

COUNTY COUNCIL OF BEAUFORT COUNTY

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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, February 11, 2013 4:00 p.m. Council Chambers, Administration Building Government Center, 100 Ribaut Road, Beaufort

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.
 - A. Committee Reports ([backup](#))
 - B. Discussion is not limited to agenda items.
2. REGULAR MEETING - 5:00 P.M.
3. CALL TO ORDER
4. PLEDGE OF ALLEGIANCE
5. INVOCATION
6. ADMINISTRATIVE CONSENT AGENDA
 - A. Approval of Minutes – January 28, 2013 ([backup](#))
 - B. Appointments to Boards and Commissions ([backup](#))
 - C. County Administrator’s Two-Week Progress Report ([backup](#))
 - D. Deputy County Administrator’s Two Week Progress Report and Monthly Budget Summary ([backup-progress report](#)) ([backup-budget summary](#)) ([backup-trial balance](#)) ([backup-trial balance, revenue](#))
7. PUBLIC COMMENT
8. COUNTY ADMINISTRATOR’S REPORT
 - Mr. Gary Kubic, County Administrator
 - A. The County Channel / Broadcast Update ([backup](#))
 - B. Rural and Critical Lands Preservation Program Annual Report
Ms. Patty Kennedy, Executive Director, Beaufort County Open Land Trust



9. DEPUTY COUNTY ADMINISTRATOR'S REPORT

Mr. Bryan Hill, Deputy, County Administrator

A. Citizens Guide to Beaufort County's 2013 Reassessment Program

Ms. Monica Spells, Compliance Officer

B. Construction Project Updates

Mr. Rob McFee, Division-Director Engineering and Infrastructure

1. One Cent Sales Tax Referendum Project:

A. U.S. Highway 278 Construction Project

2. Capital Improvement Project:

A. Courthouse Reskin Project

10. CONSENT AGENDA – ITEMS A THROUGH H

A. ORDINANCE FINDING THAT THE LADY'S ISLAND-ST. HELENA ISLAND FIRE DISTRICT, SOUTH CAROLINA, MAY ISSUE NOT EXCEEDING \$6,000,000 OF GENERAL OBLIGATION BONDS AND TO PROVIDE FOR THE PUBLICATION OF NOTICE OF THE SAID FINDING AND AUTHORIZATION

1. Consideration of second reading approval to occur February 11, 2013 ([backup](#))

2. Public hearing to occur Monday, February 25, 2012, beginning at 6:00 p.m. in the large meeting room of the Bluffton Branch Library, 120 Palmetto Way, Bluffton, SC

3. First reading approval occurred January 28, 2013 / Vote 10:0

4. Finance Committee discussion and recommendation to adopt occurred January 22, 2013 / Vote 6:0

B. TEXT AMENDMENTS TO THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE/ZDSO, ARTICLE V, TABLE 106-1098 GENERAL USE TABLE AND SECTION 106-1292(3) VEHICULAR SALES, RENTAL AND SERVICES (TO ALLOW BOAT SALES IN COMMERCIAL SUBURBAN DISTRICTS WITH CERTAIN REQUIREMENTS) ([backup](#))

1. Consideration of first reading approval to occur February 11, 2013

2. Natural Resources Committee discussion and recommendation to adopt occurred February 4, 2013 / Vote 7:0

C. RESOLUTION OF BEAUFORT COUNTY COUNCIL SUPPORTING THE CREATION OF THE BEAUFORT AND SUMTER ECONOMIC (BASE) ALLIANCE ([backup](#))

1. Consideration of adoption to occur February 11, 2013

2. Governmental Committee discussion and recommendation to adopt occurred February 4, 2013 / Vote 7:0

D. AN ORDINANCE TO CREATE THE SOUTHERN BEAUFORT COUNTY CORRIDOR BEAUTIFICATION BOARD TO ASSIST AND ADVISE BEAUFORT COUNTY COUNCIL IN DESIGN, IMPLEMENTATION, FUNDRAISING AND PROMOTION OF CORRIDOR BEAUTIFICATION ALONG HIGH VOLUME TRAFFIC CORRIDORS IN THE SOUTHERN AREAS OF BEAUFORT COUNTY

1. Consideration of first reading approval to occur February 11, 2013 ([backup](#))

2. Governmental Committee discussion and recommendation to adopt occurred February 4, 2013 / Vote 7:0

- E. A PETITION OF THE BOARD OF FIRE CONTROL OF THE LADY'S ISLAND-ST. HELENA ISLAND FIRE DISTRICT TO THE GOVERNING BODY OF BEAUFORT COUNTY, SOUTH CAROLINA, REQUESTING A PUBLIC HEARING PURSUANT TO SECTION 6-11-430 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED ([backup](#))
 - 1. Consideration of adoption to occur February 11, 2013
 - 2. Governmental Committee discussion and recommendation to adopt occurred February 4, 2013 / Vote 7:0
 - F. A RESOLUTION CALLING FOR A PUBLIC HEARING TO BE HELD UPON THE QUESTION OF THE CLARIFICATION AND CONFIRMATION OF THE BOUNDARIES OF THE LADY'S ISLAND-ST. HELENA ISLAND FIRE DISTRICT, SOUTH CAROLINA; PROVIDING FOR THE PUBLICATION OF THE NOTICE OF SUCH PUBLIC HEARING; AND OTHER MATTERS RELATING THERETO ([backup](#))
 - 1. Consideration of adoption to occur February 11, 2013
 - 2. Governmental Committee discussion and recommendation to adopt occurred February 4, 2013 / Vote 7:0
 - G. AN ORDINANCE PROVIDING FOR THE CLARIFICATION AND CONFIRMATION OF THE BOUNDARIES OF THE LADY'S ISLAND-ST. HELENA ISLAND FIRE DISTRICT, SOUTH CAROLINA, THE PUBLICATION OF NOTICE OF THE SAID FINDING AND ACTION, AND OTHER MATTERS RELATING THERETO ([backup](#))
 - 1. Consideration of first reading approval to occur February 11, 2013
 - 2. Governmental Committee discussion and recommendation to adopt occurred February 4, 2013 / Vote 7:0
 - H. A RESOLUTION EMPHASIZING BEAUFORT COUNTY COUNCIL'S ONGOING OPPOSITION TO THE SPECIAL INTEREST FOCUSED LEGISLATION PENDING IN THE SOUTH CAROLINA GENERAL ASSEMBLY BY VIRTUE OF HOUSE BILL 3290 AND SENATE BILL 203 WHICH WE STRONGLY BELIEVE IS AN EFFORT TO CIRCUMVENT FLOW CONTROL REGULATIONS AND DEFEAT LOCAL PUBLIC HEALTH AND SANITATION AUTHORITY WHICH BELONGS UNDER HOME RULE TO THE COUNTY ([backup](#))
 - 1. Consideration of adoption to occur February 11, 2013
 - 2. Governmental Committee discussion and recommendation to adopt occurred February 4, 2013 / Vote 7:0
11. PUBLIC HEARINGS - 6:00 P.M.
- A. AN ORDINANCE TO AMEND THE CHARTERS OF THE BLUFFTON TOWNSHIP FIRE DISTRICT, DAUFUSKIE ISLAND FIRE DISTRICT AND SHELDON TOWNSHIP FIRE DISTRICT ([backup-bluffton](#)) ([backup-daufuskie](#)) ([backup-sheldon](#))
 - 1. Consideration of third and final reading to occur February 11, 2013
 - 2. Second reading approval occurred January 28, 2013 / Vote 9:0
 - 3. First reading, by title only, approval occurred January 14, 2013 / Vote 8:1
 - 4. Governmental Committee discussion and recommendation to approve occurred January 7, 2013 / Vote 5:1

B. AN ORDINANCE TO AMEND THE BLUFFTON TOWNSHIP FIRE DISTRICT FY 2013 BUDGET FOR A SUPPLEMENTAL DISTRICT GENERAL FUND APPROPRIATION OF \$554,677 TO COVER ADDITIONAL SALARIES AND OVERTIME ([backup](#))

1. Consideration of third and final reading to occur February 11, 2013
2. Second reading approval occurred January 28, 2013 / Vote 9:0
3. First reading, by title only, approval occurred January 14, 2013 / Vote 9:0
4. Governmental Committee discussion and recommendation to approve occurred January 7, 2013 / Vote 6:0

12. PUBLIC COMMENT

13. ADJOURNMENT

**Committee Reports
February 11, 2013**

A. COMMITTEES REPORTING

1. Community Services

- ① Minutes provided from the meeting held [January 28, 2013](#). Action is required. See main agenda item 6B.
- ② Alcohol and Drug Abuse Board

<i>Nominated</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
01.28.13	Linda Hoffman	At-Large	Reappoint	10 of 11 (3 rd term)
01.28.13	Sarah Hitchcock	At-Large	Appoint	6 of 11 (1 st term)

- ③ Beaufort Memorial Hospital Board

<i>Nominated</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
01.28.13	Andrea Allen	At-Large	Reappoint	8 of 11 (1 st term)
01.28.13	Kathleen Cooper	At Large	Appoint	6 of 11 (1 st term)
01.28.13	Faith Polkey	At Large	Appoint	6 of 11 (1 st term)

- ④ Disabilities and Special Needs Board

<i>Nominated</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
01.28.13	Elizabeth Wirz	At-Large	Reappoint	10 of 11 (1 st term)

- ⑤ Parks and Leisure Services Board

<i>Nominated</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
01.28.13	Ronald Campbell	Northern Beaufort County	Reappoint	8 of 11 (2 nd term)
01.28.13	Mike Manesiotis	Southern Beaufort County	Reappoint	10 of 11 (3 rd term)

2. Governmental

- ① Minutes provided from the meeting held [February 4, 2013](#). Action is required. See main agenda item 6B.
- ② Bluffton Fire District Commission

<i>Nominate</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
02.11.13	Ed Olsen	Bluffton Fire Service Area	Reappoint	8 of 11 (2 nd term)
02.11.13	Robert Rogers	Bluffton Fire Service Area	Reappoint	10 of 11 (3 rd term)

- ③ Burton Fire District Commission

<i>Nominate</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
02.11.13	Gary Bright	Burton Fire Service Area	Reappoint	10 of 11 (3 rd term)
02.11.13	Herbert Burnes	Burton Fire Service Area	Reappoint	10 of 11 (3 rd term)
02.11.13	Cecil Lanier	Burton Fire Service Area	Reappoint	8 of 11 (2 nd term)

④ Sheldon Fire District Commission

<i>Nominate</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
02.11.13	Wayne Blankenship	Sheldon Fire Service Area	Reappoint	10 of 11 (3 rd term)
02.11.13	Donnie Phillips	Sheldon Fire Service Area	Reappoint	10 of 11 (3 rd term)

3. Natural Resources

- ① Minutes provided from the meeting held [February 4, 2013](#). Action is required. See main agenda item 6B.
- ② Beaufort/Jasper Water and Sewer Authority

<i>Nominate</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
02.11.13	James O’Neal	At-Large	Reappoint	10 of 11 (3 rd term)

③ Historic Preservation Review Board

<i>Nominate</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
02.11.13	Beekman Webb	Lady’s Island	Reappoint	10 of 11 (3 rd term)
02.11.13	Natalie Hefter	Southern Beaufort County	Reappoint	8 of 11 (2 nd term)
02.11.13	Michelle Knoll	Port Royal Island	Appoint	6 of 11 (1 st term)
02.11.13	Maureen Richards	Bluffton Historic Preservation Organization	Appoint	6 of 11 (1 st term)

④ Northern Corridor Review Board

<i>Nominate</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
02.11.13	Brian Coffman	Architect	Reappoint	10 of 11 (3 rd term)
02.11.13	Bradley Bowden	Resident of respective area served	Reappoint	10 of 11 (3 rd term)
02.11.13	Kenneth Dixon	Resident of respective area served	Reappoint	10 of 11 (3 rd term)
02.11.13	Peter Brower	Resident of respective area served (Mr. Bower is moving from Southern CRB)	Appoint	6 of 11 (1 st term)

⑤ Southern Corridor Review Board

<i>Nominate</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
02.11.13	James Atkins	Architect	Reappoint	10 of 11 (3 rd term)
02.11.13	John Brock *	Landscape Architect (Mr. Brock is moving from Northern CRB)	Appoint	6 of 11 (1 st term)
02.11.13	Kenneth Skodacek *	Landscape Architect	Appoint	6 of 11 (1 st term)

*** There are two candidates for one seat.**

⑥ Planning Commission

<i>Nominate</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
02.11.13	Charles Brown	Comprehensive Plan Planning Area – Sheldon Township	Reappoint	6 of 11 (1 st term)
02.11.13	Ronald Petit	Comprehensive Plan Planning Area – Port Royal Island	Reappoint	10 of 11 (3 rd term)
02.11.13	Kenneth Skodacek	At-Large	Appoint	6 of 11 (1 st term)

⑦ Rural and Critical Lands Board

<i>Nominate</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
02.11.13	Janice Johnson	Council District 1	Reappoint	8 of 11 (2 nd term)
02.11.13	York Glover	Council District 3	Reappoint	10 of 11 (3 rd term)
02.11.13	Norma Stewart	Council District 6	Appoint	6 of 11 (1 st term)
02.11.13	James Livingston	Council District 7	Appoint	6 of 11 (1 st term)

⑧ Stormwater Management Utility Board

<i>Nominate</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
02.11.13	William Bruggeman	At-Large	Reappoint	8 of 11 (2 nd term)
02.11.13	Donald Cammerata	Stormwater District 9	Reappoint	8 of 11 (2 nd term)
02.11.13	James Fargher	Stormwater District 8	Reappoint	8 of 11 (2 nd term)

⑨ Zoning Board of Appeals

<i>Nominate</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
02.11.13	Thomas Gasparini	Southern Beaufort County	Reappoint	10 of 11 (3 rd term)
02.11.13	Kevin Mack	St. Helena Island	Reappoint	10 of 11 (3 rd term)

B. COMMITTEE MEETINGS

1. Community Services

William McBride, Chairman

Tabor Vaux, Vice Chairman

➔ Next Meeting – February 25 at 2:00 p.m., Bluffton Branch Library

2. Executive

Paul Sommerville, Chairman

➔ Next Meeting – March 11 at 2:00 p.m., ECR

3. Finance

Stu Rodman, Chairman

Rick Caporale, Vice Chairman

➔ Next Meeting – Monday, February 18 at 2:00 p.m., BIV#2

4. Governmental

Jerry Stewart, Chairman

Laura Von Harten, Vice Chairman

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

5. Natural Resources

Brian Flewelling, Chairman

Cynthia Bensch, Vice Chairman

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

6. Public Facilities

Gerald Dawson, Chairman

Steven Baer, Vice Chairman

➔ Next Meeting – Friday, February 22 at 2:00 p.m., ECR

7. Transportation Advisory Group

Paul Sommerville, Chairman

Stu Rodman, Vice Chairman

➔ Next Meeting – To be announced.

COMMUNITY SERVICES COMMITTEE

January 28, 2013

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

The Community Services Committee met Monday, January 28, 2013 at 4:00 p.m., in the Executive Conference Room of the Administration Building, Government Center, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Committee Members: Chairman William McBride, members Steven Baer, Rick Caporale, Gerald Dawson and Laura Von Harten. Non-Committee member Brian Flewelling was also present.

County staff: Morris Campbell, Division Director – Community Services; Joe Penale, Parks and Leisure Services Department; and Josh Gruber, County Attorney.

Media: Joe Croley, Hilton Head Island-Bluffton Chamber of Commerce.

Councilman McBride chaired the meeting.

ACTION ITEMS

1. 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

- **Alcohol and Drug Abuse Board**

Motion: It was moved by Ms. Von Harten, seconded by Mr. Caporale, that Community Services Committee recommend Council reappoint Linda Hoffman and appoint Sarah Hitchcock to serve as members of the Alcohol and Drug Abuse Board. The vote was: YEAS – Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. McBride and Ms. Von Harten. The motion passed.

Recommendation: Council reappoint Linda Hoffman and appoint Sarah Hitchcock to serve as members of the Alcohol and Drug Abuse Board.

- **Beaufort Memorial Hospital Board**

Motion: It was moved by Mr. Caporale, seconded by Ms. Von Harten, that Community Services Committee recommend Council reappoint Andrea Allen and appoint Kathleen Cooper and Faith Polkey to serve as members of the Beaufort Memorial Hospital Board. The vote was:

YEAS – Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. McBride and Ms. Von Harten. The motion passed.

Recommendation: Council reappoint Andrea Allen and appoint Kathleen Cooper and Faith Polkey to serve as members of the Beaufort Memorial Hospital Board.

- **Disabilities and Special Needs Board**

Motion: It was moved by Ms. Von Harten, seconded by Mr. Caporale, that Community Services Committee recommend Council reappoint Elizabeth Ann Wirz to serve as a member of the Disabilities and Special Needs Board. The vote was: YEAS – Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. McBride and Ms. Von Harten. The motion passed.

Recommendation: Council reappoint Elizabeth Ann Wirz to serve as a member of the Disabilities and Special Needs Board.

- **Parks and Leisure Services Board**

Motion: It was moved by Mr. Caporale, seconded by Mr. Baer, that Community Services Committee recommend Council reappoint Michael Manesiotis, representing southern Beaufort County, to serve as a member of the Parks and Leisure Services Board. The vote was: YEAS – Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. McBride and Ms. Von Harten. The motion passed.

Recommendation: Council reappoint Michael Manesiotis, representing southern Beaufort County, to serve as a member of the Parks and Leisure Services Board.

Motion: It was moved by Mr. Dawson, seconded by Ms. Von Harten, that Community Services Committee recommend Council reappoint Ronald Campbell, representing northern Beaufort County, to serve as a member of the Parks and Leisure Services Board. The vote was: YEAS – Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. McBride and Ms. Von Harten. The motion passed.

Recommendation: Council reappoint Ronald Campbell, representing northern Beaufort County, to serve as a member of the Parks and Leisure Services Board.

INFORMATION ITEMS

2. Standards of Dress

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

Discussion: Mr. Dawson asked the Chairman to place this item on the agenda in order to generate some discussion regarding an unsightly dress appearance – sagging pants. It is unsightly to see someone's pants hanging below their buttocks, their underwear exposed, and

even some body parts. Jasper County Council adopted an ordinance in 2004 to address this issue, but law enforcement officials have not issued any citations. The public school district has a dress code.

Mr. McBride is not in favor of drafting such an ordinance. Jasper County has not issued a single citation or arrest. How someone dresses, is a parent's responsibility.

Mr. Flewelling stated that maybe it is a signal of diminishing moral standards or ethic standards. It is something we, as citizens, have to be concerned about; but does it extend to Council jurisdiction.

Mr. Baer would support an ordinance, except for the enforceability issue.

Ms. Von Harten agrees that it is a freedom of expression issue. It is also unenforceable and for that reason would not want to see this go forward.

Mr. Caporale applauds Mr. Dawson for taking the time to bring this issue forward and to champion something that is important because it goes beyond self-expression and taste.

Status: No action is required.

3. Parks and Leisure Services Department Rental Rates for Use of Facilities

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

Discussion: Mr. Kubic, County Administrator, stated about a year ago Council passed a parks and leisure services fee schedule. To date, he has received three complaints about the fee schedule all doing with the Oyster Factory Park. Two of the complaints he resolved on his own. He did not waive the fee because the current fee schedule has no process to waive the fee. You cannot have a waiver in a situation like this because, typically, whomever would want to schedule the Oyster Factory Park or any of our facilities, would feel that they have a favorable argument, and they would also feel that he would be unjustly denying them if he did not agree. You would have a lot more conflicts. Fees are generally for two or three purposes.

- It reminds people that we try to establish a fair rate.
- It is some value judgment on the applicant because they recognize right off the top that they are going to be required to put forth some money and that has a tendency to separate a lot folks – the serious from the non-serious.
- It involves what costs we have into the rental, utilities, custodial services, maintenance, clean up, and administrative process of scheduling, etc.

In conversations regarding the Oyster Factory Park, Mr. Kubic recommended commencing negotiations with the Town of Bluffton and discussing their views regarding the control and management, whether it is a partnership, or we give them more capability to control and manage the park. It is probably a good topic to discuss with them.

Status: The County Administrator will review the rental fee schedules for facility use for both the City of Beaufort and Town of Hilton Head Island. Staff will develop some recommendations for committee to consider. Members of the Parks and Leisure Services Board will be involved in the process.

DRAFT

GOVERNMENTAL COMMITTEE

February 4, 2013

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

The Governmental Committee met on Monday, February, 2013, at 4:00 p.m. in the Executive Conference Room of the Administration Building, Beaufort, South Carolina.

ATTENDANCE

Chairman Jerry Stewart, Vice Chairman Laura Von Harten, and Committee members Cynthia Bensch, Rick Caporale, Gerald Dawson, Brian Flewelling and Tabor Vaux present. Non-Committee member Stu Rodman and Paul Sommerville also attended the meeting.

County Staff: Phil Foot, Division Director – Public Safety; Joshua Gruber, Staff Attorney; Gary Kubic, County Administrator; Jim Minor, and Solid Waste and Recycling Director.

Public: Gordon Bowers, Lady's Island-St. Helena Island Fire Commissioner; Bruce Kline, Lady's Island-St. Helena Island Fire Chief, Pat Harvey Palmer, Lady's Island-St. Helena Island Fire Commissioner; Gary Pope, Pope Siegler; Charles Schriener, Lady's Island-St. Helena Island Fire Commissioner; Milt Rhodes, Steering Committee member.

Media: Joe Crowley, Hilton Head-Bluffton Chamber of Commerce.

