grant a waiver of not more than 12 months upon application of the business owner or owner's representative.

Section 38-166 Penalties.

- (A) Any business establishment that violates or fails to comply with any of the provisions of this chapter after a written warning notice has been issued for that violation shall be deemed guilty of a misdemeanor. The penalty shall not exceed \$100 for a first violation; \$200 for a second violation within any 12-month period; and \$500 for each additional violation within any 12-month period. Each day that a violation continues will constitute a separate offense.
- (B) In addition to the penalties set forth in this section, repeated violations of this chapter by a person who owns, manages, operates, is a business agent of, or otherwise controls a business establishment may result in the suspension or revocation of the business license issued to the premises on which the violations occurred. No business license shall be issued or renewed until all fines outstanding against the applicant for violations of this chapter are paid in full.
- (C) Violation of this chapter is hereby declared to be a public nuisance, which may be abated by the county by restraining order, preliminary and permanent injunction, or other means provided for by law, and the county may take action to recover the costs of the nuisance abatement.

Adopted this _____ day of _____, 2017.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, Esquire
Beaufort County Attorney

ATTEST:

Ashley M. Bennett, Clerk to Council

First Reading:

Second Reading:

Public Hearing:

Third and Final Reading:



**COUNTY COUNCIL OF BEAUFORT COUNTY
PURCHASING DEPARTMENT**

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

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

TO:

FROM: David L Thomas. CPPO. Purchasing Director

SUBJ:

DATE:

BACKGROUND:

Lady's Island is an area of Northern Beaufort County largely within the unincorporated area Beaufort County, but with areas of the Island also within the corporate limits of the City of Beaufort. The Town of Port Royal is affected and influenced by Lady's Island; and therefore, the Town was considered in the proposed study which is the subject of this RFP. While it is mostly residential, the population on Lady's Island strongly desires that the quality of life not deteriorate to the point that the atmosphere of the Island declines and becomes unlivable. Today with a population estimated at 14,589 people living in a suburban, auto-centric environment, "livability" is becoming a more challenging goal to achieve than ever before.

This RFP called the Lady's Island Area Plan, is designed to build on existing plans, policies and studies including the Beaufort County Comprehensive Plan, the Beaufort County Community Development Code, the City of Beaufort Civic Master Plan and the Lady's Island Transportation Study. The findings and policies of these documents that are relevant to Lady's Island will be compiled and integrated and used as a starting point for creating a coherent present day vision for the Island. While the plan includes all of Lady's Island, a majority of the work will focus on the Lady's Island business district and adjoining neighborhoods. Finally, the Plan will have transportation and urban design components; but it is not anticipated that specialist in these sub-disciplines of urban planning will be necessary to perform the project tasks.

VENDOR INFORMATION:

COST:

1. Dover, Kohl & Partners, Coral Gables, Florida	\$270,000*
*Estimated Expenses at \$25,000	
2. McBride Dale Clarion, Cincinnati, Ohio	\$80,000
3. Design Workshop, Ashville, North Carolina	\$196,500

FUNDING:

Dover, Kohl & Partners received the highest ranking from the committee, but exceeded the budget by \$170,000. McBride Dale Clarion, who was ranked second and within the project budget.

Beaufort County Community Development Department Comprehensive Plan line item # 1001132-51160 (Amount \$100,000).

Funding approved: By: Date:

FOR ACTION: Natural Resources Committee Meeting on October 16, 2017.

RECOMMENDATION:

The Natural Resources Committee approve the contract award to McBride Dale Clarion in the amount of \$80,000.

Attachment: 

cc: Joshua Gruber, Interim County Administrator

Approved: Date:

Check to override approval: Overridden by: Override Date:

Alicia Holland, Assistant County Administrator, Finance

Approved: Date:

Eric Larson, Director, Environmental Engineering & Land Mar

Approved: Date:

Check to override approval: Overridden by: Override Date: ready for admin:

Tony Criscitiello, Director, Community Development Departm

Approved: Date:

Check to override approval: Overridden by: Override Date: ready for admin:

After Initial Submission, Use the Save and Close Buttons

Lady's Island Area Plan Services for Beaufort County

RFP 052917

Summary Score Sheet

Evaluators	Name of Company	Name of Company	Name of Company
	<u>Dover Kohl & Partners</u>	<u>Design Workshop</u>	<u>McBride Dale Clarion</u>
L. Bridges	91	71	74
P. Butare	77	78	74
T. Criscitiello	66	76	90
D. Frazier	60	77	93
J. Hincer	82	82	84
L. Kelly	100	80	46
R. Merchant	80	80	90
TOTALS:	556	544	551
1. Dover Kohl & Partners	556		
2. McBride Dale Clarion	551		
3. Design Workshop	544		