Mr. Stewart chaired the meeting.

ACTION ITEMS

1. Consideration of a Resolution of Beaufort County Council Supporting the Creation of the Beaufort and Sumter Economic (BASE) Alliance

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

Discussion: Mr. David Tigges, Chairman of the Lowcountry Economic Alliance, spoke before the Committee. He gave an overview of the history of the Alliance and their funding loss after Jasper County pulled out of the economic partnership. The Alliance, through participation of all the local municipalities and support of the County, is still functioning. After meeting with Legislators in Columbia, it was suggested that we show two county supports. That meant we had to find another county. Sumter County had withdrawn from the alliance, which they had been a part. Over the course of the last few months, we explored the option of forming an economic alliance together. Marketing efforts will focus on the military bases of both counties and how they affect private industry and in turn how private industry affects them. The new alliance

name has been included in the proviso and has the right of the first proviso. He predicts it to pass in the House. If there is a fight, it will be on the Senate side.

Before the Committee today, is a resolution for Beaufort County Council to support the creation of a seven member board for the Beaufort and Sumter Economic (BASE) Alliance which shall be comprised of three members of the Lowcountry Economic Alliance, three members of the Sumter County economic development organization and one member which shall be appointed on an annual rotating basis between the two county economic development organizations starting first with Sumter County economic development organization representation.

Motion: It was moved by Mr. Flewelling, seconded Mr. Dawson, that Governmental Committee approve and recommend to Council adopt of a resolution supporting the creation of the Beaufort and Sumter Economic (BASE) Alliance. The vote was: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Stewart, Mr. Vaux, and Ms. Von Harten. The motion passed.

Recommendation: Council adopt a resolution supporting the creation of the Beaufort and Sumter Economic (BASE) Alliance.

2. Discussion / Amendments to the Bylaws of Southern Beaufort County Median Beautification Committee

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

Discussion: Staff Attorney Joshua Gruber, provided the Committee with an overview of this item. Last December, Council adopted a resolution creating the Southern Beaufort County Median Beautification Committee. At that time, there was discussion regarding Council's intent to approve the document, but future changes to be made to the resolution. It is now back before Council. Today's meeting is for Council to discuss and approve the proposed changes and discuss any additional changes to this resolution.

The Committee Chairman provided an overview of his concerns. The document says it is a Committee, but Section 2 refers to it as a Board. He does not feel this to be a Committee when looking at the definition of a Committee. If it were to be a Board, he feels it appropriate to go through three readings and a public hearing making it an ordinance, rather than a resolution.

Mr. Gruber said if that is the Committee's wish, he agrees that it should go forward as an ordinance, creating the board, and then creating the charter.

Mrs. Bensch said the issue of lighting should be explored before any beautification designs are completed. That language should be added to the text.

Mr. Flewelling felt that beautification would include the concept of lighting and watering where necessary.

The Committee Chairman had concerns with Section 7 of the resolution and feels there is a mixing of the lines and responsibility between Council and this entity, which is a total entity to itself. He proposes trying to keep a separation between Council and the non-profit entity, and hopes to encourage support, and help setup a private entity, but not mix it.

Mr. Flewelling originally conceived this more as if we have set up an organization that received money from several different entities and then projects are drawn down from that account. In this case, it would be we provide funding to the board, plus they solicit outside (tax exempt) funding, and then recommend projects. He does not know where there is any potential for a division.

The Committee Chairman see it as getting funds from other entities such as Tanger Outlet, gated subdivisions, etc., that are not public funds. His concerns are primary those of the private sector.

Mr. Gruber stated when it was originally brought forward the concept was to have one unified organization, but bifurcate its authority and control from pots of money. If it raised its own funds, through the 501c3, that Council would not have the authority on what was done with those monies. If you are worried about not having the same entities governed under the same interests then it would be best to split the two functions and treat is similar to that of the library.

Mr. Milt Rhodes spoke before the Committee. He was a part of the original group that worked hard to come up with a concept to move forward. With respect to the non-profit component, the purpose of it was not to comingle but to have a separate board. This clause got lost in translation. The idea was to raise funds to complement any other capital project the County might bring forward. The funds could come from the private sector or donors. Splitting it is important.

Mr. Caporale stated he is uncomfortable with asking folks to go out and raise money. It is very strange that there seems to be all sorts of needs that someone needs to be tending to, but it is being left to charitable impulse.

The County Administrator thinks Council should create the opportunity to receive donations from individuals or groups. It is the same methodology as our libraries. The door should be left open.

Mr. Glen Stanford, a resident of Hilton Head Island, said Mr. Caporale nominated him to this Board and he wanted to point out that there are funds set aside by Tanger Outlet, as well as one of the gated communities, to fund the first project.

Mr. Rodman wanted to know if we go the ordinance/board route, would it eliminate the need for bylaws. Mr. Gruber said it would convert the bylaws into the charter.

Mr. Rodman said since people waiting to serve on the Board, we could proceed with the revisions, appoint the people to the board, and, in turn, allow them to begin to serve.

Motion: It was moved by Mr. Caporale, seconded Ms. Von Harten, the Governmental Committee to direct staff to incorporate the recommendations into an ordinance to be brought forward at the February 11 meeting of County Council. The vote was: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Stewart, Mr. Vaux, and Ms. Von Harten. The motion passed.

Recommendation: Council approve on first reading an ordinance to create the Southern Beaufort County Corridor Beautification Board to assist and advise Beaufort County Council in design, implementation, fundraising and promotion of corridor beautification along high volume traffic corridors in the southern areas of Beaufort County.

3. Discussion:

- **A Petition of the Board of Fire Control of the Lady's Island-St. Helena Island Fire District to the Governing Body of Beaufort County, South Carolina, Requesting a Public Hearing Pursuant to Section 6-11-430 of the Code of Laws of South Carolina, 1976, as Amended**
- **A Resolution Calling for a Public Hearing to be Held Upon the Question of the Clarification and Confirmation of the Boundaries of the Lady's Island-St. Helena Island Fire District, South Carolina; Providing for the Publication of the Notice of Such Public Hearing; and Other Matters Relating Thereto**
- **An Ordinance Providing for the Clarification and Confirmation of the Boundaries of the Lady's Island-St. Helena Island Fire District, South Carolina, the Publication of Notice of the Said Findings and Action, and Other Matters Relating Thereto**

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

Discussion: Staff Attorney, Joshua Gruber stated the Lady's Island-Helena Island Public Service District is looking to issue some bonds for purposes of property, purchasing some capital improvements, and for refunding of outstanding debt. In order to do so, they are here before Council in order to get an ordinance passed, and to deal with other housekeeping issues.

Mr. Gary Pope, Jr., Lady's Island-Helena Island Fire District Bond Counsel, spoke before the Committee. As part of the proposed issuance of general obligation bonds (GOB) for the Lady's Island-Helena Island Fire District, we anticipate providing disclosure to the capital markets in order to sell the bonds. In order to do so, we have to make sure there are no loose ends. In the legislation of 1972 that established the boundaries of the district, it described them as the island. Custom and practice has dictated that the area over the Beaufort River Bridge is to be served by the Lady's Island-Helena Island Fire District, with the exception of the Fripp Island Public Service District. The proposed ordinance is the mechanism by which those boundaries are

confirmed for the purposes of allowing the bond counsel to make the representation that are ideal to potential purchasers of the bonds, through the provision of an official statement.

Mr. Flewelling said his recollection is that Lady's Island-Helena Island Fire District gets a check from the City of Beaufort for part of their municipal area that is served by the Lady's Island-Helena Island Fire District. In reading the paperwork, it excludes the municipality. Will this affect the District's position in the contract with the City of Beaufort?

Mr. Pope replied in the negative. This only clarifies the boundaries of the District.

Mr. Flewelling felt that since the District does serve that area, and collects money from that area, it should be included in to the servicing area.

Mr. Gruber stated you do not want to have an overlapping area between one political subdivision authorized to provide the service and another political subdivision authorized to provide that service. We do not want an overlap between the City of Beaufort and the Lady's Island-Helena Island Fire District. They can enter into an intergovernmental agreement, as can any political subdivision for joint services, which is what would happen.

Mr. Rodman stated we are paying down three fourths of our current debt and wanted to know if the remaining one quarter could be paid off. The Fire District replied, they would have to look into that further.

It was moved by Mr. McBride, seconded Mr. Flewelling, the Governmental Committee approve and recommend to Council approval of a Petition of the Board of Fire Control of the Lady's Island-St. Helena Island Fire District to the Governing Body of Beaufort County, South Carolina, Requesting a Public Hearing Pursuant to Section 6-11-430 of the Code of Laws of South Carolina, 1976, as Amended. The vote was: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Stewart, Mr. Vaux, and Ms. Von Harten. The motion passed.

It was moved by Mr. McBride, seconded Mr. Flewelling, the Governmental Committee approve and recommend to Council adopt a resolution calling for a public hearing to be held upon the question of the clarification and confirmation of the boundaries of the Lady's Island-St. Helena Island Fire District, South Carolina; Providing for the Publication of the Notice of Such Public Hearing; and Other Matters Relating Thereto. The vote was: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Stewart, Mr. Vaux, and Ms. Von Harten. The motion passed.

It was moved by Mr. McBride, seconded Mr. Flewelling, the Governmental Committee approve and recommend to Council approve on first reading an ordinance providing for the clarification and confirmation of the boundaries of the Lady's Island-St. Helena Island Fire District, South Carolina, the publication of notice of the said findings and action, and other matters relating thereto. The vote was: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Stewart, Mr. Vaux, and Ms. Von Harten. The motion passed.

Recommendation 1: Council approve a Petition of the Board of Fire Control of the Lady's Island-St. Helena Island Fire District to the Governing Body of Beaufort County, South Carolina, Requesting a Public Hearing Pursuant to Section 6-11-430 of the Code of Laws of South Carolina, 1976, as Amended.

Recommendation 2: Council adopt a resolution calling for a public hearing to be held upon the question of the clarification and confirmation of the boundaries of the Lady's Island-St. Helena Island Fire District, South Carolina; providing for the publication of the notice of such public hearing; and other matters relating thereto.

Recommendation 3: Council approve on first reading an ordinance providing for the clarification and confirmation of the boundaries of the Lady's Island-St. Helena Island Fire District, South Carolina, the publication of notice of the said findings and action, and other matters relating thereto.

4. Consideration of a Resolution Opposing House Bill 3290 and Senate Bill 203, Solid Waste Flow Control

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

Discussion: This is a resolution emphasizing Beaufort County Council's ongoing opposition to the special interest focused legislation pending in the South Carolina General Assembly which we strongly believe is an effort to circumvent an defeat local public health authority which belongs under home rule in the County. This proposed resolution is intended to openly oppose is House Bill 3290 and Senate Bill 203.

Mr. Jim Minor, Solid Waste and Recycling Director, provided the Committee with some insight on how this legislation could affect Beaufort County.

Motion: It was moved by Mrs. Bensch, seconded Mr. Flewelling, the Governmental Committee approve and recommend to Council the adoption of a resolution emphasizing Beaufort County Council's ongoing opposition to the special interest focused legislation pending in the South Carolina General Assembly by virtue of House Bill 3290 and Senate Bill 203 which we strongly believe is an effort to circumvent flow control regulations and defeat local public health and sanitation authority which belongs under home rule to the County. The vote was: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Stewart, Mr. Vaux, and Ms. Von Harten. The motion passed.

Recommendation: Council the adoption of a resolution emphasizing Beaufort County Council's ongoing opposition to the special interest focused legislation pending in the South Carolina General Assembly by virtue of House Bill 3290 and Senate Bill 203 which we strongly believe is an effort to circumvent flow control regulations and defeat local public health and sanitation authority which belongs under home rule to the County.

5. Consideration of Reappointments and Appointments

• Bluffton Fire District Commission

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

Motion 1: It was moved by Ms. Von Harten, seconded Mr. Caporale, the Governmental Committee approve and recommend Council nominate Ed Olsen for reappointment to serve as a member the Bluffton Fire District Commission. The vote was: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Stewart and Ms. Von Harten. RECUSAL – Mr. Vaux (His law firm represents the Bluffton Fire District). The motion passed.

Motion 2: It was moved by Ms. Von Harten, seconded Mr. Caporale, the Governmental Committee approve and recommend Council nominate Robert Rogers for reappointment to serve as a member the Bluffton Fire District Commission. The vote was: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Stewart and Ms. Von Harten. RECUSAL – Mr. Vaux. The motion passed.

Recommendation: Council nominated Ed Olsen and Robert Rogers for reappointment to serve as a member of the Bluffton Fire District.

6. Consideration of Reappointments and Appointments

• Burton Fire District Commission

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

Motion 1: It was moved by Mr. Flewelling, seconded Ms. Von Harten, the Governmental Committee approve and recommend Council nominate Gary Bright for reappointment to serve as a member of the Burton Fire District Commission. The vote was: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

Motion 2: It was moved by Mr. Flewelling, seconded Ms. Von Harten, the Governmental Committee approve and recommend Council nominate Herbert Burnes for reappointment to serve as a member of the Burton Fire District Commission. The vote was: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

Motion 3: It was moved by Mr. Flewelling, seconded Ms. Von Harten, the Governmental Committee approve and recommend Council nominate Cecil Lanier for reappointment to serve as a member of the Burton Fire District Commission. The vote was: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

Recommendation: Council nominated Gary Bright, Herbert Burnes and Cecil Lanier for reappointment to serve as member of the Burton Fire District Commission.

7. Consideration of Reappointments and Appointments

• Sheldon Fire District Commission

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

Motion 1: It was moved by Mr. Dawson, seconded Mr. Flewelling, the Governmental Committee approve and recommend Council nominate Wayne Blankenship for reappointment to serve as a member of the Sheldon Fire District Commission. The vote was: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

Motion 2: It was moved by Mr. Dawson, seconded Mr. Flewelling, the Governmental Committee approve and recommend Council nominate Donnie Phillip for reappointment to serve as a member of the Sheldon Fire District Commission. The vote was: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

Recommendation: Council nominated Wayne Blankenship and Donnie Phillips for reappointment to serve as member of the Sheldon Fire District Commission.

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

No action or discussion was taken on this item at this time.

Status: Information only.

2. Off Agenda – House Bill 3390

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 spoke about House Bill 3390, Beach Preservation Act. It will allow municipalities to impose a fee and use accommodation taxes for beach renourishment. There is a considerable amount of pressure for people to sign onto this bill, as it exists. However, the question is that since it only allows municipalities to do this, should counties be allowed to do the same? House of Representative Mr. Newton was inquiring

of the opinion of Beaufort County Council and whether we would support him trying to expand this to include counties.

The Committee seemed to agree to include counties into the Bill.

Status: Information only.

3. Consideration of Reappointments and Appointments

- **Daufuskie Island Fire District Commission**

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

Motion 1: It was moved by Mr. Flewelling, seconded Mr. Vaux, the Governmental Committee approve and recommend Council nominate Charles V. Henry for reappointment to the Daufuskie Island Fire District Commission. The motion was withdrawn by the maker of the motion.

Motion 2: It was moved by Mr. Flewelling, seconded Mr. Vaux, the Governmental Committee approve and recommend Council nominate Thomas Beavor for reappointment to the Daufuskie Island Fire District Commission. The motion was withdrawn by the maker of the motion.

Motion 3: It was moved by Mr. Flewelling, seconded Mr. Vaux, the Governmental Committee approve and recommend Council nominate Thomas Dickinson for reappointment to the Daufuskie Island Fire District Commission. The motion was withdrawn by the maker of the motion.

Status: This item will be discussed at the next meeting of the Governmental Committee due to the extra member serving on the board.

NATURAL RESOURCES COMMITTEE

February 4, 2013

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

The Natural Resources Committee met on Monday February 4, 2013 at 2:00 p.m. in the Executive Conference Room of the Administration Building, Beaufort, South Carolina.

ATTENDANCE

Committee Chairman Brian Flewelling, Vice Chairman Cynthia Bensch, and members Gerald Dawson, William McBride, Jerry Stewart, Laura Von Harten and Tabor Vaux present.

County Staff: Tony Criscitiello, Division Director – Planning and Development and Gary Kubic, County Administrator.

Media: Joe Croley, Hilton Head Island-Bluffton Chamber of Commerce.

Public: Reid Armstrong, Project Manager, SC Coastal Conservation League; and Tommy Logan, Board / Commission applicant.

Mr. Flewelling chaired the meeting.

ACTION ITEMS

- 1. Text amendments to the Beaufort County Zoning and Development Standards Ordinance (ZDSO), Article V, Table 106-1098 General Use Table, and Section 106-1292(3) Vehicular sales, rental and services, to allow boat sales in Commercial Suburban Districts with certain requirements. Applicant: Frances M. Rabon**

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

Discussion: Mr. Tony Criscitiello, Division Director – Planning and Development, reviewed this item with the Committee. Currently the Commercial Suburban (CS) district permits the repair of cars and boats, but not the sale of these vehicles. The applicant, Frances Rabon, asks that the ZDSO be amended to permit the sale of boats in CS zones. At the Staff's recommendation, the Planning Commission voted and recommends County Council approve the staff proposed text amendments to the ZDSO in Article V, Table 106-1098 and Section 106-1292(3) that will allow boat sales in Commercial Suburban districts with certain requirements.

Motion: It was moved by Mr. Dawson, seconded by Mrs. Bensch, that Natural Resources Committee approve and recommend Council approve on first reading text amendments to the Beaufort County Zoning and Development Standards Ordinance (ZDSO), Article V, Table 106-1098 General Use Table, and Section 106-1292(3) Vehicular sales, rental and services, to allow boat sales in Commercial Suburban Districts with certain requirements. The vote was: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

Recommendation: Council approve on first reading text amendments to the Beaufort County Zoning and Development Standards Ordinance (ZDSO), Article V, Table 106-1098 General Use Table, and Section 106-1292(3) Vehicular sales, rental and services, to allow boat sales in Commercial Suburban Districts with certain requirements.

2. Consideration of Reappointments and Appointments
• **Beaufort/Jasper Water and Sewer Authority**

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

Motion 1: It was moved by Mr. Dawson, seconded by Mr. McBride, that the Natural Resources Committee nominate James O’Neal for reappointment to serve as a member of the Beaufort/Jasper Water and Sewer Authority.

Motion 2: It was moved by Mr. Stewart, seconded by Mrs. Bensch, that the Natural Resources Committee nominate Donald Manson for serve as a member of the Beaufort/Jasper Water and Sewer Authority.

Vote on Motion 1: YEAS – Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. NAYS – Mrs. Bensch and Mr. Stewart. The motion passed.

Vote on Motion 2: YEAS – Mrs. Bensch and Mr. Stewart. NAYS – Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion failed.

Recommendation: Council nominate James O’Neal for reappointment to serve as a member of the Beaufort/Jasper Water and Sewer Authority.

3. Consideration of Reappointments and Appointments
• **Historic Preservation Review Board**

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

It was moved by Ms. Von Harten, seconded by Mr. Dawson, that Natural Resources Committee approve and recommend Council nominate Beekman Webb, representing Lady’s Island, for reappointment to serve as a member of the Historic Preservation Review Board. The

vote was: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

It was moved by Mr. Stewart, seconded by Ms. Von Harten, that Natural Resources Committee approve and recommend Council nominate Natalie Hefter for reappointment, representing Southern Beaufort County, to serve as a member of the Historic Preservation Review Board. The vote was: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

It was moved by Ms. Von Harten, seconded by Mrs. Bensch, that Natural Resources Committee approve and recommend Council nominate Maureen Richards, representing Bluffton Historic Preservation Organization, to serve as a member of the Historic Preservation Review Board. The vote was: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

It was moved by Ms. Von Harten, seconded by Mrs. Bensch, that Natural Resources Committee approve and recommend Council nominate Michelle Knolls, representing Port Royal Island, to serve as a member of the Historic Preservation Review Board. The vote was: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

Recommendation: Council nominate for reappointment to the Historic Preservation Review Board: Beekman Webb (representing Lady’s Island) and Natalie Hefter (representing Southern Beaufort County). Council nominate for appointment as a member of the Historic Preservation Review Board: Michelle Knolls (representing Port Royal Island) and Maureen Richards (representing Bluffton Historic Preservation Organization).

4. Consideration of Reappointments and Appointments

- Northern Corridor Review Board**

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

It was moved by Mr. Dawson, seconded by Ms. Von Harten, that Natural Resources Committee nominate Brian Coffman, representing architect, for reappointment as a member of the Northern Corridor Review Board. The vote was: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

It was moved by Mr. Dawson, seconded by Ms. Von Harten, that Natural Resources Committee nominate Bradley Bowden, representing resident of respective area served, for reappointment as a member of the Northern Corridor Review Board. The vote was: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

It was moved by Mr. Dawson, seconded by Ms. Von Harten, that Natural Resources Committee nominate John Michael Brock, representing design professional, for reappointment as a member of the Northern Corridor Review Board. The vote was: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

It was moved by Mr. Dawson, seconded by Ms. Von Harten, that Natural Resources Committee nominate Kenneth Dixon, representing resident of respective area served, for reappointment as a member of the Northern Corridor Review Board. The vote was: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

It was moved by Mr. McBride, seconded by Mrs. Bensch, that Natural Resources Committee nominate Peter Brower (representing resident of respective area served) as a member of the Northern Corridor Review Board. The vote was: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

Recommendation: Council nominate for reappointment to the Northern Corridor Review Board: Beekman Webb (representing architect), Bradley Bowden (representing resident of respective area served), John Michael Brock (representing design professional), and Kenneth Dixon (representing resident of respective area served). Council nominate for appointment to the Northern Corridor Review Board: Peter Brower (representing resident of respective area served)

5. Consideration of Reappointments and Appointments

• Planning Commission

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

It was moved by Mr. Dawson, seconded by Ms. Von Harten, that Natural Resources Committee nominate Charles Brown, representing Comprehensive Plan Planning Area – Sheldon Township, for reappointment as a member of the Planning Commission. The vote was: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

It was moved by Ms. Von Harten, seconded by Mr. Dawson, that Natural Resources Committee nominate Ronald Petit, representing Comprehensive Plan Planning Area – Port Royal Island, for reappointment as a member of the Planning Commission. The vote was: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

It was moved by Mrs. Bensch, seconded by Mr. Stewart, that Natural Resources Committee nominate Kenneth Skodacek, representing At-Large, as a member of the Planning Commission. The vote was: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

It was moved by Mr. McBride, seconded by Mrs. Bensch, that Natural Resources Committee nominate Jim Hicks, representing Comprehensive Plan Planning Area – Lady’s Island, for reappointment to serve as a member of the Planning Commission. The vote was: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion was withdrawn.

Recommendation: Council nominate for reappointment to the Planning Commission: Charles Brown (representing Comprehensive Plan Planning Area – Sheldon Township) and Ronald Petit (representing Comprehensive Plan Planning Area – Port Royal Island). Council nominate for appointment to the Planning Commission: Kenneth Skodacek (representing At-Large).

6. Consideration of Reappointments and Appointments
• **Rural and Critical Lands Board**

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

It was moved by Mr. Dawson, seconded by Mr. McBride, that Natural Resources Committee nominate Janice Johnson, representing Council District 1, for reappointment as a member of the Rural and Critical Lands Preservation Board. The vote was: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

It was moved by Mr. McBride, seconded by Ms. Von Harten, that Natural Resources Committee nominate York Glover, representing Council District 3, for reappointment as a member of the Rural and Critical Lands Preservation Board. The vote was: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

Discussion occurred regarding Ray Tudor, Council District 5, who, because of redistricting, now holds the same Council District seat as Ed Pappas. The Committee Chairman asked to hold off on taking action on this item at today’s meeting.

It was moved by Ms. Von Harten, seconded by Mr. Dawson, that Natural Resources Committee nominate W. Thomas Logan, representing Council District 4, as a member of the Rural and Critical Lands Preservation Board. The vote was: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed. However, Mr. Logan needs to contact Voter Registration and clarify the records so that it coincides with Council District 4. Note: Mr. Logan has contacted Voter Registration and he is a resident of Council District 3.

It was moved by Mr. Sommerville, seconded by Ms. Von Harten, that Natural Resources Committee nominate Norma Stewart, representing Council District 6, as a member of the Rural

and Critical Lands Preservation Board. The vote was: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. Mr. Stewart excused himself from the discussion/vote. The motion passed.

It was moved by Mrs. Bensch, seconded by Ms. Von Harten, that Natural Resources Committee nominate James Livingston, representing Council District 7, as a member of the Rural and Critical Lands Preservation Board. YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

Recommendation: Council nominate for reappointment to the Rural and Critical Lands Board: Janice Johnson (representing Council District 1) and York Glover (representing Council District 3). Council nominate for appointment to the Rural and Critical Lands Board: Norma Stewart (representing Council District 6) and James Livingston (representing Council District 7).

7. Consideration of Reappointments and Appointments

- **Southern Corridor Review Board**

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

It was moved by Ms. Von Harten, seconded by Mr. Dawson, that Natural Resources Committee nominate James Atkins, architect Beaufort County, for reappointment as a member of the Southern Corridor Review Board. The vote was: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

There are two nominations for one seat: Kenneth Skodacek and John Michael Brock.

It was moved by Mrs. Bensch, seconded by Ms. Von Harten, that Natural Resources Committee nominate Kenneth Skodacek (representing landscape architect) as a member of the Southern Corridor Review Board. The vote was: YEAS – Mrs. Bensch, Ms. Von Harten and Mr. Vaux. NAYS - Mr. Dawson, Mr. Flewelling, and Mr. McBride. The motion passed.

It was moved by Mr. Dawson, seconded by Mr. McBride, that Natural Resources Committee nominate John Michael Brock (representing landscape architect) as a member of the Southern Corridor Review Board (move from Northern Corridor Review Board). The vote was: YEAS – Mr. Dawson, Mr. Flewelling, and Mr. McBride. NAYS - Mrs. Bensch, Mr. Vaux and Ms. Von Harten. The motion passed.

Recommendation: Council nominate James Atkins, representing architect Beaufort County, for reappointment to serve as a member of the Southern Corridor Review Board.

Recommendation: There are two nominates for one seat: Council nominate John Michael Brock or Kenneth Skodacek, representing landscape architect, to serve as a member of the Southern Corridor Review Board.

8. Consideration of Reappointments and Appointments

• Stormwater Management Utility Board

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

Motion 1: It was moved by Ms. Von Harten, seconded by Mr. McBride, that Natural Resources Committee nominate William Bruggeman, representing At-Large, for reappointment to serve as a member of the Stormwater Management Utility Board. The vote was: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

Motion 2: It was moved by Mr. Vaux, seconded by Mrs. Bensch, that Natural Resources Committee nominate Donald Cammerata, (representing Stormwater District 9, for reappointment to serve as a member of the Stormwater Management Utility Board. The vote was: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

Motion 3: It was moved by Mr. McBride, seconded by Mr. Dawson, that Natural Resources Committee nominate James Fargher, representing Stormwater District 8, for reappointment to serve as a member of the Stormwater Management Utility Board. The vote was: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

Recommendation: Council nominate for reappointment to the Stormwater Management Utility Board: William Bruggeman (representing At-Large), Donald Cammerata (representing Stormwater District 9), and James Fargher (representing Stormwater District 8).

9. Consideration of Reappointments and Appointments

• Zoning Board of Appeals

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

Motion 1: It was moved by Ms. Von Harten, seconded by Mrs. Bensch, that Natural Resources Committee nominate Thomas Gasparini, representing southern Beaufort County, for reappointment to serve as a member of the Zoning Board of Appeals. The vote was: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

Motion 2: It was moved by Ms. Von Harten, seconded by Mrs. Bensch, that Natural Resources Committee nominate Kevin Mack, representing St. Helena Island, for reappointment as a member of the Zoning Board of Appeals. The vote was: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

Recommendation: Council nominate for reappointment to the Zoning Board of Appeals: Thomas Gasparini and Kevin Mack to serve as member of the Zoning Board of Appeal.

10. Consideration of the Process to be Followed in the Adoption of the Proposed Development Code

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

Discussion: Mr. Tony Criscitiello, Division Director – Planning and Development, provided the Committee with a timeline and the process of steps that will be followed regarding the adoption of the development code. Staff received the draft of this ordinance from the consultant in February 2012. Since then, staff has been customizing the code to the specific needs of Beaufort County. The staff draft is now complete and is in the process of being typed and put in final format for public release. A zoning code is a product of the decision-making authority of the Planning Commission, then County Council. Given the nature of this document, and its complexity, he feels a committee of Council and a committee of the Planning Commission be empanelled to address the document. That is included into the timeline, as well as a public outreach process. Once the document is in final form and it is proofread for clarity, the document will be provided for Council.

The Committee reviewed and discussed the timeline presented before them. Much of the Committee felt that the process could be shortened. Many also felt that some of the processes could occur simultaneously. The names of the members from the Planning Commission who will serve on the subcommittee will be brought forth within the next two weeks. The following Council members will serve as members of the subcommittee: Cynthia Bensch, Gerald Dawson, Brian Flewelling and Bill McBride.

Status: Information only.

Official Proceedings
County Council of Beaufort County
January 28, 2013

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

CAUCUS

A caucus of the County Council of Beaufort County was held at 4:00 p.m. on Monday, January 28, 2013 in Council Chambers of the Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Vice Chairman Stu Rodman and Councilmen Steven Baer, Cynthia Bensch, Rick Caporale, Gerald Dawson, Brian Flewelling, William McBride, Gerald Stewart and Laura Von Harten. Chairman Paul Sommerville was absent. District 9 is vacant.

The Vice Chairman chaired the meeting in the absence of the Chairman.

DISCUSSION ITEMS

Topics discussed during caucus included: (i) proposed charters for the Bluffton Fire District, Daufuskie Island Fire District and Sheldon Fire District, (ii) Bluffton Fire District ISO rating, (iii) Lady's Island / St. Helena Island Fire District issuance of \$6,000,000 of general obligation bonds, and (iv) removing item 11k, Perryclear Drive easement from the consent agenda.

CALL FOR EXECUTIVE SESSION

It was moved by Ms. Von Harten, seconded by Mr. McBride, to go immediately into executive session relating to the proposed location, expansion or the provision of services encouraging location or expansion of industries or other businesses in Beaufort County. The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Stewart and Ms. Von Harten. ABSENT - Mr. Sommerville. District 9 is vacant. The motion passed.

EXECUTIVE SESSION

RECONVENE OF REGULAR SESSION

The regularly scheduled meeting of the County Council of Beaufort County was held at 4:00 p.m. on Monday, January 28, 2013 in Council Chambers of the Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Vice Chairman Stu Rodman and Councilmen Steven Baer, Cynthia Bensch, Rick Caporale, Gerald Dawson, Brian Flewelling, William McBride, Gerald Stewart and Laura Von Harten. Chairman Paul Sommerville was absent. District 9 is vacant.

The Vice Chairman chaired the meeting in the absence of the Chairman.

PLEDGE OF ALLEGIANCE

The Vice Chairman led those present in the Pledge of Allegiance to the Flag.

INVOCATION

Councilman McBride gave the Invocation.

REVIEW OF PROCEEDINGS OF THE REGULAR MEETING HELD NOVEMBER 26, 2012

It was moved by Mr. McBride, seconded by Mr. Stewart, that Council approve the minutes of the regular meeting held November 26, 2012. The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. McBride, Mr. Rodman, Mr. Stewart and Ms. Von Harten. ABSTAIN – Mrs. Bensch and Mr. Flewelling. ABSENT - Mr. Sommerville. District 9 is vacant. The motion passed.

REVIEW OF PROCEEDINGS OF THE REGULAR MEETING HELD JANUARY 14, 2013

It was moved by Mr. McBride, seconded by Mr. Stewart, that Council approve the minutes of the regular meeting held January 14, 2013. The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Stewart and Ms. Von Harten. ABSENT - Mr. Sommerville. District 9 is vacant. The motion passed.

REPORT ON EXECUTIVE SESSION

The Vice Chairman said the result of the executive session, is that the County Administration should continue exploring the possibility of relocating a business to Beaufort County; and as that proceeds, he will keep us posted, and at the right time come forward for the necessary approvals.

PUBLIC COMMENT

Mrs. Phyllis Lambert, a resident of Bluffton, spoke about Master's Way and Crossings Boulevard at the intersection of Bluffton Parkway. The engineering department has been and is reviewing the warrants. They lowered the speed limit to 35 miles per hour. Today, she still had to wait about two minutes to get out of her intersection because of the rush hour traffic – people

leaving work and traveling west out of the Hilton Head Island area. They did put a right-hand turn only traffic sign on Master's Way and that is helping quite a bit, because when turn right only is observed, at least it makes it better there -- it is not such a congestion of people trying to cross in each direction of the Bluffton Parkway. If we could have a very simple traffic signal, like the one placed at Tanger I Outlet, as well as an exit and entrance off the Bluffton Parkway, red and green, we do not need the pedestrian crossing because they can use the tunnel. Please look into widening the median.

COUNTY ADMINISTRATOR'S REPORT

The County Channel / Broadcast Update

Mr. Gary Kubic, County Administrator, said The County Channel has all programs, events and meetings available to watch online, on-demand at www.bcgov.net. Beaufort County recently hosted an EMT training course designed to help first responders properly use the stethoscope. Public Information Officer Joy Nelson brings us the story. Mr. Kubic thanked EMS Director Donna Ownby and staff for their efforts in organizing this training session.

Two-Week Progress Report / County Administrator

Mr. Gary Kubic, County Administrator, presented his Five-Week Progress Report, which summarized his activities from December 10, 2012 through January 11, 2013. We are talking with some of the key players, who are responsibility for the revenue generation in fees, penalties and forfeitures. We started our effort in trying to understand the potential revenue generation with Judge Marvin Dukes, Master-in-Equity, regarding foreclosures. What is important about that, it, unfortunately, over the last few years, became a major revenue source. We are hoping that some of the improvement here locally, recently, will change that and there are some recent changes being discussed in the South Carolina Legislature regarding how much a fee is associated with the foreclosure. It is quite low for financial institutions. It is important for us to understand what Judge Dukes is going to forecast in the next few years. This is part of our preliminary efforts in the budgetary process.

DEPUTY COUNTY ADMINISTRATOR'S REPORT

Two-Week Progress Report / Deputy County Administrator

Mr. Bryan Hill, Deputy County Administrator, presented his Five-Week Progress Report, which summarized his activities from December 10, 2012 through January 11, 2013.

Board of Elections and Voter Registration 2012 Election Update

Mr. Scott Marshall, Executive Director, Board of Elections and Voter Registration, reported the new photo ID requirement is now in effect. Voters must show IDs when voting at polls either in the absentee precinct location or at the regular polling location. The new law became effective January 1, 2013. The qualifying photo IDs that are accepted: S.C. driver's license, S.C. ID card

issued by the Department of Motor Vehicles, S.C. voter registration card, a military ID issued by the federal government, and a U.S. Passport. The ID must be valid and current. The purpose of the ID is to confirm that the person representing himself to vote is the elector on the poll list. The address on the ID does not have to match the address where registered.

A voter who has a reasonable impediment to obtaining of the qualifying photo IDs may cast a provisional ballot after: (i) providing a paper voter registration card without a photograph and (ii) signing an affidavit attesting to voters' identify and impediment. According to the SC Attorney General, a reasonable impediment is "any valid reason, beyond the voter's control, which created an obstacle to the voter obtaining the necessary Photo ID in order to vote." A voter may claim any obstacle he or she finds reasonable, as long as it is true. Only the voter determines what is reasonable. Poll Managers and other election officials do not determine the reasonableness of the claimed impediment. Examples of reasonable impediments: religious objection to being photographed, lack of transportation, disability or illness, lack of birth certificate, work schedule, family responsibilities, other reasonable impediment (protected), and other reasonable impediment (must list). This ballot will count unless the County Board of Canvassers has grounds to believe the affidavit is false. The Elections Commission would have to have proof that either: (i) the voter lied about his identity or (ii) voter lied about having a reasonable impediment.

Two elections are scheduled early 2013. The first election is the County Council District 9 special election that will occur tomorrow Tuesday, January 29, 2013. It involves eight precincts with 8,200 voters. The canvass, when the voter total is certified, is Thursday, January 31, 2013. If needed, a special election will occur March 19, 2013. A section of South Carolina law that specifies that in a situation where you only have two candidates for the office; one candidate will win the primary. If no other write-in candidate presents himself/herself in writing to the County Board of Elections within 14 days of the latest filing deadline, January 18, 2013, then the winner of the primary is certified as winner of the election. That individual can take office the first Monday following certification, or in this case, because that will have to wait until after the February 1, 2013 deadline, they can take the oath of office the first Monday, which is February 4, 2013.

The second election is US House of Representatives District 1 special election that involves more than 100,000 voters. Filing closed for that office was today at noon. We have 16 Republican candidates and 3 Democratic candidates. The opportunity is almost certain that we will have a runoff in the election. Therefore, we are looking at three elections to fill that seat – the primary, the runoff from the primary, and then the special election. County Board of Canvassers will certify the votes May 10, 2013.

Boards of Elections and Registrations' are governed by Title VII of the *Code of Laws of South Carolina*, 1976, as amended. Each Board has its own section. Pursuant to Section 7-27-240 of the State Code that governs Beaufort County Board, a member of the board may not serve more than two consecutive four-year terms or eight consecutive years, whichever is longer. Beaufort County has some members who are reaching the end of their term on the Board.

AN ORDINANCE TO AMEND THE CHARTERS OF THE BLUFFTON TOWNSHIP FIRE DISTRICT, DAUFUSKIE ISLAND FIRE DISTRICT AND THE SHELDON TOWNSHIP FIRE DISTRICT

This item comes before Council under the Consent Agenda. Discussion occurred at the January 7, 2013 meeting of the Governmental Committee.

It was moved by Mr. Flewelling, seconded by Mr. McBride, that Council approve on second reading an ordinance to amend the charters of the Bluffton Township Fire District, Daufuskie Island Fire District and the Sheldon Township Fire District. The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Stewart and Ms. Von Harten. ABSTAIN – Mr. Dawson. ABSENT - Mr. Sommerville. District 9 is vacant. The motion passed.

The Vice Chairman announced that a public hearing would occur Monday, February 11, 2013, beginning at 6:00 p.m. in Council Chambers of the Administration Building, Beaufort.

AN ORDINANCE TO AMEND THE BLUFFTON TOWNSHIP FIRE DISTRICT FY 2013 BUDGET FOR A SUPPLEMENTAL DISTRICT GENERAL FUND APPROPRIATION OF \$554,677 TO COVER ADDITIONAL SALARIES AND OVERTIME

This item comes before Council under the Consent Agenda. Discussion occurred at the January 7, 2013 meeting of the Governmental Committee.

It was moved by Mr. Flewelling, seconded by Mr. McBride, that Council approve on second reading an ordinance to amend the Bluffton Township Fire District FY 2013 budget for a supplemental district general fund appropriation of \$554,677 to cover additional salaries and overtime. The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Stewart and Ms. Von Harten. ABSENT - Mr. Sommerville. District 9 is vacant. The motion passed.

The Vice Chairman announced that a public hearing would occur Monday, February 11, 2013, beginning at 6:00 p.m. in Council Chambers of the Administration Building, Beaufort.

RESOLUTION APPROVING THE INCURRING OF GENERAL OBLIGATION DEBT IN AN AMOUNT NOT EXCEEDING \$6,000,000; AND AUTHORIZING A PETITION TO THE COUNTY COUNCIL OF BEAUFORT COUNTY, SOUTH CAROLINA, PURSUANT TO SECTION 6-11-830 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED

This item comes before Council under the Consent Agenda. Discussion occurred at the January 22, 2013 meeting of the Finance Committee.

It was moved by Mr. Flewelling, seconded by Mr. McBride, that Council adopt a resolution approving the incurring of general obligation debt in an amount not exceeding \$6,000,000; and authorizing a petition to the County Council of Beaufort County, South Carolina, pursuant to Section 6-11-830 of the *Code of Laws of South Carolina, 1976*, as amended. The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Stewart and Ms. Von Harten. ABSENT - Mr. Sommerville. District 9 is vacant. The motion passed.

RESOLUTION CALLING FOR A PUBLIC HEARING TO BE HELD UPON THE QUESTION OF THE ISSUANCE OF NOT EXCEEDING \$6,000,000 OF GENERAL OBLIGATION BONDS OF THE LADY’S ISLAND-ST. HELENA ISLAND FIRE DISTRICT, SOUTH CAROLINA; PROVIDING FOR THE PUBLICATION OF THE NOTICE OF SUCH PUBLIC HEARING; AND OTHER MATTERS RELATING THERETO

This item comes before Council under the Consent Agenda. Discussion occurred at the January 22, 2013 meeting of the Finance Committee.

It was moved by Mr. Flewelling, seconded by Mr. McBride, that Council adopt a resolution calling for a public hearing to be held upon the question of the issuance of not exceeding \$6,000,000 of general obligation bonds of the Lady’s Island-St. Helena Island Fire District, South Carolina; providing for the publication of the notice of such public hearing; and other matters relating thereto. The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Stewart and Ms. Von Harten. ABSENT - Mr. Sommerville. District 9 is vacant. The motion passed.

ORDINANCE FINDING THAT THE LADY’S ISLAND-ST. HELENA ISLAND FIRE DISTRICT, SOUTH CAROLINA, MAY ISSUE NOT EXCEEDING \$6,000,000 OF GENERAL OBLIGATION BONDS AND TO PROVIDE FOR THE PUBLICATION OF NOTICE OF THE SAID FINDING AND AUTHORIZATION

This item comes before Council under the Consent Agenda. Discussion occurred at the January 22, 2013 meeting of the Finance Committee.

It was moved by Mr. Flewelling, seconded by Mr. McBride, that Council approve on first reading an ordinance finding that the Lady’s Island-St. Helena Island Fire District, South Carolina, may issue not exceeding \$6,000,000 of general obligation bonds and to provide for the publication of notice of the said finding and authorization. The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Stewart and Ms. Von Harten. ABSENT - Mr. Sommerville. District 9 is vacant. The motion passed.

LIGHT DETECTION AND RANGING CONTRACT FOR STORMWATER (NON-COMPETITIVE CONTRACT) JOINT CONTRACT

This item comes before Council under the Consent Agenda. Discussion occurred at the January 22, 2013 meeting of the Finance Committee.

It was moved by Mr. Flewelling, seconded by Mr. McBride, that Council award a contract in the amount of \$278,000 to acquire Light Detection and Ranging (LIDAR) data for 2013. The funding sources are as follows: County \$200,000 (Stormwater, account 13531-51160, Professional Services), City of Beaufort (7.12%), Town of Bluffton (9.46%), and the Town of Port Royal (2.7%). The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Stewart and Ms. Von Harten. ABSENT - Mr. Sommerville. District 9 is vacant. The motion passed.

RENEWAL OF HOUSEHOLD HAZARDOUS WASTE REMOVAL WITH CARE ENVIRONMENTAL CORP.

This item comes before Council under the Consent Agenda. Discussion occurred at the January 22, 2013 meeting of the Finance Committee.

It was moved by Mr. Flewelling, seconded by Mr. McBride, that Council award a contract renewal to Care Environmental Corp. of Landing New Jersey in the amount of \$87,000 for household hazardous waste removal. The funding source is Solid Waste and Recycling, account 33390-51160, Professional Services. The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Stewart and Ms. Von Harten. ABSENT - Mr. Sommerville. District 9 is vacant. The motion passed.

SOLE SOURCE PURCHASE FROM CYBERGENETICS SOFTWARE/HARDWARE PACKAGE AND INCLUDES TRAINING FOR TWO DNA LAB PERSONNEL

This item comes before Council under the Consent Agenda. Discussion occurred at the January 22, 2013 meeting of the Finance Committee.

It was moved by Mr. Flewelling, seconded by Mr. McBride, that Council award a contract to Cybergenetics of Pittsburgh, Pennsylvania in the amount of \$84,800 to purchase a new TrueAllele Casework and Quantum 200 System, including training for two DNA lab personnel, for the Sheriff's Office. The funding source is DNA Backlog Grant, account 21206-54803. The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Stewart and Ms. Von Harten. ABSENT - Mr. Sommerville. District 9 is vacant. The motion passed.

DNA LABORATORY EQUIPMENT FROM A SOLE SOURCE VENDOR FOR THE SHERIFF'S OFFICE

This item comes before Council under the Consent Agenda. Discussion occurred at the January 22, 2013 meeting of the Finance Committee.

It was moved by Mr. Flewelling, seconded by Mr. McBride, that Council award a contract to Qiagen of Germantown, Maryland in the amount of \$52,068.80 for a BioRobot EZ1 Advanced XL System for the Sheriff's Office. The funding source is DNA Backlog Grant, account 21206-54803. The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Stewart and Ms. Von Harten. ABSENT - Mr. Sommerville. District 9 is vacant. The motion passed.

RESOLUTION AUTHORIZING BEAUFORT COUNTY TO PARTICIPATE IN THE FUNDING OF THE LOWCOUNTRY AREA TRANSPORTATION STUDY (METROPOLITAN PLANNING ORGANIZATION) ON A PER CAPITA BASIS BASED UPON THE CURRENT POPULATION IN THE UNINCORPORATED AREAS OF THE COUNTY

Mr. Gary Kubic, County Administrator, stated this item involves discussions that we are going to have with Council to determine how to pay the administrative costs to run the new Metropolitan Planning Organization (MPO). The three principal partners of the MPO in order of population are Beaufort County, Town of Hilton Head Island and the Town of Bluffton. The two other participants, not Beaufort County, but the two Towns, have passed resolutions indicating that they support a method based on per capita cost sharing. We have yet to determine that. It has been the request of Council to get an estimate regarding the total amount of budget before we enter into a methodology by resolution to fund that administration expense. Mr. Kubic's recommendation today would be to remove this item from the agenda and allow us to present that background material for you and then entertain a future discussion at the appropriate committee of Council.

Without Council objection, the Vice Chairman removed this item from the agenda.

PERRYCLEAR DRIVE EASEMENT

Main motion: It was moved by Mr. Dawson, as Public Facilities Committee Chairman (no second required), that Council accept an easement on Perryclear Drive.

Motion to amend by substitution: It was moved by Mr. Flewelling, seconded by Mr. Dawson, that Council authorize the County Administrator to accept an easement known as Perryclear Drive. The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Stewart and Ms. Von Harten. ABSENT - Mr. Sommerville. District 9 is vacant. The motion passed.

Vote on the amended motion, which is now the main motion, and includes the motion to amend by substitution: Council authorize the County Administrator to accept an easement known as Perryclear Drive. The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Stewart and Ms. Von Harten. ABSENT - Mr. Sommerville. District 9 is vacant. The motion passed.

PUBLIC HEARINGS

AUTHORIZING THE ISSUANCE AND SALE OF A TAX INCREMENT REFUNDING REVENUE BOND, SERIES 2013, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, OF BEAUFORT COUNTY, SOUTH CAROLINA, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$6,000,000 FOR THE PURPOSE OF REFUNDING CERTAIN MATURITIES OF THE BLUFFTON AREA TAX INCREMENT BONDS; FIXING THE FORM AND DETAILS OF THE BOND; AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS LAWFULLY-AUTHORIZED DESIGNEE TO DETERMINE CERTAIN MATTERS RELATING TO THE BOND; PROVIDING FOR THE PAYMENT OF THE BOND AND THE DISPOSITION OF THE PROCEEDS THEREOF; AUTHORIZING THE REDEMPTION OR DEFEASANCE OF CERTAIN MATURITIES OF OUTSTANDING BLUFFTON AREA TAX INCREMENT REVENUE BONDS; AND OTHER MATTERS RELATING THERETO

Mr. David Starkey, Chief Financial Officer, gave a presentation on the partial call and refinancing of the Bluffton – County TIF Bonds. In November 2003, the County borrowed \$23,680,000 for the Bluffton – County TIF at interest rates from 2.0% to 5.0%. Higher percentages are in the out years. The maturity date is February 1, 2028 -- the date this TIF was originally to end. The call date, which is always ten years after the issuance, is February 1, 2013. The major projects that this TIF funded were the Bluffton-County library and several road projects to include the Bluffton Parkway, Highway 36 and US Highway 278. The participants in this TIF are as follows: Beaufort County is 100%, Bluffton Fire District at 75% and Town of Bluffton is 75%. Owing on the bonds is a current balance of \$20,205,000 plus accrued interest. This is funded by: (i) ad valorem taxes and have averaged approximately \$650,000 per year in FY 2011 and FY 2012 and (ii) library and road impact fees have averaged \$1.5 million per year in FY 2011 and FY 2012.

The partial early payoff with escrow monies is \$14,520,000, which will pay off about 75% of the bonds from monies the County has in escrow with Wells Fargo. All of the collections over the last ten years for this TIF can only be used to pay the Bluffton – County TIF bonds' principal and interest. Interest rates remaining on the bond portions that were not paid off, had we stayed with Wells Fargo, would have ranged between 4.3% and 5.0%.

Our bidding process, contingent upon Council's approval tonight, First Citizens Bank bid that the remaining \$5,685,000 on a six-year note would be at 1.42% for their entire six years. Early payoff is allowed. We purposely scheduled this particular note to be flexible based on the fact we do not know how reassessment and the roll forward will work, which will definitely have an impact one way or the other on the third of the revenue to this TIF; and if we had any other

economic hiccups, it could affect impact fees. We kept that six years lucid, however, we can pay this off in four years. Payments are bi-annual interest payments with annual principal payments. Anytime we want to make extra payments, we could do so at six-month periods. The remaining portion, we had roughly \$15.7 million with Wells Fargo. We had half a bond that we could not pay. Therefore, the \$1,194,131 we had in escrow monies would remain after the \$14.5 million was paid will transfer to escrow monies in First Citizens that we can then be used at later date to make an early payment or continue on our regular debt service.

End result. The net present value of saving \$864,272 by doing this partial payoff and refinancing means an earlier conclusion of the Bluffton – County TIF. Once the TIF has ended the value of the mil increases for Beaufort County, Bluffton Fire District and Town of Bluffton.

The Vice Chairman opened a public hearing at 6:08 p.m. for the purpose of receiving information from the public regarding an ordinance authorizing the issuance and sale of a Tax Increment Refunding Revenue Bond, Series 2013, or such other appropriate series designation, of Beaufort County, South Carolina, in the principal amount of not exceeding \$6,000,000 for the purpose of refunding certain maturities of the Bluffton Area Tax Increment Bonds. After calling three times for public comment and receiving none, the Vice Chairman declared the hearing closed at 6:09 p.m.

It was moved by Mr. Stewart, seconded Mr. Caporale, that Council approve on third and reading an ordinance authorizing the issuance and sale of a Tax Increment Refunding Revenue Bond, Series 2013, or such other appropriate series designation, of Beaufort County, South Carolina, in the principal amount of not exceeding \$6,000,000 for the purpose of refunding certain maturities of the Bluffton Area Tax Increment Bonds. The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Stewart and Ms. Von Harten. ABSENT - Mr. Sommerville. District 9 is vacant. The motion passed.

AN ORDINANCE TO AMEND FY 2012-2013 BEAUFORT COUNTY SCHOOL DISTRICT BUDGET, SECTION 3, SCHOOL OPERATIONS APPROPRIATION

The Vice Chairman opened a public hearing at 6:10 p.m. for receiving information from the public regarding an ordinance to amend FY 2012/2013 Beaufort County School District Budget, Section 3, and School Operations Appropriation. After calling three times for public comment and receiving none, the Vice Chairman declared the hearing closed at 6:11 p.m.

It was moved by Mr. Stewart, seconded Mr. Caporale, that Council approve on third and final reading an ordinance to amend FY 2012/2013 Beaufort County School District Budget, Section 3, School Operations Appropriation. The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Stewart and Ms. Von Harten. ABSENT - Mr. Sommerville. District 9 is vacant. The motion passed.

COMMUNITY DEVELOPMENT BLOCK GRANT NEEDS ASSESSMENT

Mrs. Michelle Knight, Community & Economic Development Director, stated the public hearing is required to solicit public comment on the S.C. Community Development Block Grant Program (CDBG) for Beaufort County. This will put the County in a position to be able to pursue CDBG funding for the coming year.

Mrs. Knight gave a PowerPoint presentation on the S.C. Community Development Block Grant Program (CDBG). CDBG Program is designed to assist units of local government in improving economic opportunities and meeting community revitalization needs, particularly for person of low and moderate income (LMI). The program has been funded through the State since 1982 by U.S. Department of Housing and Urban Development under Title I of the Housing Community Development Act of 1974. The annual allocation from HUD for the program is administered by the S.C. Department of Commerce, Division of Grant Administration.

South Carolina has been allotted approximately \$18,074,966 CDBG funds for 2013. This allocation has been divided among the program as follows: (i) Community Development Programs \$14,931,844 – Community Infrastructure \$7,231,833, Community Enrichment \$2,000,000, Village Renaissance \$5,000,000 and “Ready to go” Public Facilities Program \$700,000. (ii) Business Development Programs \$2,000,000 – Regional Planning Program \$500,000, State Technical Assistance (1%) \$180,741 and State Administration (2% of allocation + \$100,000) \$461,481.

All projects have to meet one of three national objectives: benefit low and moderate-income persons, aid in the prevention or elimination of slums or blight and meet other urgent community needs posing a serious threat to the health or welfare of the community, where other financial resources are not available to meet such needs. In Beaufort County, a low-to-moderate income household of four person household for this year, if the annual income was less than \$53,600 a year, would be a low-to-moderate income household.

As a part of the requirements of the CDBG program, the locality (Beaufort County) is expected to undertake activities that promote Fair Housing, Title VIII of the Civil Rights Act of 1968 stipulates that we all have the right to be treated fairly regardless of our race, color, religion, sex, familial status, or origin.

Application request deadlines: March 15, 2013 at 5:00 p.m. for Community Infrastructure; August 16, 2013 at 5:00 p.m. for Community Enrichment and Village Renaissance; and on-going for “Ready to Go” and Business Development Projects.

The Vice Chairman opened a public hearing at 6:22 p.m. for the purpose of receiving information on the Community Development Block Grant needs assessment. After calling once for public comment, the Vice Chairman recognized Mrs. Angel Flewelling, a resident of Battery Point subdivision, which is located at the end of Salem Road in Beaufort, who said she travels up and down that road an average of four times a day. Every time she goes down that road, she sees a runner, a stroller, or a wheelchair. That road is in dire need of a sidewalk. At night, if someone

is wearing dark clothing, you cannot see that person. It is very dangerous. She has walked that road, and when the grass is high and the weeds are high, you have to walk in the street. You have no choice but to walk in the street. She asked Council to consider sidewalks down Salem Road.

Mr. Dick Guyer, representing the Battery Point Homeowners Association, said Salem Road runs from Regions Bank at Roberts Smalls Highway for approximately one mile to Old Salem Road. There is no lighting. It is a narrow, two-lane road with no shoulders, a barrow ditch, and a lot of weeds. There are approximately 154 low-income apartments that run along Salem Road and Old Salem Road. Many of those residents do not have transportation and walk along the road, which is not safe and not lighted. It is poor dignity for the person who has to walk in the weeds as cars drive by. He asked Council to consider sidewalks down Salem Road. It would be any excellent project for this grant.

Mr. J. R. Holt, a professional counselor, asked Council to continue to support efforts in the area mental illness, especially in light of our national tragedies. President Obama is supporting persons with mental illness. It is important to help this effort in schools, hospitals, community centers as well as in-kind support.

Mr. Walter Mack, Executive Director of Penn Center, said St. Helena Island is one of the remaining rural communities in Beaufort County. The gateway to St. Helena Island is Martin Luther King Park. He is seeking CDBG funding for infrastructure improvements to Martin Luther King Park as well as Penn Center campus to include roads, sidewalks, and replacement of galvanized pipes.

After calling twice more for public comment and receiving none, the Chairman declared the hearing closed at 6:33 p.m.

COMMITTEE REPORTS

Community Services Committee

Alcohol and Drug Abuse Board

Mr. McBride, as Community Services Committee Chairman, nominated Ms. Linda Hoffman and Ms. Sarah Hitchcock to serve as members of the Alcohol and Drug Abuse Board.

Beaufort Memorial Hospital Board

Mr. McBride, as Community Services Committee Chairman, nominated Ms. Andrea Allen, Ms. Kathleen Cooper, and Ms. Faith Polkey to serve as members of Beaufort Memorial Hospital Board.

Disabilities and Special Needs Board

Mr. McBride, as Community Services Committee Chairman, nominated Ms. Elizabeth Ann Wirz to serve as a member of the Disabilities and Special Needs Board.

Parks and Leisure Services Board

Mr. McBride, as Community Services Committee Chairman, nominated Mr. Ronald Campbell, representing northern Beaufort County; and Mr. Mike Manesiotis, representing southern Beaufort County, to serve as members of the Parks and Leisure Services Board.

PUBLIC COMMENT

There were no requests to speak during public comment.

ADJOURNMENT

Council adjourned at 6:32 p.m.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Stewart H. Rodman, Interim Chairman

ATTEST _____
Suzanne M. Rainey, Clerk to Council

Ratified:



Memorandum

DATE: February 8, 2013
TO: County Council
FROM: Gary Kubic, County Administrator
SUBJ: County Administrator's Progress Report

The following is a summary of activities that took place January 28, 2013 through February 8, 2013:

January 28, 2013

- Meeting with Kim Statler and Jessica Bridges of Lowcountry Economic Alliance, and Tony Criscitiello, Division Director – Planning and Development
- Meeting with Councilman Gerald Dawson and Deputy County Administrator Bryan Hill re: Senior services
- Community Services Committee meeting
- Council Caucus meeting
- County Council meeting

January 29, 2013

- Staff meeting re: Dataw Island Owners Association re: Payment of business license fees
- Staff meeting with Bryan Hill, Deputy County Administrator, Josh Gruber, County Attorney, and Ed Hughes, Assessor, to review Power Point presentation as it relates to local option sales tax

January 30, 2013

- Tour / McCleod shooting range with Tony Criscitiello and Amanda Flake, of Planning Department, Jeff Boyer, of SC Department of Natural Resources, and former Dorchester Public Works Director
- Meeting with Deputy County Administrator Bryan Hill
- Bluffton office

January 31, 2013

- Speak to Riverview Charter Student Council students / Government Day.

COUNTY COUNCIL
February 8, 2013
Page 2

- Staff meeting re: Written protocol / Fire Districts - Hiring of Fire Chief
- Visit with Lewis at DSN residential facility

February 1, 2013

- School District Teacher of the Year Forum Breakfast at Callawassie
- USCB's Sea Islands Institute Listening/Focus Group Session
- Meeting with Councilman Jerry Stewart
- Meeting with Councilman Stu Rodman and Solicitor Duffie Stone

February 4, 2013

- Meeting with Councilwoman Cynthia Bensch
- Natural Resources Committee meeting
- Governmental Committee meeting

February 5, 2013

- Staff meeting re: FOIA request / Jim Bequette
- Meeting with Frank Turano at Bluffton Office

February 6, 2013

- Agenda review with Chairman, Vice Chairman (telephonically) and Executive Staff re: February 11th Council meeting agenda
- Taping of County introductory show
- Meeting with Craig Forrest, State Highway Commissioner, and David Beaty of Florence and Hutcheson re: Flyover

February 7, 2013

- Greater Island Council meeting
- Meeting with Deputy County Administrator Bryan Hill
- Meeting with Suzanne Gregory, Director of Employee Services

February 8, 2013

- Staff meeting re: 2012 General Fund budget line items
- Manatron followup meeting
- Meeting with Jasper County Administrator Andy Fulghum



Memorandum

DATE: February 8, 2013
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 January 28, 2013 through February 8, 2013:

January 28, 2013 (Monday):

- Meet with David Starkey, CFO
- Meet with Alicia Holland, Controller re: Budget and MUNIS Training
- Meet with Gary Kubic, County Administrator and Gerald Dawson, Councilman re: Senior Services
- Community Services Committee Meeting
- County Council

January 29, 2013 (Tuesday):

- Meet with Donna Ownby, EMS Director re: FTO
- Meet with John Webber re: Water Quality Business Plan
- Meet with Audra Antonacci, Codes Enforcement Director
- Attend Meeting and Review Power Point Presentation re: Local Option Sales Tax with Gary Kubic, County Administrator and Joshua Gruber, Staff Attorney

January 30, 2013 (Wednesday):

- Meet with Solicitor re: Budget
- Meet with Bluffton Fire District Representative, John Thompson
- Visit Burton Wells Recreational Facility re: Second Helpings
- Meet with Robert McFee, Engineering & Infrastructure re: Stormwater Issues
- Meet with Suzanne Gregory, Employee Services Director
- Meet with David Starkey, CFO and Alicia Holland, Controller
- Meet with Gary Kubic, County Administrator

January 31, 2013 (Thursday):

- Attend Master Calendar Scheduling Meeting
- Attend Booker T. Washington Second Helpings Food Distribution with Gerald Dawson, Councilman

February 1, 2013 (Friday):

- Beaufort Hours A.M.
- Bluffton Hours P.M.

February 4, 2013 (Monday):

- DA Meeting
- Meet with Joshua Gruber, Staff Attorney re: Sanders Brothers Claim (Hwy. 802 Project)
- Natural Resources Committee Meeting
- Governmental Committee Meeting

February 5, 2013 (Tuesday):

- Meet with Gary Kubic, County Administrator and Joshua Gruber, Staff Attorney
- Meet with Gary Kubic, County Administrator, Joshua Gruber, Staff Attorney, David Starkey, CFO, and Robert McFee, Engineering & Infrastructure re: FOIA Request
- Bluffton Hours P.M.

February 6, 2013 (Wednesday):

- Agenda Review
- Attend MUNIS Budget Training Practice Session with Alicia Holland, Controller and Dan Morgan, MIS Director
- Attend Flyover Meeting in Bluffton
- Broadcast - Whale Branch High School

February 7, 2013 (Thursday):

- Meet with Monica Spells re: PALS Study
- Meet with Alicia Hollard re: MUNIS Budget Training
- Meet with Suzanne Gregory, Employee Services Director
- Meet with Gary Kubic, County Administrator
- Meet with Chuck Atkinson, Building Codes Director

February 8, 2013 (Friday):

- Meeting re: 2012 General Fund Budget Line Items with Gary Kubic, County Administrator, David Starkey, CFO and Alicia Holland, Controller
- Attend Manatron Follow-up Meeting
- Meet with Jim Minor, Solid Waste Director re: Various Items
- Meet with Monica Spells, Compliance Officer

Budget FY 2013
As of 2/7/2013

Actual Year to Date Comparison
For the Period Ending January 31st

February 7, 2013
Actual to Date

Adopted
Budget

Description	Organization	ORG	FY 2010	FY 2011	FY 2012	FY 2013	FY 2013	FY 2013	
	Taxes	41000	(66,750,839)	(67,410,209)	(66,938,262)	(66,167,842)	(66,167,842)	(72,323,941)	
	Licenses & Permits	42000	(674,832)	(606,746)	(1,011,078)	(686,358)	(724,327)	(2,680,000)	
	Intergovernmental	43000	(2,997,006)	(2,759,887)	(2,946,826)	(3,802,893)	(3,834,315)	(8,000,000)	
	Charges for Services	44000	(5,293,067)	(5,261,410)	(6,146,131)	(5,254,522)	(5,521,853)	(11,175,589)	
	Fines & Forfeitures	45000	(703,580)	(504,457)	(481,336)	(385,707)	(386,328)	(860,000)	
	Interest	46000	(57,117)	(52,646)	(102,855)	(60,015)	(60,015)	(175,100)	
	Miscellaneous	47000	(409,458)	(323,017)	(274,351)	(306,137)	(311,154)	(675,500)	
	Other Financing Sources	48000	(799,145)	(683,706)	(693,331)	(997,664)	(997,664)	(1,260,000)	
	General Fund Revenue		(77,685,044)	(77,602,078)	(78,594,170)	(77,661,138)	(78,003,498)	(97,150,130)	
General	Elected	COUNTY COUNCIL	11000	372,061	429,702	361,930	384,213	386,981	603,520
General	Elected	AUDITOR	11010	367,836	321,887	294,376	284,497	288,280	600,704
General	Elected	TREASURER	11020	528,347	508,748	412,733	545,389	549,308	677,760
General	Elected	TREASURER TAX BILLS & CC FEES	11021	-	270,055	236,026	-	-	340,000
General	Elected	CLERK OF COURT	11030	540,516	489,051	465,663	453,978	460,451	822,751
General	Elected	FAMILY COURT	11031	198,480	132,273	123,459	121,590	122,167	232,615
General	Elected	PROBATE COURT	11040	502,556	426,345	429,342	399,238	402,134	760,699
General	Elected	CORONER	11060	212,464	187,484	191,718	208,999	209,808	435,571
General	State	HILTON HEAD MAGISTRATE	11100	29,588	453	-	-	-	-
General	State	BEAUFORT MAGISTRATE	11101	386,517	392,404	416,266	446,790	450,734	742,215
General	State	BLUFFTON MAGISTRATE	11102	308,020	234,144	230,756	183,913	188,511	372,615
General	State	SHELDON MAGISTRATE	11103	36,236	36,827	38,882	41,779	42,031	71,640
General	State	ST HELENA MAGISTRATE	11104	48,234	43,339	45,569	8,748	9,426	104,923
General	State	MAGISTRATE BOND COURT	11105	50,128	47,327	54,316	58,852	60,007	97,515
General	State	MAGISTRATE AT-LARGE	11106	42,029	61,026	71,128	116,076	117,341	140,092
General	State	MASTER IN EQUITY	11110	180,626	168,505	168,376	180,650	181,836	297,848
General	Allocation	GEN GOVT DIRECT SUBSIDIES	11199	1,098,641	769,150	611,099	696,992	779,003	1,234,129
General	Admin	COUNTY ADMINISTRATOR	12000	459,505	373,107	285,437	334,366	336,056	509,119
General	Admin	HOUSING	12003	-	-	-	-	-	-
General	Admin	PUBLIC INFORMATION OFFICER	12005	256,066	61,673	49,380	83,924	84,772	148,529
General	Admin	BROADCAST SERVICES	12006	-	113,030	120,249	145,197	145,911	223,431
General	Admin	STAFF ATTORNEY	12010	332,688	335,966	388,389	82,736	83,012	400,063
General	Admin	INTERNAL AUDITOR	12015	66,227	30,398	34,082	-	-	-
General	State	PUBLIC DEFENDER	12020	183	-	-	-	-	-
General	Admin	VOTER REGISTRATION/ELECTIONS	12030	362,770	389,046	366,472	472,287	387,519	634,703
General	Admin	ELECTION WORKERS	12031	(1,050)	211	940	600	600	-
General	Admin	ASSESSOR	12040	1,443,298	1,122,838	1,020,915	1,052,235	1,060,274	2,069,589
General	Admin	REGISTER OF DEEDS	12050	350,207	296,552	281,037	308,463	310,195	475,359
General	Admin	RISK MANAGEMENT	12060	77,025	55,270	52,566	55,618	55,959	103,691
General	State	LEGISLATIVE DELEGATION	12080	49,270	39,392	39,755	42,786	43,047	69,304

Budget FY 2013
As of 2/7/2013

Actual Year to Date Comparison
For the Period Ending January 31st

February 7, 2013
Actual to Date

Adopted
Budget

Description	Organization	ORG	FY 2010	FY 2011	FY 2012	FY 2013	FY 2013	FY 2013	
General	Admin	ZONING & DEVELOPMENT ADM	13330	141,644	112,310	115,816	94,237	94,856	161,054
General	Admin	PLANNING	13340	511,937	421,618	414,172	377,050	379,412	698,539
General	Admin	COMPREHENSIVE PLAN	13341	402	266,006	82,972	-	-	7,100
General	Admin	AUTOMATED MAPPING/GIS	13350	284,286	248,589	193,139	211,727	213,094	420,926
General	Admin	DIRECTOR OF COMMUNITY SERVICES	14000	115,249	74,936	73,963	76,911	77,300	146,040
General	Admin	STAFF SERVICES	14010	214,252	212,872	181,014	-	-	-
General	Admin	EMPLOYEE SERVICES	14020	543,169	546,349	565,717	566,302	595,686	676,856
General	Admin	RECORDS MANAGEMENT	14030	115,344	91,500	129,398	201,831	202,695	401,975
General	Admin	FINANCE DEPARTMENT	15010	309,733	307,149	356,554	372,114	374,264	600,202
General	Admin	PURCHASING	15040	158,202	121,185	136,635	103,180	103,682	234,987
General	Admin	BUSINESS LICENSES	15050	286,932	135,772	30,975	26,633	26,777	67,127
General	Admin	MANAGEMENT INFORMATION SYSTEMS	15060	1,443,013	1,374,003	1,211,783	1,382,803	1,398,461	2,229,809
General	Admin	MANAGEMENT INFORMATION SYSTEMS	15061	1,128	-	-	-	-	-
General	Admin	DIRECTOR OF PUBLIC SERVICES	17000	159,325	124,055	122,544	127,156	127,977	205,747
General	Fringe	GENERAL GOVT BENEFITS POOL	19199	-	1,365,447	1,259,744	1,425,175	1,625,928	2,486,724
Public Safety	Elected	SHERIFF	21051	4,013,452	4,155,681	3,576,515	3,833,602	3,856,089	6,536,306
Public Safety	Elected	SHERIFF	21052	6,823,481	7,451,458	6,271,507	6,280,727	6,321,791	11,018,434
Public Safety	Elected	SHERIFF	21053	-	-	364,451	359,212	361,549	641,414
Public Safety	Elected	SHERIFF	21055	788,640	756,325	664,146	633,508	637,654	1,161,829
Public Safety	Admin	EMERGENCY MANAGEMENT	23140	397,143	291,828	274,612	271,035	273,370	419,151
Public Safety	Admin	EMERGENCY MANAGEMENT	23142	-	88,683	72,855	10,356	10,422	16,558
Public Safety	Admin	EMERGENCY MANAGEMENT - Comm	23150	2,413,870	2,427,554	2,793,567	3,139,722	3,279,588	5,450,504
Public Safety	Admin	EMERGENCY MANAGEMENT - DATA	23155	442,584	280,875	335,047	300,190	301,438	523,912
Public Safety	Admin	EMERGENCY MEDICAL SERVICE	23160	3,600,817	3,031,790	2,930,454	2,938,718	2,955,663	4,728,752
Public Safety	Admin	DETENTION CENTER	23170	3,874,690	3,389,072	2,985,157	3,112,442	3,171,575	5,473,854
Public Safety	Admin	TRAFFIC - Signal Management	23322	172,705	135,594	153,687	271,394	272,495	438,601
Public Safety	Admin	TRAFFIC - Signal Management	23323	14,408	64,484	84,409	73,310	73,851	126,900
Public Safety	Admin	BUILDING CODES	23360	781,704	568,733	392,506	331,747	334,819	638,407
Public Safety	Admin	BUILDING CODES ENFORCEMENT	23361	-	-	110,102	145,235	146,166	218,468
Public Safety	Fringe	PUBLIC SAFETY BENEFITS POOL	29299	-	1,736,598	2,978,723	2,919,612	3,328,987	5,239,864
Public Works	Admin	FACILITIES MANAGEMENT	33020	1,303,842	1,205,952	1,011,579	1,077,576	1,083,296	1,872,952
Public Works	Admin	BUILDINGS MAINTENANCE	33030	580,774	664,165	618,294	518,926	521,650	1,099,344
Public Works	Admin	GROUNDS MAINTENANCE - NORTH	33040	790,054	659,141	688,371	1,059,048	1,063,942	2,103,038
Public Works	Admin	GROUNDS MAINTENANCE - SOUTH	33042	665,408	542,892	347,706	-	-	-
Public Works	Admin	PUBLIC WORKS GEN SUPPORT	33300	508,226	401,976	398,593	331,366	332,838	669,996
Public Works	Admin	ROADS/DRAINAGE - NORTH	33301	581,052	494,654	457,873	526,672	528,709	814,177
Public Works	Admin	ROADS/DRAINAGE - SOUTH	33302	390,692	370,593	264,476	247,058	248,153	465,388
Public Works	Admin	PUBLIC WORKS ADMINISTRATION	33305	224,944	166,164	157,322	176,370	177,543	294,241
Public Works	Admin	ENGINEERING	33320	261,678	202,950	143,920	204,273	205,736	501,977

Budget FY 2013
As of 2/7/2013

Actual Year to Date Comparison
For the Period Ending January 31st

February 7, 2013
Actual to Date

Adopted
Budget

Description	Organization	ORG	FY 2010	FY 2011	FY 2012	FY 2013	FY 2013	FY 2013	
Public Works	Admin	SWR ADMINISTRATION	33390	2,877,247	2,618,839	2,413,364	2,214,696	2,218,102	4,338,807
Public Works	Admin	SWR HILTON HEAD	33393	60,962	62,341	58,708	59,951	60,269	100,594
Public Works	Admin	SWR BLUFFTON	33394	95,732	81,816	87,312	87,485	88,014	165,731
Public Works	Admin	SWR BURTON	33395	89,977	95,849	83,872	77,649	78,113	148,518
Public Works	Admin	SWR DAUFUSKIE	33396	32,323	203	-	-	-	7,200
Public Works	Admin	SWR ST HELENA	33397	82,651	78,437	81,825	99,394	99,935	183,078
Public Works	Admin	SWR SHELDON	33398	65,390	64,004	60,810	66,361	66,735	107,588
Public Works	Fringe	PUBLIC WORKS BENEFITS POOL	39399	-	993,140	779,782	833,272	955,147	1,511,164
Public Health	Admin	ANIMAL SHELTER & CONTROL	43180	513,280	446,233	491,100	557,842	557,445	834,369
Public Health	Admin	MOSQUITO CONTROL	43190	1,012,033	694,854	573,993	743,137	745,620	1,369,461
Public Health	Allocation	PUBLIC HEALTH DIRECT SUBSIDIES	44199	1,604,852	1,592,149	1,206,754	976,151	1,057,901	1,741,785
Public Health	Fringe	PUBLIC HEALTH BENEFITS POOL	49499	-	220,688	175,944	224,678	256,094	412,938
Public Welfare	Admin	VETERANS AFFAIRS	54050	120,793	82,805	82,646	84,575	85,087	181,207
Public Welfare	State	DEPT OF SOCIAL SERVICES	54060	119,500	114,361	70,317	124,557	131,140	170,700
Public Welfare	Allocation	PUBLIC WELFARE DIRECT SUBSIDIES	54299	274,320	292,830	193,840	195,813	195,813	435,000
Public Welfare	Fringe	PUBLIC WELFARE BENEFITS POOL	59599	-	25,176	17,088	18,203	20,807	32,514
Cultural	Admin	PALS CENTRAL ADMINISTRATION	63310	238,489	231,826	144,665	185,361	186,115	362,550
Cultural	Admin	PALS SUMMER PROGRAM	63311	92,179	104,438	94,416	135,536	135,536	114,500
Cultural	Admin	PALS AQUATICS PROGRAM	63312	701,860	643,640	587,442	586,924	589,577	1,147,382
Cultural	Admin	PALS HILTON HEAD PROGRAMS	63313	66,853	60,000	60,000	60,000	60,000	80,000
Cultural	Admin	PALS BLUFFTON PROGRAMS	63314	465,580	465,563	61,626	63,714	63,714	122,000
Cultural	Admin	PALS ATHLETIC PROGRAMS	63316	304,983	244,550	438,949	385,731	386,641	912,649
Cultural	Admin	PALS RECREATION CENTERS	63317	523,173	378,099	356,340	323,182	324,533	548,272
Cultural	Admin	LIBRARY ADMINISTRATION	64070	484,371	372,632	367,888	387,882	389,979	626,166
Cultural	Admin	LIBRARY BEAUFORT BRANCH	64071	394,156	304,829	285,821	276,211	277,407	533,606
Cultural	Admin	LIBRARY BLUFFTON BRANCH	64072	465,168	353,335	261,530	273,289	274,654	531,912
Cultural	Admin	LIBRARY HILTON HEAD BRANCH	64073	420,847	374,368	321,727	292,740	294,339	574,105
Cultural	Admin	LIBRARY LOBECO BRANCH	64074	130,826	69,395	72,184	77,635	78,074	133,782
Cultural	Admin	LIBRARY ST HELENA BRANCH	64075	57,790	54,939	53,397	172,463	173,878	552,327
Cultural	Admin	LIBRARY TECHNICAL SERVICES	64078	510,976	396,879	282,240	270,911	271,767	482,525
Cultural	Admin	LIBRARY SC ROOM	64079	65,711	57,580	57,655	57,226	57,568	99,591
Cultural	Fringe	CULTURAL & RECRE BENEFITS POOL	69699	-	599,240	477,835	436,289	499,087	776,442
General Fund Expenditures				53,085,396	54,000,194	50,042,229	50,785,992	52,141,910	90,298,001

Budget FY 2013
As of 2/7/2013

Actual Year to Date Comparison
For the Period Ending January 31st

February 7, 2013
Actual to Date
FY 2013

Adopted
Budget
FY 2013

Description	Organization	ORG	FY 2010	FY 2011	FY 2012	FY 2013	FY 2013	FY 2013
Transfers	Allocation	GENERAL FUND XFERS OUT	99100					
		Miscellaneous Grant	59200	-	-	-	-	-
		Daufuskie Ferry	59202	43,750	58,333	58,333	58,333	66,667
		Public Safety Grants	59206	-	-	2,472	7,788	7,788
		EMS Grants	59207	3,500	3,500	3,500	-	-
		Energy Grant	59225	-	-	-	444	444
		Tire Recycling	59226	-	-	-	-	-
		Real Property	59209	-	-	-	-	-
		Dale Water Line	59229	-	34,939	-	-	-
		PALS Programs Fund	59231	-	2,999	-	-	-
		DSN Programs Fund	59241	1,087,448	945,357	793,042	991,667	1,133,333
		A&D Programs Fund	59261	286,104	212,662	174,817	204,167	233,333
		DNA Laboratory	59270	185,743	193,955	-	-	-
		Victims Assistance	59271	174,332	54,737	62,787	69,586	79,527
		School Resource Officer	59273	67,103	85,082	77,846	83,323	95,226
		Sheriff Grant	59274	6,311	15,875	2,804	-	-
		Sheriff's Vehicles	59277	-	-	-	-	-
		DNA Grant Fund	59280	-	-	22,097	-	-
		COSY Program	59281	75,833	75,833	81,667	81,667	93,333
		Solid Waste	59290	-	-	-	-	-
		Debt Service Fund	59300	-	-	-	-	-
		LI Airport	59570	58,333	-	-	-	-
		HHI Airport	59580	87,500	12,500	-	-	-
		Treasurer's Execution Fund	59603	-	-	-	41,302	41,302
		Clerk of Court	59619	-	-	-	-	-
		Public Defender	59651	381,128	293,320	175,000	175,000	200,000
		Sheriff's Trust	59663	-	10,000	-	-	-
		Total General Fund Transfers Out		2,457,085	1,999,092	1,454,365	1,713,277	1,950,953
Education	Education	Education Allocation	64399	1,572,100	1,572,100	1,333,333	1,333,333	2,000,000
		General Fund Expenditures (including Transfers and Education Allocation)		57,114,581	57,571,386	52,829,927	53,832,602	56,092,863
		Net (Surplus)/Deficit		(20,570,463)	(20,030,692)	(25,764,243)	(23,828,536)	(21,910,635)

Client: **BCC - Bryan - County Council of Beaufort County**
 Engagement: **Monthly County Council Report**
 Period Ending: **1/31/2013**
 Trial Balance: **1000.05 - FY 2013 TRIAL BALANCE**
 Workpaper: **1500.15 - FY 2013 TRIAL BALANCE Summary of Object Characters**

Account	Description	ORIG APPROP 1/31/2013	FY 2013 PER 99 1/31/2013	FY 2013 PER 7 1/31/2013	FY 2012 PER 7 1/31/2012	FY 2011 PER 7 1/31/2011	FY 2010 PER 7 1/31/2010
40000	REVENUES	(97,150,130.00)	(78,003,498.35)	(77,661,138.33)	(78,594,171.18)	(77,602,078.37)	(77,685,044.76)
50000	SALARIES, WAGES, OT, HOLIDAY	43,222,154.00	25,401,758.32	25,238,694.04	24,407,879.62	24,774,908.27	24,886,392.84
50100	EMPLYR COST OF EE	7,994,572.00	4,653,994.32	4,623,787.13	4,284,876.64	4,301,618.19	4,281,628.04
50140	POOLED BENEFITS	10,459,646.00	6,686,049.94	5,857,227.52	5,689,116.77	6,657,005.50	6,379,030.83
50500	EMPLOYEE RECOGNITION AWARD	2,085.00	204,575.01	176,852.45	165,304.82	150,559.40	144,153.30
51000	PURCHASED SVCS	17,924,144.00	9,664,003.74	9,534,625.97	10,021,100.78	10,672,581.97	10,527,611.64
52000	SUPPLIES	5,292,345.00	2,585,081.01	2,578,703.16	2,902,907.79	2,900,099.97	2,832,854.83
54000	CAPITAL	1,266,856.00	576,363.80	576,363.80	119,457.00	1,317,270.02	762,660.82
55000	SUBSIDIES	7,739,914.00	4,300,382.73	3,463,371.97	3,568,609.15	4,547,728.71	4,838,713.03
56000	CONTINGENCY	56,285.00	0.00	0.00	0.00	0.00	4,464.11
57000	UNCLASSIFIED	340,000.00	69,698.84	69,698.84	216,311.48	250,592.87	0.00
58000	DEPRECIATION	0.00	0.00	0.00	0.00	0.00	0.00
59000	TRANSFERS OUT	2,852,129.00	1,950,954.13	1,713,276.74	1,454,365.11	1,999,092.49	2,457,086.40
Total		0.00	(21,910,636.51)	(23,828,536.71)	(25,764,242.02)	(20,030,620.98)	(20,570,448.92)

Client: **BCC - Bryan - County Council of Beaufort County**
 Engagement: **Monthly County Council Report**
 Period Ending: **1/31/2013**
 Trial Balance: **1000.05 - FY 2013 TRIAL BALANCE**
 Workpaper: **1500.16 - FY 2013 TRIAL BALANCE Summary of Object Characters - Revenue**

Account	Description	ORIG APPROP 1/31/2013	FY 2013 PER 99 1/31/2013	FY 2013 PER 7 1/31/2013	FY 2012 PER 7 1/31/2012	FY 2011 PER 7 1/31/2011	FY 2010 PER 7 1/31/2010
Group : [40000]	REVENUES						
41000	Taxes	(72,323,941.00)	(66,167,842.49)	(66,167,842.49)	(66,938,262.40)	(67,410,208.67)	(66,750,839.33)
42000	Licenses & Permits	(2,680,000.00)	(724,327.25)	(686,357.86)	(1,011,078.47)	(606,745.69)	(674,831.56)
43000	Intergovernmental	(8,000,000.00)	(3,834,315.30)	(3,802,893.31)	(2,946,825.93)	(2,759,887.45)	(2,997,005.72)
44000	Charges for Services	(11,175,589.00)	(5,521,852.93)	(5,254,522.00)	(6,146,130.81)	(5,261,410.46)	(5,293,067.11)
45000	Fines & Forfeitures	(860,000.00)	(386,327.76)	(385,707.27)	(481,336.11)	(504,456.97)	(703,580.29)
46000	Interest	(175,100.00)	(60,014.65)	(60,014.65)	(102,855.05)	(52,645.97)	(57,117.33)
47000	Miscellaneous	(675,500.00)	(311,154.32)	(306,137.10)	(274,351.16)	(323,017.09)	(409,458.42)
48000	Other Financing Sources	(1,260,000.00)	(997,663.65)	(997,663.65)	(693,331.25)	(683,706.07)	(799,145.00)
40000 Total		<u>(97,150,130.00)</u>	<u>(78,003,498.35)</u>	<u>(77,661,138.33)</u>	<u>(78,594,171.18)</u>	<u>(77,602,078.37)</u>	<u>(77,685,044.76)</u>
	Sum of Account Groups	(97,150,130.00)	(78,003,498.35)	(77,661,138.33)	(78,594,171.18)	(77,602,078.37)	(77,685,044.76)



**The
County
Channel**

Coastal Kingdom: Critter Byte



**The
County
Channel**

Coastal Kingdom: Critter Byte



**The
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Councilman Tabor Vaux Oath of Office



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AN ORDINANCE

FINDING THAT THE LADY'S ISLAND-ST. HELENA ISLAND FIRE DISTRICT, SOUTH CAROLINA, MAY ISSUE NOT EXCEEDING \$6,000,000 OF GENERAL OBLIGATION BONDS AND TO PROVIDE FOR THE PUBLICATION OF NOTICE OF THE SAID FINDING AND AUTHORIZATION.

WHEREAS, by action previously taken, the County Council of Beaufort County, South Carolina which is the governing body of Beaufort County, South Carolina (the "**County Council**"), ordered that a public hearing on the question of the issuance of not exceeding \$6,000,000 of general obligation bonds (the "**Bonds**") of the Lady's Island-St. Helena Island Fire District, South Carolina (the "**District**") be held in the large meeting room of the Bluffton Branch Library, located at 210 Palmetto Way, Bluffton, South Carolina 29910, on the 25th day of February, 2013 at 6:00 p.m., and notice of such hearing has been duly published once a week for three successive weeks in The Beaufort Gazette, a newspaper of general circulation in Beaufort County; and

WHEREAS, the said public hearing has been duly held at the above time, date and place and said public hearing was conducted publicly and both proponents and opponents of the proposed action were given full opportunity to be heard and it is now in order for the County Council to proceed, after due deliberation, in accordance with the provisions of Act No. 1189, enacted at the 1974 Session of the South Carolina General Assembly and approved July 9, 1974, now codified as Article 5 of Chapter 2 of Title 6 (Sections 6-11-810 through 6-11-1050, inclusive) (hereinafter called the "**Enabling Act**") of the Code of Laws of South Carolina, 1976, as amended (the "**Code**"), to make a finding as to whether or not the Bonds should be issued; and

NOW THEREFORE, BE IT ORDAINED, by the County Council in a meeting duly assembled:

Section 1. It is found and determined that each statement of fact set forth in the preamble of this ordinance (this "**Ordinance**") is in all respects true and correct.

Section 2. On the basis of the facts before County Council and those adduced at the public hearing held on February 25, 2013, it is found and determined that the Board of Fire Control of the Lady's Island-St. Helena Island Fire District, the governing body of the District (the "**Board**"), should be authorized to issue the Bonds.

Section 3. The County Council finds that the Board should issue the Bonds in an amount of not exceeding \$6,000,000 as a single issue or from time to time as several separate issues, as the District shall determine.

Section 4. The County Council hereby authorizes the Board to issue the Bonds in an aggregate principal amount of not exceeding \$6,000,000, as a single issue or from time to time as several separate issues as the Board shall determine, in order to defray (A) the costs of (i) constructing and equipping a fire station and headquarters facility, including any costs incurred in acquiring any real property therefor, (ii) acquiring and equipping fire apparatus, including,

without limitation, two pumper trucks, (iii) restructuring and refinancing existing obligations, and (iv) rehabilitating, repurposing, demolishing, or improving existing structures of the District (collectively, the "**Project**"); and (B) the costs of issuance of the Bonds. The Board estimates that the cost of the Project, together with the costs of issuance of the Bonds will not exceed \$6,000,000. For the payment of the principal of and interest on the Bonds as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the District shall be irrevocably pledged, and there shall be levied annually a tax without limit on all taxable property within the District sufficient to pay such principal of and interest on the Bonds as they respectively mature, and to create such sinking fund therefor.

Section 5. The Chairman and other officers of the County Council are herewith authorized and empowered to take such further action as may be necessary to fully implement the action taken by this Ordinance.

Section 6. A certified copy of this Ordinance shall forthwith be transmitted to the Board to advise it of the action taken by the County Council, whereby the Board has been authorized to issue, pursuant to the provisions of the Enabling Act, the Bonds in the aggregate principal amount of not exceeding \$6,000,000.

Section 7. Notice of the adoption of this Ordinance, in substantially similar form to that attached hereto as Exhibit A, shall be published in The Beaufort Gazette for three successive weeks from the date hereof.

DONE AT BEAUFORT, SOUTH CAROLINA, this 25th day of February, 2013.

BEAUFORT COUNTY COUNCIL

(SEAL)

Chairman

Attest:

Clerk

First Reading: January 28, 2013
Second Reading:
Public Hearing:
Third Reading:

**NOTICE PURSUANT TO SECTIONS 6-11-870 AND 11-27-40(8)
OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED**

Notice is hereby given pursuant to the provisions of Sections 6-11-870 and 11-27-40(8) of the Code of Laws of South Carolina, 1976, as amended, as follows:

Following a public hearing held on February 25, 2013, the County Council of Beaufort County (the “*County Council*”), the governing body of Beaufort County, South Carolina (the “*County*”) adopted that certain ordinance, entitled “AN ORDINANCE FINDING THAT THE LADY’S ISLAND-ST. HELENA ISLAND FIRE DISTRICT, SOUTH CAROLINA, MAY ISSUE NOT EXCEEDING \$6,000,000 OF GENERAL OBLIGATION BONDS AND TO PROVIDE FOR THE PUBLICATION OF NOTICE OF THE SAID FINDING AND AUTHORIZATION” on February 25, 2013 (the “*Ordinance*”);

The Lady’s Island-St. Helena Island Fire District, South Carolina (the “*District*”), created as a special purpose district and established in the County as a body politic and corporate pursuant to the provisions of Act No. 1727 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1972, as amended, has been authorized by the provisions of the Ordinance to issue not exceeding \$6,000,000 of general obligation bonds of the District (the “*Bonds*”) as a single issue or from time to time as several separate issues, in order to defray (A) the costs of (i) constructing and equipping a fire station and headquarters facility, including any costs incurred in acquiring any real property therefor, (ii) acquiring and equipping fire apparatus, including, without limitation, two pumper trucks, (iii) restructuring and refinancing existing obligations, and (iv) rehabilitating, repurposing, demolishing, or improving existing structures of the District (collectively, the “*Project*”); and (B) the costs of issuance of the Bonds;

For the payment of the principal of and interest on the Bonds as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the District will be irrevocably pledged, and there will be levied annually a tax without limit on all taxable property within the area of the District sufficient to pay the principal of and interest on the Bonds as they respectively mature, and to create such sinking fund therefor;

No election has been ordered in the District upon the question of the issuance of the Bonds; and

Any persons affected by the action aforesaid of the County Council may by action de novo instituted in the Court of Common Pleas for the County within twenty (20) days following the last publication of this Notice, but not afterwards, challenge the action of the County Council.

COUNTY COUNCIL OF BEAUFORT COUNTY

2013 /

TEXT AMENDMENTS TO THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE/ZDSO, ARTICLE V, TABLE 106-1098 GENERAL USE TABLE (TO ALLOW BOAT SALES IN COMMERCIAL SUBURBAN ZONING DISTRICTS).

Whereas, Standards that are underscored shall be added text and Standards ~~lined through~~ shall be deleted text.

Adopted this ___ day of _____, 2013.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Joshua A. Gruber, Staff Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

First Reading:
Second Reading:
Public Hearing:
Third and Final Reading:

TABLE 106-1098. GENERAL USE TABLE

Land Use	Priority Areas							Rural Areas				Additional Standards (See Section)	Use Definition
	U	S	CR	CS	RD	LI	IP	R	RR	RB	RC		
VEHICULAR SALES, RENTAL AND SERVICE, GAS CONVENIENCE MARTS													
Vehicle sales or rentals	N	N	L	N	N	N	N	N	N	N	N	106-1292	<i>Automobile, light truck, boat, motorcycle sales and rentals, but no other truck sales or rentals (NAICS 4411, 441221, 441222, 5321)</i>
<u>Boat sales and service</u>	<u>N</u>	<u>N</u>	<u>L</u>	<u>L</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>L</u>	<u>N</u>		

Sec. 106-1292. Vehicular sales, rental and service

(3) Boat sales and service

a. Limited/special standards for use in all applicable districts.

- (1) No boats shall be displayed in rights-of-way, buffers, protected resource areas, or required landscaped areas.
- (2) All service bay doors shall be located perpendicular to the street of higher classification.

b. Commercial suburban districts.

- (1) All service, repair, and storage activities shall be located behind the front building line and completely screened (100 percent opacity) from rights-of-way and adjoining properties using natural buffers, fencing, buildings, or a combination thereof.
- (2) All outdoor display areas shall be located behind the front building line. Buildings and display areas shall not exceed 37 percent of the gross site area.
- (3) The scale, massing, and building design shall be compatible with the surrounding area. The structure shall be street-oriented with pedestrian entrances from the street. Buildings shall define a minimum of 50% of the street frontage.

RESOLUTION NO. _____

A RESOLUTION OF BEAUFORT COUNTY COUNCIL SUPPORTING THE CREATION OF THE BEAUFORT AND SUMTER ECONOMIC (BASE) ALLIANCE.

WHEREAS, Beaufort County Council adopted Resolution 2008-10 creating the Lowcountry Economic Development Alliance Board (the “Board”) and adopting the by-laws thereof for the purpose of promoting economic development in the lowcountry area; and

WHEREAS, subsequent to its creation, the Board has gone through several changes including the withdrawal of Jasper County as a participating entity and the inclusion of several municipalities as participating entities; and

WHEREAS, Beaufort and Sumter Counties have long understood the importance of local military bases to their respective communities as economic anchors that are essential for continued stability and growth; and

WHEREAS, the military assets located in both Beaufort and Sumter Counties affords a strategic opportunity to unite in economic development pursuits targeted towards industry and investment that value a military presence in terms of advanced technologies and tremendous labor pools; and

WHEREAS, in order to jointly market the outstanding military assets located in both Beaufort and Sumter Counties, Beaufort County Council supports the collaboration of the Lowcountry Economic Alliance, the Sumter Development Corporation and Sumter Smart Growth to form a new Beaufort and Sumter Economic (BASE) Alliance which will exist to attract prospective and existing companies to increase capital investments and job creation in their respective communities.

NOW, THEREFORE, BE IT RESOLVED, that Beaufort County Council hereby affirms its support for the creation of a new economic development entity to be known as the Beaufort and Sumter Economic (BASE) Alliance that will serve in an oversight and management function of all collaborative efforts that may be undertaken by the currently existing economic development organizations of both Beaufort County (Lowcountry Economic Alliance) and Sumter County (Sumter Development Corporation and Sumter Smart Growth).

BE IT FURTHER RESOLVED, that Beaufort County Council supports the creation of a seven member board for the Beaufort and Sumter Economic (BASE) Alliance which shall be comprised of three (3) members of the Lowcountry Economic Alliance, three (3) members of Sumter County economic development organization, and one (1) member which shall be appointed on an annual rotating basis between the two county economic development organizations starting first with a Sumter County economic development organization representative.

DONE this _____ day of _____, 2013.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

ATTEST:

Suzanne M. Rainey, Clerk to Council

ORDINANCERESOLUTION NO. _____

AN ORDINANCERESOLUTION TO CREATE THE SOUTHERN BEAUFORT COUNTY MEDIANCORRIDOR BEAUTIFICATION COMMITTEEBOARD TO ASSIST AND ADVISE ~~THE~~ BEAUFORT COUNTY COUNCIL IN DESIGN, IMPLEMENTATION, FUNDRAISING AND PROMOTION OF MEDIAN CORRIDOR BEAUTIFICATION ALONG HIGH VOLUME TRAFFIC CORRIDORS IN THE SOUTHERN AREAS OF BEAUFORT COUNTY

WHEREAS, Beaufort County desires to promote and enhance the aesthetic values of high volume traffic corridors in southern Beaufort County by the creation of the Southern Beaufort County Median-Corridor Beautification CommitteeBoard (the "CommitteeBoard"); and

WHEREAS, the CommitteeBoard will advise and make recommendations to assist the Beaufort County Council in the planning, design, implementation, fundraising and promotion of median-corridor beautification, to include, but not be limited to, vegetative plantings, elements of landscape architecture, and lighting along certain county and state roads located in southern Beaufort county; and

WHEREAS, the CommitteeBoard shall create such technical subcommitteecommittees as may be necessary to adequately assist the CommitteeBoard in carrying ing out its functions; and

WHEREAS, County Council it is understood that in order for the Committee to maximize its fundraising potential, it is necessary for the Committee to file articles of incorporation and other such documentation as may be necessary to obtain tax exempt status with the Internal Revenue Service; and shall have the authority to exercise ultimate control over any County provided funds and any work that is to be performed on County controlled, owned, or maintained property; and

WHEREAS, the provisions contained in this Ordinance shall replace Beaufort County Resolution 2012/24 and to the extent necessary, Beaufort County Resolution 2012/24 is hereby revoked.

~~WHEREAS, the Committee shall present a yearly operational budget to Beaufort County Council for review and adoption at the same time that the County's operation budget is presented for review and adoption.~~

NOW, THEREFORE, BE IT ORDAINEDRESOLVED, by Beaufort County Council that there is hereby created a Southern Beaufort County Median-Corridor Beautification CommitteeBoard that shall be organized and operated according to the following Charter Provisionsas follows:

Section1. The name of the organization shall be known as the Southern Beaufort County Corridor Beautification Board.

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Section 24. The CommitteeBoard shall be comprised of the following membership:

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- a) One member from County Council District 5
- b) One member from County Council District 6
- c) One member from County Council District 7
- d) One member from County Council District 8
- e) One member from County Council District 9
- f) One member from County Council District 10
- g) One member from County Council District 11
- h) One member nominated ~~for appointment~~ by the Town of Bluffton for appointment by County Council
- i) One member nominated ~~for appointment~~ by the Town of Hilton Head Island for appointment by County Council

Section ~~32~~. Any vacancy on the board will be filled in the same manner as provided for under Section 2-191 through 2-198 of the Beaufort County Code of Ordinances upon nomination of the respective member of County Council, the Town of Bluffton, or Town of Hilton Head Island depending upon the seat that is vacated.

Section ~~43~~. The members shall elect a Chairperson from its membership.

Section ~~54~~. The ~~CommitteeBoard~~ shall meet at the call of the Chairperson, at least quarterly, and shall be conducted in compliance with the South Carolina Freedom of Information Act. Minutes shall be kept of any meetings and the ~~CommitteeBoard~~ shall forward a copy of said minutes to the Beaufort County Council within thirty (30) days of their completion and adoption by the ~~CommitteeBoard~~. A majority of the number of members on the board shall constitute a quorum for transaction of business at any meeting. A majority of those present and voting shall be required to decide any issue after a quorum has been established.

~~Section 5. — The name of the organization shall be known as the Southern Beaufort County Median Corridor Beautification Committee.~~

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Section 6. The purpose of the ~~CommitteeBoard~~ will be to advise and make recommendation to the Beaufort County Council on~~promote~~ the design, enhancement, implementation, maintenance and funding of aesthetic ~~median-corridor~~ spaces along certain roadways located in Southern Beaufort County.

~~Section 7. — The Committee shall have the authority to take any and all lawful actions as may be necessary or appropriate to carry out the aforementioned purpose of the Committee, provided however, that in carrying out its purpose and exercising its powers, the Committee shall not engage in any activities which would cause it to fail to qualify for exemption from Federal income taxation purposes under the United States Internal~~

~~Revenue Code as amended from time to time, or successor provisions thereto.~~

Section ~~78~~. The ~~CommitteeBoard~~ shall submit a recommended ~~mit an~~ annual budget to Beaufort County Council for review and adoption indicating all anticipated sources of revenue, all anticipated expenditures, and any remaining funds that have been carried over from previous years. Additionally, the Board shall advise and make recommendations to County Council on the expenditure of any and all County funds that may be appropriate to it as well as the design and implementation of any improvement projects that will occur on land owned, maintained, or subject to the control of Beaufort County Council.

Section ~~89~~. The ~~CommitteeBoard~~ may appoint such other standing, special, or advisory ~~committeecommittees~~ from time to time as it deems appropriate. Members of such ~~committeecommittees~~ may include ~~CommitteeBoard~~ members, as well as individuals representing specialized interests in areas that would be beneficial to the ~~CommitteeBoard~~ carrying out its purpose.

Section ~~910~~. The ~~CommitteeBoard~~ shall adhere to all conflict of interest prohibitions and disclosure requirements provided in South Carolina Code of Laws § 8-13-700 et seq., as well as any applicable provisions of the Beaufort County Purchasing Ordinance.

Section ~~101~~. ~~The Committee may adopt such By Laws as it deems necessary, provided that the By Laws do not conflict with the provisions of this Resolution. These by laws may be amended by a two thirds majority of the voting members of the Committee, provided written notice of such proposed amendment, including a copy of any proposed amendment, is mailed to each Committee member at least two weeks prior to such meeting. All by law amendments are conditioned upon approval and ratification of Beaufort County Council.~~

DONE, this ____ day of _____, 2012.

BEAUFORT COUNTY COUNCIL

By:

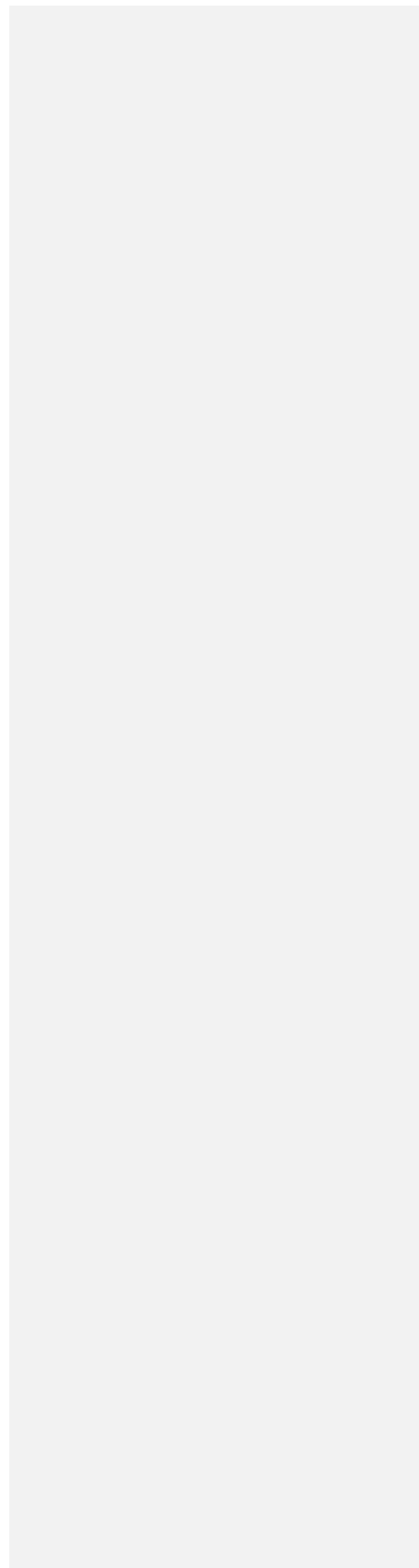
Its:

~~Wm. Weston J. Newton~~ _____

~~Chairman~~

ATTEST:

Suzanne M. Rainey, Clerk to Council



A PETITION

OF THE BOARD OF FIRE CONTROL OF THE LADY'S ISLAND-ST. HELENA ISLAND FIRE DISTRICT TO THE GOVERNING BODY OF BEAUFORT COUNTY, SOUTH CAROLINA, REQUESTING A PUBLIC HEARING PURSUANT TO SECTION 6-11-430 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED.

1. The Lady's Island-St. Helena Island Fire District, South Carolina (the "*District*"), is a special purpose district in Beaufort County, South Carolina (the "*County*"), created as a body politic and corporate pursuant to the provisions of Act No. 1727 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1972, as amended. The District was created for the purpose of providing fire service within its boundaries.

2. The County Council of Beaufort County (the "*County Council*"), the governing body of the County, is empowered by Sections 6-11-410 through 6-11-650, inclusive, of the Code of Laws of South Carolina, 1976, as amended (the "*Enabling Act*"), to clarify and confirm the service area boundaries of the District.

3. In carrying out its functions and duties, the Board of Fire Control of the Lady's Island-St. Helena Island Fire District, the governing body thereof (the "*Board of Fire Control*"), has determined that a need exists at the present time to clarify and confirm the service area boundaries of the District in order to allow the District to meet its disclosure obligations under the federal securities laws and the attendant disclosure obligations of the District. The District currently provides fire service and levies taxes therefor in the area generally encompassing Lady's and St. Helena Islands, and those islands in the immediate vicinity, but excluding that area of Lady's Island previously annexed by the City of Beaufort and the Fripp Island Public Service District. The area is generally bounded as follows:

To the north by the Coosaw River; to the east by St. Helena Sound and the Atlantic Ocean; to the south by the Atlantic Ocean; and to the west by the Beaufort River and Brickyard Creek.

This area includes, but is not limited to, the following islands: Bay Point, Butchers, Cat, Cane, Capers, Cherry Hill Knoll, Coosaw, Dataw, Datha, Distant, Judge, Fig, Goat, Gibbs, Harbor, Horse, Hunting, Lady's, Marsh, Morgan, Old, Phillips, Pine, Polawona, Prichards, Saw, Sheep, St. Helena and Warsaw (collectively, the "*Service Area*").

4. The District anticipates issuing general obligation bonds shortly after the clarification of the Service Area in an amount not exceeding \$6,000,000 to aid the provision of fire service within the Service Area. Such bonds would be secured by the full faith, credit, and taxing power of the District, and would be paid from an *ad valorem* property tax levy upon all taxable property in District.

5. In connection with these proceedings, it is not anticipated that there will be changes made in the personnel of the existing Board of Fire Control.

6. Pursuant to Section 6-11-430 of the Enabling Act, the County Council is required to order a public hearing to be held upon the question of clarifying and confirming such Service Area boundaries upon the receipt of this petition.

WHEREFORE, the Board of Fire Control hereby submits this petition to the County Council requesting a public hearing be held on the question of clarifying and confirming the boundaries of the District as the Service Area and praying that the requested clarification and confirmation of the District's boundaries be granted.

LADY'S ISLAND-ST. HELENA ISLAND FIRE DISTRICT

January 31, 2013

A RESOLUTION

CALLING FOR A PUBLIC HEARING TO BE HELD UPON THE QUESTION OF THE CLARIFICATION AND CONFIRMATION OF THE BOUNDARIES OF THE LADY'S ISLAND-ST. HELENA ISLAND FIRE DISTRICT, SOUTH CAROLINA; PROVIDING FOR THE PUBLICATION OF THE NOTICE OF SUCH PUBLIC HEARING; AND OTHER MATTERS RELATING THERETO.

BE IT RESOLVED, by the County Council of Beaufort County (the "*County Council*"), which is the governing body of Beaufort County, South Carolina (the "*County*");

WHEREAS, the County Council, is empowered by Sections 6-11-410 through 6-11-650, inclusive, of the Code of Laws of South Carolina, 1976, as amended (the "*Enabling Act*"), to clarify and define the boundaries of special purpose districts within its bounds;

WHEREAS, the Lady's Island-St. Helena Island Fire District, South Carolina (the "*District*"), is a special purpose district existing wholly within the County, created as a body politic and corporate pursuant to the provisions of Act No. 1727 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1972, as amended (the "*Act*"). The District was created for the purpose of providing fire protection within the District;

WHEREAS, the boundaries of the District are defined in the Act as including "the entire area of the islands";

WHEREAS, the Board of Fire Control of the Lady's Island-St. Helena Island Fire District, the governing body of the District (the "*Board of Fire Control*"), has petitioned the County to clarify and confirm its service area boundaries in aid of providing accurate information to potential purchasers of general obligation bonds of the District. The District represents that such action will provide the certainty necessary to comply with federal securities laws and the attendant disclosure obligations of the District; and

WHEREAS, the County Council is now minded to proceed in accordance with the provisions of the Enabling Act with respect to the clarification and confirmation of the District's service area boundaries.

NOW THEREFORE, BE IT RESOLVED, by the County Council in a meeting duly assembled:

SECTION 1. The County Council finds that it may be in the interest of the District and the County to clarify and confirm the District's service area boundaries, and in that connection hereby orders a public hearing to be held upon the question of the clarification and confirmation of the boundaries of the District.

SECTION 2. A public hearing shall be held on the question of the clarification and confirmation of the service area boundaries of the District in the Beaufort County Council

Chambers located at 100 Ribaut Road, Beaufort, South Carolina 29902, on the 11th day of March, 2013, at 6:00 p.m., and the notice of such hearing shall be published once a week for three (3) successive weeks in *The Beaufort Gazette*, which is a newspaper of general circulation in the County, in substantially similar form to that attached hereto as Exhibit A. The first such publication shall not be less than sixteen (16) days prior to the hearing date.

SECTION 3. The aforesaid public hearing shall be conducted publicly at the time and place above stated and both proponents and opponents of the proposed action shall be given a full opportunity to be heard in person or by counsel.

SECTION 4. Following the above aforesaid public hearing, the County Council shall determine whether and to what extent the boundaries of the District shall be clarified and confirmed.

SECTION 5. The Chairman of the County Council is hereby authorized and empowered to take all necessary action to provide for the holding of the aforesaid public hearing in accordance with the provisions of the Enabling Act.

DONE AT BEAUFORT, SOUTH CAROLINA, this 11th day of February, 2013.

BEAUFORT COUNTY COUNCIL

(SEAL)

Chairman

Attest:

Clerk to County Council

**NOTICE OF PUBLIC HEARING ON THE PROPOSED CLARIFICATION
AND CONFIRMATION OF THE BOUNDARIES OF THE LADY'S
ISLAND-ST. HELENA ISLAND FIRE DISTRICT, SOUTH CAROLINA**

The County Council of Beaufort County (hereinafter called the "**County Council**"), the governing body of Beaufort County, South Carolina (the "**County**"), has received a petition from the Board of Fire Control of the Lady's Island-St. Helena Island Fire District (the "**Board of Fire Control**"), the governing body of the Lady's Island-St. Helena Island Fire District, South Carolina (the "**District**"), requesting the County Council clarify and confirm the District's boundaries.

In carrying out its functions and duties, the Board of Fire Control has determined that a need exists at the present time to clarify and confirm the boundaries of the District in aid of providing accurate information to potential purchasers of general obligation bonds of the District. Such clarification will provide the certainty necessary to comply with federal securities laws and the attendant disclosure obligations of the District.

The District currently provides fire service and levies taxes therefor in the area generally encompassing Lady's and St. Helena Islands, and those islands in the immediate vicinity, but excluding that area of Lady's Island previously annexed by the City of Beaufort and the Fripp Island Public Service District. The area is generally bounded as follows:

To the north by the Coosaw River; to the east by St. Helena Sound and the Atlantic Ocean; to the South by the Atlantic Ocean; and to the west by the Beaufort River and Brickyard Creek.

This area includes, but is not limited to the following islands: Bay Point, Butchers, Cat, Cane, Capers, Cherry Hill Knoll, Coosaw, Dataw, Datha, Distant, Judge, Fig, Goat, Gibbs, Harbor, Horse, Hunting, Lady's, Marsh, Morgan, Old, Phillips, Pine, Polawona, Prichards, Saw, Sheep, St. Helena and Warsaw (collectively, the "**Service Area**").

In light of the foregoing, the County Council has ordered a public hearing to be held upon the question of the clarification and confirmation of the Service Area in accordance with the provisions of Sections 6-11-410 through 6-11-650, inclusive, of the Code of Laws of South Carolina, 1976, as amended.

Accordingly, notice is hereby given that a public hearing shall be held in the Beaufort County Council Chambers located at 100 Ribaut Road, Beaufort, South Carolina 29902, on the 11th day of March, 2013 at 6:00 p.m., and that notice of such hearing attached be published once a week for three (3) successive weeks in *The Beaufort Gazette*, a newspaper of general circulation in the County.

The District anticipates issuing bonds shortly after clarification of the Service Area in an amount not exceeding \$6,000,000 in aid of providing fire service within the Service Area. Such

bonds would be secured by the full faith, credit, and taxing power of the District, and would be paid from an *ad valorem* property tax levy upon all taxable property in District.

The District is not precluded from providing fire service to any portion of the Service Area pursuant to the provisions of Chapter 11 of Title 6 of the Code of Laws of South Carolina, 1976, as amended.

The aforesaid hearing shall be conducted publicly and both proponents and opponents of the proposed action shall be given full opportunity to be heard in person or by counsel.

Following the hearing, the County Council shall, by ordinance, make a finding as to whether and to what extent the service area boundaries of the District shall be clarified and confirmed.

COUNTY COUNCIL OF BEAUFORT COUNTY

AN ORDINANCE

PROVIDING FOR THE CLARIFICATION AND CONFIRMATION OF THE BOUNDARIES OF THE LADY'S ISLAND-ST. HELENA ISLAND FIRE DISTRICT, SOUTH CAROLINA, THE PUBLICATION OF NOTICE OF THE SAID FINDING AND ACTION, AND OTHER MATTERS RELATING THERETO.

WHEREAS, the Board of Fire Control of the Lady's Island-St. Helena Island Fire District (the "***Board of Fire Control***"), the governing body of the Lady's Island-St. Helena Island Fire District, South Carolina (the "***District***"), has determined that the best interests of the District will be served through the clarification and confirmation of its area and boundaries (its Service Area, as hereinafter defined) within Beaufort County, South Carolina (the "***County***");

WHEREAS, such clarification and confirmation of the Service Area will aid in the provision of accurate information concerning the Service Area to potential purchasers of general obligation bonds of the District and will provide the certainty necessary for the District to comply with federal securities laws and its attendant disclosure obligations;

WHEREAS, by action previously taken, the County Council of Beaufort County, South Carolina, which is the governing body of the County (the "***County Council***"), ordered that a public hearing on the question of the clarification and confirmation of the Service Area be held in the Beaufort County Council Chambers, located at 100 Ribaut Road, Beaufort, South Carolina 29902, on the 11th day of March, 2013, at 6:00 p.m., and notice of such hearing was published once a week for three (3) successive weeks in *The Beaufort Gazette*, a newspaper of general circulation in the County; and

WHEREAS, the said public hearing has been duly held at the above time, date and place and said public hearing was conducted publicly and both proponents and opponents of the proposed action were given full opportunity to be heard and it is now in order for the County Council to proceed, after due deliberation, in accordance with the provisions of Sections 6-11-410 through 6-11-650, inclusive (the "***Enabling Act***"), of the South Carolina Code of Laws of South Carolina, 1976, as amended (the "***Code***"), to make a finding as to whether or not to clarify and confirm the Service Area.

NOW THEREFORE, BE IT ORDAINED, by the County Council in a meeting duly assembled:

Section 1. It is found and determined that each statement of fact set forth in the preamble of this ordinance (this "***Ordinance***") is in all respects true and correct.

Section 2. On the basis of the facts before the County Council and adduced at the public hearing held on March 11, 2013, the County Council, in order to aid the District in the provision of accurate information concerning the Service Area to potential purchasers of general obligation bonds of the District, hereby confirms the Service Area.

Section 3. The area of the District is hereby confirmed as that area in which the District currently provides fire service and levies taxes therefor and generally encompasses Lady's and St. Helena Islands, and those islands in the immediate vicinity, but excludes that area of Lady's Island previously annexed by the City of Beaufort and the Fripp Island Public Service District. The Service Area is generally bounded as follows:

To the north by the Coosaw River; to the east by St. Helena Sound and the Atlantic Ocean; to the south by the Atlantic Ocean; and to the west by the Beaufort River and Brickyard Creek.

The Service Area includes, but is not limited to the following islands: Bay Point, Butchers, Cat, Cane, Capers, Cherry Hill Knoll, Coosaw, Dataw, Datha, Distant, Judge, Fig, Goat, Gibbs, Harbor, Horse, Hunting, Lady's, Marsh, Morgan, Old, Phillips, Pine, Polawona, Prichards, Saw, Sheep, St. Helena and Warsaw. (This Section 3, the "***Service Area.***")

Section 4. The County hereby expressly authorizes service by the District within the Service Area and confirms and designates the District as the provider of fire service in the Service Area pursuant to Section 6-11-435 of the Code of Laws of South Carolina, 1976, as amended.

Section 5. The District is not precluded from providing service to any portion of the Service Area pursuant to the provisions of Chapter 11 of Title 6 of the Code of Laws of South Carolina, 1976, as amended.

Section 6. The District anticipates issuing bonds shortly after confirmation of the Service Area in an amount not exceeding \$6,000,000 in aid of providing fire service within the Service Area. Such bonds will be secured by the full faith, credit, and taxing power of the District, and would be paid from an *ad valorem* property tax levy upon all taxable property in District.

Section 7. In connection with the action taken in this Ordinance, it is not anticipated that there will be a new Board of Fire Control or changes made in the personnel of the existing Board of Fire Control.

Section 8. The Chairman and other officers of the County Council are herewith authorized and empowered to take such further action as may be necessary to fully implement the action taken by this Ordinance.

Section 9. A certified copy of this Ordinance shall forthwith be transmitted to the Board of Fire Control to advise it of the action taken by the County Council.

Section 10. Pursuant to Section 6-11-470 of the Code of Laws of South Carolina, 1976, as amended, the County Council will cause the required notice, in substantially similar form to that attached hereto as Exhibit A, of its action hereunder to be published in accordance with the provisions of that section.

DONE AT BEAUFORT, SOUTH CAROLINA, this 11th day of March, 2013.

BEAUFORT COUNTY COUNCIL

(SEAL)

Chairman

Attest:

Clerk to County Council

First Reading:
Second Reading:
Public Hearing:
Third Reading:

Exhibit A

**NOTICE PURSUANT TO SECTION 6-11-470 OF
THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED**

Notice is hereby given pursuant to the provisions of Section 6-11-470 of the Code of Laws of South Carolina, 1976, as amended, as follows:

1. Following a public hearing held on March 11, 2013, the County Council of Beaufort County (the “**County Council**”), the governing body of Beaufort County, South Carolina (the “**County**”), enacted an ordinance entitled “AN ORDINANCE PROVIDING FOR THE CLARIFICATION AND CONFIRMATION OF THE BOUNDARIES OF THE LADY’S ISLAND-ST. HELENA ISLAND FIRE DISTRICT, SOUTH CAROLINA, THE PUBLICATION OF NOTICE OF THE SAID FINDING AND ACTION, AND OTHER MATTERS RELATING THERETO” on March 11, 2013 (the “**Ordinance**”);
2. Pursuant to the Ordinance, the boundaries of the Lady’s Island-St. Helena Island Fire District, South Carolina (the “**District**”), are confirmed as that area in which the District currently provides fire service and levies taxes therefor and generally encompasses Lady’s and St. Helena Islands, and those islands in the immediate vicinity, but excluding that area of Lady’s Island previously annexed by the City of Beaufort and the Fripp Island Public Service District. The area is generally bounded to the north by the Coosaw River; to the east by St. Helena Sound and the Atlantic Ocean; to the south by the Atlantic Ocean; and to the west by the Beaufort River and Brickyard Creek. This area includes, but is not limited to the following islands: Bay Point, Butchers, Cat, Cane, Capers, Cherry Hill Knoll, Coosaw, Dataw, Datha, Distant, Judge, Fig, Goat, Gibbs, Harbor, Horse, Hunting, Lady’s, Marsh, Morgan, Old, Phillips, Pine, Polawona, Prichards, Saw, Sheep, St. Helena and Warsaw (this Section 2, collectively, the “**Service Area**”).
3. The District anticipates issuing bonds shortly after confirmation of the Service Area in an amount not exceeding \$6,000,000 in aid of providing fire service within the Service Area. Such bonds would be secured by the full faith, credit, and taxing power of the District, and would be paid from an *ad valorem* property tax levy upon all taxable property in the Service Area.
4. In connection with the action taken in the Ordinance, there will not be a new Board of Fire Control or changes made in the personnel of the existing Board of Fire Control of the District.
5. The District is not precluded from providing fire service to any area within the Service Area pursuant to the provisions of Chapter 11 of Title 6 of the Code of Laws of South Carolina, 1976, as amended.

COUNTY COUNCIL OF BEAUFORT COUNTY

RESOLUTION NO. _____

A RESOLUTION EMPHASIZING BEAUFORT COUNTY COUNCIL'S ONGOING OPPOSITION TO THE SPECIAL INTEREST FOCUSED LEGISLATION PENDING IN THE SOUTH CAROLINA GENERAL ASSEMBLY BY VIRTUE OF HOUSE BILL 3290 AND SENATE BILL 203 WHICH WE STRONGLY BELIEVE IS AN EFFORT TO CIRCUMVENT FLOW CONTROL REGULATIONS AND DEFEAT LOCAL PUBLIC HEALTH AND SANITATION AUTHORITY WHICH BELONGS UNDER HOME RULE TO THE COUNTY

WHEREAS, Beaufort County has provided a comprehensive solid waste management program to our citizens for the disposal of household waste, storm debris, construction and demolition waste, and electronics waste; and

WHEREAS, Beaufort County's costs for providing solid waste and recycling programs to Beaufort County citizens, as mandated by the South Carolina Solid Waste Policy and Management Act, exceed \$4.5 million annually; and

WHEREAS, H. 3290 and S. 203 have been introduced in the South Carolina General Assembly as a direct attack on an Horry County "Flow Control" Ordinance that has been upheld by the South Carolina Supreme Court and United States District Court; and

WHEREAS, H. 3290 or S. 203 would nullify any municipal or county ordinance that directs that solid waste or recyclables go to a particular location; and

WHEREAS, Beaufort County is pursuing a strategy to construct a permitted facility known as a recycling transfer facility to consolidate waste into larger loads for transport in order to give Beaufort County an alternative to paying nearly \$42.00 per ton for solid waste disposal to a private company while the state average is near \$25.00 per ton; and

WHEREAS, Beaufort County would not be allowed to direct solid waste to a proposed recycling transfer facility to help reduce the costs of such a facility to citizens if legislation such as H. 3290 or S. 203 were to become law; and

WHEREAS, municipalities such as Hilton Head Island, which directs that recyclable materials be taken to a designated processing center, would no longer be allowed to direct such materials to any such facilities if H. 3290 or S. 203 were to become law; and

WHEREAS, Beaufort County's citizens would be forced to pay more for solid waste and recycling collection or disposal services if H. 3290 or S. 203 were to become law; and

WHEREAS, Beaufort County's ability to protect its citizens from the strict liability in federal law (Resource Conservation and Recovery Act and Comprehensive Environmental Response Compensation and Liability Act) would be severely limited if H. 3290 or S. 203 were to become law; and

WHEREAS, Beaufort County's ability to meet the solid waste and recycling goals within its mandated Solid Waste Management Plan would be severely undermined by H. 3290 or S. 203; and

WHEREAS, it is well known that an expected and demanded function of local government is the provision and responsibility for solid waste management; and

WHEREAS, the state legislature has given county governments the responsibility to provide solid waste and recycling services to the public and the costs of these services being borne by the citizens of counties will necessarily go up when counties and cities can no longer direct the flow of solid waste or recyclables.

NOW, THEREFORE, BE IT RESOLVED, that the Beaufort County Council hereby expresses its opposition to H. 3290 and S. 203 and requests our delegation in both the SC State House of representatives and Senate take all necessary and appropriate action to see that both bills are defeated.

DONE this ____ day of February, 2013.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Joshua A. Gruber, Staff Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

COUNTY COUNCIL OF BEAUFORT COUNTY

CHARTER

BLUFFTON TOWNSHIP FIRE DISTRICT

ARTICLE II. FIRE DISTRICTS

DIVISION 1. GENERALLY

TO CREATE THE BLUFFTON TOWNSHIP FIRE DISTRICT

Section 42-51. Creation Boundaries:

There is created a Bluffton Township Fire District in the County, which shall include all the properties in the County South of the Broad River with the exception of the Town of Hilton Head Island and Daufuskie Island.

Section 42-51.1. Fire District Board:

- (a) *Membership.* There is hereby established a Bluffton Township Fire District Board, composed of a seven (7) member Board appointed by the Beaufort County Council. The Board shall include one (1) member nominated by the Bluffton Town Council for appointment by the Beaufort County Council; one (1) member who resides in each of Beaufort County Council Districts 5, 6, 7, 8, and 9; and the seventh (7th) member shall be at large from one of the five (5) County Council Districts making up the Fire District. At no point in time shall an elected official for a municipal, county, state, or federal office serve concurrently as a member of the Fire District Board.
- (b) *Terms.* Terms of the office shall be four (4) years or reappointed until successors are appointed and qualify. Provided, however, that of those first appointed, three shall serve for four years and two shall serve for two years, the respective terms of office being designated by County Council in its appointments. The members of the Board shall serve without pay and shall file an annual report with the Beaufort County Council not later than the first of November of each year, showing all activities and disbursements made by the District during the fiscal year.

Section 42-51.2. Powers, Duties and Responsibilities:

- (a) *Bluffton Township Fire District Board.* The Board shall have the following powers, duties and responsibilities:
 - 1) To approve and adopt an Annual Budget subject to the approval by the County Council.
 - 2) To implement the Annual Budget for the operation of the District and approve the expenditure of all funds.
 - 3) To provide managerial controls to ensure the effective oversight of the Bluffton Township Fire District's annual budget.
 - 4) To approve and adopt plans for the purchase of such firefighting, medical and rescue equipment as the Board deems necessary for the purpose of controlling fires and effecting medical and rescue response within the money allocated or made available to the District for such purpose.
 - 5) To approve and adopt plans for the selection, procurement of land and construction of buildings, fire and EMS stations within the area where firefighting apparatus, medical

and rescue equipment shall be kept and maintained subject to the approval by the County Council.

- 6) Subject to the approval by the County Council to approve and adopt plans for borrowing money on such terms and for such a period as the Bluffton Township Fire District Board may deem most beneficial for the Fire District in anticipation of taxes. The indebtedness shall be evidenced by a note issued by Beaufort County Council and the County Treasurer.
- 7) The Fire District Board shall be responsible for developing a list of qualified candidates for the position of Fire Chief which shall be presented to the County Administrator who shall have the authority, after consultation with the Fire District Board, to hire the Fire Chief.
- 8) The Fire District Board in consultation with the County Administrator shall be responsible for developing performance standards to effectively evaluate the Fire Chief. The Fire District Board shall be responsible for conducting an annual performance evaluation implementing such performance standards with such evaluation being provided to the County Administrator for purposes of promotion, demotion, and termination. The County Administrator shall have the authority to make decisions regarding the performance of the Fire Chief, after consultation with the Fire District Board, in regards to the promotion, demotion, or termination of the Fire Chief.
- 9) To manage fire and rescue resources and services for the Beaufort County citizenry residing within the Bluffton Township Fire District.
- 10) To approve and adopt policies to ensure that firefighting, rescue and medical equipment is properly utilized to the best advantage of the Fire District.
- 11) To adopt and approve a "Hiring and Retention" policy that will comply with established Beaufort County Council goals and objectives and provide the District with qualified salaried personnel to effectively provide fire suppression and medical services.
- 12) Consistent with the Beaufort County Code Sec. 2-194, the Board shall be responsible for the development of a Fire District strategic plan, including goals and objectives congruent with the comprehensive plan formulated and written by the council, which shall have a scope of five years and shall contain specific, measurable and time-phased goals for the current budget year and four out-years. In addition, the Board shall present the strategic plan to the council annually as scheduled by the County Administrator. The time period for compliance with the ordinance in this respect is six months after formulation, finalization and approval of the county's strategic plan.
- 13) To provide a forum for public opinion concerning the Bluffton Township Fire District's Strategic Plan.
- 14) All Board Members and staff will adhere to those policies that are adopted in accordance with Sections 2-191 through 2-198 of the Beaufort County Code of Ordinances when conducting administrative and managerial functions of the Fire District.

SECTION 42-51.3. FIRE CHIEF RESPONSIBILITIES:

- (a) *Bluffton Township Fire District Fire Chief.* The Bluffton Township Fire Chief shall have certain responsibilities related to the operation of the Bluffton Township Fire Department. These responsibilities include, but are not limited to, the responsibilities outlined below:
 - 1) To prepare and submit an Annual Budget to the Bluffton Township Fire District Board for all expenditures of the Bluffton Township Fire District.
 - 2) To provide managerial controls to ensure the effective oversight of the Bluffton Township Fire District's Annual Budget.
 - 3) To prepare and submit plans to the Bluffton Township Fire District Board for the purchase of such firefighting, medical and rescue equipment and procurement of land and

construction of buildings and fire stations as the Fire Chief deems necessary for the purpose of controlling fires and effecting medical and rescue response within the money allocated or made available to the Fire Chief for such purpose and to ensure proper controls and coordination of all purchasing activities in accordance with Beaufort County Procurement requirements.

- 4) To prepare and make recommendations, including plans, to the Bluffton Township Fire District Board for the selection and procurement of firefighting, medical and rescue equipment.
- 5) To prepare and submit plans in compliance with the Bluffton Township Fire District Hiring Policy for the selection and hiring of salaried and non – salaried personnel staff to effectively provide fire protection services and serve the Beaufort County citizenry residing within the Bluffton Township Fire District.
- 6) To hire, supervise, train, promote, provide direction, discipline and terminate Bluffton Township Fire District employees in compliance with Bluffton Township Fire District policies and procedures.
- 7) To administer annual performance standards as established by the Bluffton Township Fire District policies and procedures to effectively evaluate Fire District employee’s work performance.
- 8) To plan and organize activities of the Fire District regarding utilization of personnel, facilities and equipment, fire prevention, public education, training, code enforcement, fire suppression, rescue and emergency medical service.
- 9) To establish overall equipment specification requirements and major equipment purchase recommendations.
- 10) To ensure the proper upkeep, maintenance, repair and inspection of Bluffton Township Fire District fire apparatus and equipment.
- 11) To respond to public inquiries and aid in conflict resolution with citizens and fire/rescue personnel.
- 12) To represent the Bluffton Township Fire District on various community commissions, committees and public safety concerns.
- 13) To approve and adopt such operational rules and regulations as he/she may deem proper and necessary to ensure that the equipment is used and firefighting service is provided to the best advantage of the District.
- 14) To present the Bluffton Township Fire District’s Strategic Plan, in coordination with the Bluffton Township Fire District Board, to the Beaufort County Council annually as scheduled by the County Administrator. The time period for compliance with the ordinance in this respect is six (6) months after formulation, finalization and approval of the County’s Strategic Plan.
- 15) To provide an initial forum for public opinion concerning the Bluffton Township Fire District’s Strategic Plan.
- 16) To make recommendations and presentations, in coordination with the Bluffton Township Fire District Commission, to Beaufort County Council for final judgment concerning the Bluffton Township Fire District’s Strategic Plan.
- 17) To take all actions necessary to ensure that the District remains eligible to receive funds pursuant to South Carolina Code of Laws § 23-9-310 et. seq.

SECTION 42-52. ENFORCEMENT OF FIRE LAWS:

All members of the Bluffton Township Fire District may direct and control traffic at the scene of any fire, medical or rescue emergency in the area of the District and enforce the state laws relating to the following of fire, medical and rescue apparatus, the crossing of fire hose or interfering with firefighters in the

discharge of their duties in connection with a fire, medical or rescue emergency in a like manner as provided for the enforcement of such laws by Peace Officers.

SECTION 42-53. UNLAWFUL ACTS; PENALTIES:

It is unlawful to interfere with a member of a fire department in the discharge of his duties in the Bluffton Township Fire District or to interfere with any fire, medical or rescue apparatus used by the Fire Department in the District and any person so offending shall be subject to a fine not to exceed \$200.00 or imprisonment not to exceed thirty (30) days.

SECTIONS 42-54 – 42-80. – RESERVED

Adopted this _____ day of February, 2013.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Joshua A. Gruber, Staff Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

First Reading, By Title Only: January 14, 2013

Second Reading: January 28, 2013

Public Hearing:

Third and Final Reading:

COUNTY COUNCIL OF BEAUFORT COUNTY

CHARTER

DAUFUSKIE ISLAND FIRE DISTRICT

ARTICLE II. FIRE DISTRICTS

DIVISION 1. GENERALLY

TO CREATE THE DAUFUSKIE ISLAND FIRE DISTRICT

Section 42-116. Creation Boundaries:

There is created a Daufuskie Island Fire District for the purpose of serving all properties located on Daufuskie Island.

Section 42-116.1. Fire District Board:

- (a) *Membership.* There is hereby established a Daufuskie Island Fire District Board, composed of a five (5) member Board appointed by the Beaufort County Council. The Board members shall be appointed at large from Daufuskie Island. At no point in time shall an elected official for a municipal, county, state, or federal office serve concurrently as a member of the Fire District Board.
- (b) *Terms.* Terms of the office shall be four (4) years or reappointed until successors are appointed and qualify. Provided, however, that of those first appointed, three shall serve for four years and two shall serve for two years, the respective terms of office being designated by County Council in its appointments. The members of the Board shall serve without pay and shall file an annual report with the Beaufort County Council not later than the first of November of each year, showing all activities and disbursements made by the District during the fiscal year.

Section 42-116.2. Powers, Duties and Responsibilities:

- (a) *Daufuskie Island Fire District Board.* The Board shall have the following powers, duties and responsibilities:
 - 1) To approve and adopt an Annual Budget subject to the approval by the County Council.
 - 2) To implement the Annual Budget for the operation of the District and approve the expenditure of all funds.
 - 3) To provide managerial controls to ensure the effective oversight of the Daufuskie Island Fire District's annual budget.
 - 4) To approve and adopt plans for the purchase of such firefighting, medical and rescue equipment as the Board deems necessary for the purpose of controlling fires and effecting medical and rescue response within the money allocated or made available to the District for such purpose.
 - 5) To approve and adopt plans for the selection, procurement of land and construction of buildings, fire and EMS stations within the area where firefighting apparatus, medical and rescue equipment shall be kept and maintained subject to the approval by the County Council.
 - 6) Subject to the approval by the County Council to approve and adopt plans for borrowing money on such terms and for such a period as the Daufuskie Island Fire District Board

may deem most beneficial for the Fire District in anticipation of taxes. The indebtedness shall be evidenced by a note issued by Beaufort County Council and the County Treasurer.

- 7) The Fire District Board shall be responsible for developing a list of qualified candidates for the position of Fire Chief which shall be presented to the County Administrator who shall have the authority, after consultation with the Fire District Board, to hire the Fire Chief.
- 8) The Fire District Board in consultation with the County Administrator shall be responsible for developing performance standards to effectively evaluate the Fire Chief. The Fire District Board shall be responsible for conducting an annual performance evaluation implementing such performance standards with such evaluation being provided to the County Administrator for purposes of promotion, demotion, and termination. The County Administrator shall have the authority to make decisions regarding the performance of the Fire Chief, after consultation with the Fire District Board, in regards to the promotion, demotion, or termination of the Fire Chief.
- 9) To manage fire and rescue resources and services for the Beaufort County citizenry residing within the Daufuskie Island Fire District.
- 10) To approve and adopt policies to ensure that firefighting, rescue and medical equipment is properly utilized to the best advantage of the Fire District.
- 11) To adopt and approve a "Hiring and Retention" policy that will comply with established Beaufort County Council goals and objectives and provide the District with qualified salaried personnel to effectively provide fire suppression and medical services.
- 12) Consistent with the Beaufort County Code Sec. 2-194, the Board shall be responsible for the development of a Fire District strategic plan, including goals and objectives congruent with the comprehensive plan formulated and written by the council, which shall have a scope of five years and shall contain specific, measurable and time-phased goals for the current budget year and four out-years. In addition, the Board shall present the strategic plan to the council annually as scheduled by the County Administrator. The time period for compliance with the ordinance in this respect is six months after formulation, finalization and approval of the county's strategic plan.
- 13) To provide a forum for public opinion concerning the Daufuskie Island Fire District's Strategic Plan.
- 14) All Board Members and staff will adhere to those policies that are adopted in accordance with Sections 2-191 through 2-198 of the Beaufort County Code of Ordinances when conducting administrative and managerial functions of the Fire District.

SECTION 42-116.3. FIRE CHIEF RESPONSIBILITIES:

- (a) *Daufuskie Island Fire District Fire Chief.* The Daufuskie Island Fire Chief shall have certain responsibilities related to the operation of the Daufuskie Island Fire Department. These responsibilities include, but are not limited to, the responsibilities outlined below:
 - 1) To prepare and submit an Annual Budget to the Daufuskie Island Fire District Board for all expenditures of the Daufuskie Island Fire District.
 - 2) To provide managerial controls to ensure the effective oversight of the Daufuskie Island Fire District's Annual Budget.
 - 3) To prepare and submit plans to the Daufuskie Island Fire District Board for the purchase of such firefighting, medical and rescue equipment and procurement of land and construction of buildings and fire stations as the Fire Chief deems necessary for the purpose of controlling fires and effecting medical and rescue response within the money allocated or made available to the Fire Chief for such purpose and to ensure proper

controls and coordination of all purchasing activities in accordance with Beaufort County Procurement requirements.

- 4) To prepare and make recommendations, including plans, to the Daufuskie Island Fire District Board for the selection and procurement of firefighting, medical and rescue equipment.
- 5) To prepare and submit plans in compliance with the Daufuskie Island Fire District Hiring Policy for the selection and hiring of salaried and non – salaried personnel staff to effectively provide fire protection services and serve the Beaufort County citizenry residing within the Daufuskie Island Fire District.
- 6) To hire, supervise, train, promote, provide direction, discipline and terminate Daufuskie Island Fire District employees in compliance with Daufuskie Island Fire District policies and procedures.
- 7) To administer annual performance standards as established by the Daufuskie Island Fire District policies and procedures to effectively evaluate Fire District employee’s work performance.
- 8) To plan and organize activities of the Fire District regarding utilization of personnel, facilities and equipment, fire prevention, public education, training, code enforcement, fire suppression, rescue and emergency medical service.
- 9) To establish overall equipment specification requirements and major equipment purchase recommendations.
- 10) To ensure the proper upkeep, maintenance, repair and inspection of Daufuskie Island Fire District fire apparatus and equipment.
- 11) To respond to public inquiries and aid in conflict resolution with citizens and fire/rescue personnel.
- 12) To represent the Daufuskie Island Fire District on various community commissions, committees and public safety concerns.
- 13) To approve and adopt such operational rules and regulations as he/she may deem proper and necessary to ensure that the equipment is used and firefighting service is provided to the best advantage of the District.
- 14) To present the Daufuskie Island Fire District’s Strategic Plan, in coordination with the Daufuskie Island Fire District Board, to the Beaufort County Council annually as scheduled by the County Administrator. The time period for compliance with the ordinance in this respect is six (6) months after formulation, finalization and approval of the County’s Strategic Plan.
- 15) To provide an initial forum for public opinion concerning the Daufuskie Island Fire District’s Strategic Plan.
- 16) To make recommendations and presentations, in coordination with the Daufuskie Island Fire District Commission, to Beaufort County Council for final judgment concerning the Daufuskie Island Fire District’s Strategic Plan.
- 17) To take all actions necessary to ensure that the District remains eligible to receive funds pursuant to South Carolina Code of Laws § 23-9-310 et. seq.

SECTION 42-117. ENFORCEMENT OF FIRE LAWS:

All members of the Daufuskie Island Fire District may direct and control traffic at the scene of any fire, medical or rescue emergency in the area of the District and enforce the state laws relating to the following of fire, medical and rescue apparatus, the crossing of fire hose or interfering with firefighters in the discharge of their duties in connection with a fire, medical or rescue emergency in a like manner as provided for the enforcement of such laws by Peace Officers.

SECTION 42-118. UNLAWFUL ACTS; PENALTIES:

It is unlawful to interfere with a member of a fire department in the discharge of his duties in the Daufuskie Island Fire District or to interfere with any fire, medical or rescue apparatus used by the Fire Department in the District and any person so offending shall be subject to a fine not to exceed \$200.00 or imprisonment not to exceed thirty (30) days.

SECTIONS 42-119 – 42-121. - RESERVED

Adopted this _____ day of February, 2013.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Joshua A. Gruber, Staff Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

First Reading, By Title Only: January 14, 2013

Second Reading: January 28, 2013

Public Hearing:

Third and Final Reading:

COUNTY COUNCIL OF BEAUFORT COUNTY

CHARTER

SHELDON FIRE DISTRICT

ARTICLE II. FIRE DISTRICTS

DIVISION 1. GENERALLY

TO CREATE THE SHELDON FIRE DISTRICT

Section 42-81. Creation Boundaries:

There is created a Sheldon Fire District for the purpose of serving all properties located in the county north of the Whale Branch and Combahee Rivers, except those areas located within the town limits of Yemassee.

Section 42-81.1. Fire District Board:

- (a) *Membership.* There is hereby established a Sheldon Fire District Board, composed of a seven (7) member Board appointed by the Beaufort County Council. The Board members shall be appointed at large from the Sheldon service area. At no point in time shall an elected official for a municipal, county, state, or federal office serve concurrently as a member of the Fire District Board.
- (b) *Terms.* Terms of the office shall be four (4) years or reappointed until successors are appointed and qualify. Provided, however, that of those first appointed, three shall serve for four years and two shall serve for two years, the respective terms of office being designated by County Council in its appointments. The members of the Board shall serve without pay and shall file an annual report with the Beaufort County Council not later than the first of November of each year, showing all activities and disbursements made by the District during the fiscal year.

Section 42-81.2. Powers, Duties and Responsibilities:

- (a) *Sheldon Fire District Board.* The Board shall have the following powers, duties and responsibilities:
 - 1) To approve and adopt an Annual Budget subject to the approval by the County Council.
 - 2) To implement the Annual Budget for the operation of the District and approve the expenditure of all funds.
 - 3) To provide managerial controls to ensure the effective oversight of the Sheldon Fire District's annual budget.
 - 4) To approve and adopt plans for the purchase of such firefighting, medical and rescue equipment as the Board deems necessary for the purpose of controlling fires and effecting medical and rescue response within the money allocated or made available to the District for such purpose.
 - 5) To approve and adopt plans for the selection, procurement of land and construction of buildings, fire and EMS stations within the area where firefighting apparatus, medical and rescue equipment shall be kept and maintained subject to the approval by the County Council.

- 6) Subject to the approval by the County Council to approve and adopt plans for borrowing money on such terms and for such a period as the Sheldon Fire District Board may deem most beneficial for the Fire District in anticipation of taxes. The indebtedness shall be evidenced by a note issued by Beaufort County Council and the County Treasurer.
- 7) The Fire District Board shall be responsible for developing a list of qualified candidates for the position of Fire Chief which shall be presented to the County Administrator who shall have the authority, after consultation with the Fire District Board, to hire the Fire Chief.
- 8) The Fire District Board in consultation with the County Administrator shall be responsible for developing performance standards to effectively evaluate the Fire Chief. The Fire District Board shall be responsible for conducting an annual performance evaluation implementing such performance standards with such evaluation being provided to the County Administrator for purposes of promotion, demotion, and termination. The County Administrator shall have the authority to make decisions regarding the performance of the Fire Chief, after consultation with the Fire District Board, in regards to the promotion, demotion, or termination of the Fire Chief.
- 9) To manage fire and rescue resources and services for the Beaufort County citizenry residing within the Sheldon Fire District.
- 10) To approve and adopt policies to ensure that firefighting, rescue and medical equipment is properly utilized to the best advantage of the Fire District.
- 11) To adopt and approve a "Hiring and Retention" policy that will comply with established Beaufort County Council goals and objectives and provide the District with qualified salaried personnel to effectively provide fire suppression and medical services.
- 12) Consistent with the Beaufort County Code Sec. 2-194, the Board shall be responsible for the development of a Fire District strategic plan, including goals and objectives congruent with the comprehensive plan formulated and written by the council, which shall have a scope of five years and shall contain specific, measurable and time-phased goals for the current budget year and four out-years. In addition, the Board shall present the strategic plan to the council annually as scheduled by the County Administrator. The time period for compliance with the ordinance in this respect is six months after formulation, finalization and approval of the county's strategic plan.
- 13) To provide a forum for public opinion concerning the Sheldon Fire District's Strategic Plan.
- 14) All Board Members and staff will adhere to those policies that are adopted in accordance with Sections 2-191 through 2-198 of the Beaufort County Code of Ordinances when conducting administrative and managerial functions of the Fire District.

SECTION 42-81.3. FIRE CHIEF RESPONSIBILITIES:

- (a) *Sheldon Fire District Fire Chief.* The Sheldon Fire Chief shall have certain responsibilities related to the operation of the Sheldon Fire Department. These responsibilities include, but are not limited to, the responsibilities outlined below:
 - 1) To prepare and submit an Annual Budget to the Sheldon Fire District Board for all expenditures of the Sheldon Fire District.
 - 2) To provide managerial controls to ensure the effective oversight of the Sheldon Fire District's Annual Budget.
 - 3) To prepare and submit plans to the Sheldon Fire District Board for the purchase of such firefighting, medical and rescue equipment and procurement of land and construction of buildings and fire stations as the Fire Chief deems necessary for the purpose of controlling fires and effecting medical and rescue response within the money allocated or made available to the Fire Chief for such purpose and to ensure proper controls and

coordination of all purchasing activities in accordance with Beaufort County Procurement requirements.

- 4) To prepare and make recommendations, including plans, to the Sheldon Fire District Board for the selection and procurement of firefighting, medical and rescue equipment.
- 5) To prepare and submit plans in compliance with the Sheldon Fire District Hiring Policy for the selection and hiring of salaried and non – salaried personnel staff to effectively provide fire protection services and serve the Beaufort County citizenry residing within the Sheldon Fire District.
- 6) To hire, supervise, train, promote, provide direction, discipline and terminate Sheldon Fire District employees in compliance with Sheldon Fire District policies and procedures.
- 7) To administer annual performance standards as established by the Sheldon Fire District policies and procedures to effectively evaluate Fire District employee’s work performance.
- 8) To plan and organize activities of the Fire District regarding utilization of personnel, facilities and equipment, fire prevention, public education, training, code enforcement, fire suppression, rescue and emergency medical service.
- 9) To establish overall equipment specification requirements and major equipment purchase recommendations.
- 10) To ensure the proper upkeep, maintenance, repair and inspection of Sheldon Fire District fire apparatus and equipment.
- 11) To respond to public inquiries and aid in conflict resolution with citizens and fire/rescue personnel.
- 12) To represent the Sheldon Fire District on various community commissions, committees and public safety concerns.
- 13) To approve and adopt such operational rules and regulations as he/she may deem proper and necessary to ensure that the equipment is used and firefighting service is provided to the best advantage of the District.
- 14) To present the Sheldon Fire District’s Strategic Plan, in coordination with the Sheldon Fire District Board, to the Beaufort County Council annually as scheduled by the County Administrator. The time period for compliance with the ordinance in this respect is six (6) months after formulation, finalization and approval of the County’s Strategic Plan.
- 15) To provide an initial forum for public opinion concerning the Sheldon Fire District’s Strategic Plan.
- 16) To make recommendations and presentations, in coordination with the Sheldon Fire District Commission, to Beaufort County Council for final judgment concerning the Sheldon Fire District’s Strategic Plan.
- 17) To take all actions necessary to ensure that the District remains eligible to receive funds pursuant to South Carolina Code of Laws § 23-9-310 et. seq.

SECTION 42-82. ENFORCEMENT OF FIRE LAWS:

All members of the Sheldon Fire District may direct and control traffic at the scene of any fire, medical or rescue emergency in the area of the District and enforce the state laws relating to the following of fire, medical and rescue apparatus, the crossing of fire hose or interfering with firefighters in the discharge of their duties in connection with a fire, medical or rescue emergency in a like manner as provided for the enforcement of such laws by Peace Officers.

SECTION 42-83. UNLAWFUL ACTS; PENALTIES:

It is unlawful to interfere with a member of a fire department in the discharge of his duties in the Sheldon Fire District or to interfere with any fire, medical or rescue apparatus used by the Fire Department in the District and any person so offending shall be subject to a fine not to exceed \$200.00 or imprisonment not to exceed thirty (30) days.

SECTIONS 42-84-115. – RESERVED.

Adopted this _____ day of February, 2013.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Joshua A. Gruber, Staff Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

First Reading, By Title Only: January 14, 2013

Second Reading: January 28, 2013

Public Hearing:

Third and Final Reading:

ORDINANCE NO. 2012 /

AN ORDINANCE TO AMEND THE BLUFFTON TOWNSHIP FIRE DISTRICT FY2013 BUDGET TO PROVIDE FOR A SUPPLEMENT APPROPRIATION FROM THE DISTRICT'S GENERAL FUND IN THE AMOUNT OF \$554,677 TO COVER ADDITIONAL SALARIES AND OVERTIME RELATED TO THE STAFFING OF TWO NEW TEMPORARY FIRE STATIONS.

WHEREAS, on June 11, 2012, Beaufort County Council adopted Ordinance No. 2012/7 which set adopted the County's FY2012-2013 operating budget which included the operating budget necessary for the Bluffton Fire District; and

WHEREAS, subsequent to the adoption of Ordinance No. 2012/7, there have been drastic changes made in the insurance classification and rating system for the Palmetto Bluff and Colleton River Plantation communities resulting in exorbitant increases to homeowners insurance premiums; and

WHEREAS, Beaufort County Council believes that it is in the best interest of its citizens to authorize a supplemental appropriation of funds from the District's General Fund Reserve Account to provide for temporary overtime payments and training of new personnel to staff two new fire stations within the Palmetto Bluff and Colleton River communities.

NOW, THEREFORE, BE IT ORDAINED by Beaufort County Council, that a supplemental appropriation of \$554,677 is hereby authorized from the Bluffton Township Fire District's General Fund for the purposes stated herein.

DONE, this ____ day of _____, 2013.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Joshua A. Gruber, Staff Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

First Reading, By Title Only: January 14, 2013
Second Reading: January 28, 2013
Public Hearing:
Third and Final Reading: