

COUNTY COUNCIL OF BEAUFORT COUNTY
ADMINISTRATION BUILDING
BEAUFORT COUNTY GOVERNMENT ROBERT SMALLS COMPLEX

100 RIBAUT ROAD
POST OFFICE DRAWER 1228
BEAUFORT, SOUTH CAROLINA 29901-1228
TELEPHONE: (843) 255-2000
FAX: (843) 255-9401

www.bcgov.net

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JOSHUA A. GRUBER
DEPUTY COUNTY ADMINISTRATOR
SPECIAL COUNSEL

THOMAS J. KEAVENY, II
COUNTY ATTORNEY

SUZANNE M. RAINEY
CLERK TO COUNCIL

AGENDA

COUNTY COUNCIL OF BEAUFORT COUNTY

Monday, May 23, 2016

6:00 p.m.

Large Meeting Room, Bluffton Branch Library
120 Palmetto Way, Bluffton

Citizens may participate telephonically in the public comments and public hearings segments from Council Chambers, Administration Building, Beaufort County Government Robert Smalls Complex, Beaufort.

1. CALL TO ORDER - 6:00 P.M.
2. REGULAR SESSION
3. PLEDGE OF ALLEGIANCE
4. INVOCATION – Council Member Cynthia Bensch
5. ADMINISTRATIVE CONSENT AGENDA
 - A. Approval of Minutes
 1. May 9, 2016 [caucus](#) and May 9, 2016 [regular session](#)
 - B. Committee Reports (next meeting)
 1. Community Services (June 27 at 3:00 p.m., ECR)
 2. Executive (June 13 at 3:00 p.m., ECR)
 3. Finance (June 20 at 2:00 p.m.)
 - a. Minutes – May 9, 2016 ([backup](#))
 4. Governmental (June 6 at 4:00 p.m., ECR)
 - a. Minutes – May 16, 2016 ([backup](#))
 5. Natural Resources (June 21 at 2:00 p.m., ECR)
 - a. Minutes – May 17, 2016 ([backup](#))
 6. Public Facilities (June 20 at 4:00 p.m., ECR)
 - C. Appointments to Boards and Commissions ([backup](#))
6. PUBLIC COMMENT – Speaker sign-up encouraged no later than 5:45 p.m. day of meeting.



7. NEW BUSINESS

A. AN ORDINANCE TO IMPOSE A ONE PERCENT SALES AND USE TAX, SUBJECT TO A REFERENDUM, WITHIN BEAUFORT COUNTY, PURSUANT TO THE CAPITAL PROJECT SALES TAX ACT, S.C. CODE ANN. §4-10-300, ET SEQ.; TO DEFINE THE SPECIFIC PURPOSES AND DESIGNATE THE PROJECTS FOR WHICH THE PROCEEDS OF SUCH TAX MAY BE USED; TO PROVIDE THE MAXIMUM TIME FOR WHICH SUCH TAX MAY BE IMPOSED; TO PROVIDE FOR THE MAXIMUM AMOUNT OF GENERAL OBLIGATION BONDS TO BE ISSUED IN ORDER TO FINANCE THE CAPITAL PROJECTS AUTHORIZED HEREUNDER SUCH BONDS TO BE PAYABLE FROM, AND SECURED BY, THE CAPITAL PROJECT SALES AND USE TAX AUTHORIZED HEREBY AS WELL AS THE FULL FAITH, CREDIT AND TAXING POWER OF BEAUFORT COUNTY; TO PROVIDE THE MAXIMUM COST OF THE PROJECTS OR FACILITIES FUNDED FROM THE PROCEEDS OF SUCH TAX OR BONDS AND THE MAXIMUM AMOUNT OF NET PROCEEDS TO BE RAISED BY SUCH TAX FOR THE PAYMENT OF THE COST OF SUCH PROJECTS OR FOR THE PAYMENT OF DEBT SERVICE ON ANY BONDS ISSUED TO PAY SUCH COSTS; TO PROVIDE FOR A COUNTYWIDE REFERENDUM AND TO PRESCRIBE THE CONTENTS OF THE BALLOT QUESTION IN SUCH REFERENDUM; TO PROVIDE CONDITIONS PRECEDENT TO THE IMPOSITION OF SUCH TAX AND CONDITIONS OR RESTRICTIONS ON THE USE OF SUCH TAX REVENUE; TO ESTABLISH THE PRIORITY, AND EXCEPTIONS THERETO, IN WHICH THE NET PROCEEDS OF SUCH TAX, IF APPROVED IN A REFERENDUM, ARE TO BE EXPENDED FOR THE PROJECTS AND PURPOSES STATED; TO PROVIDE FOR THE CONDUCT OF SUCH REFERENDUM BY THE BEAUFORT COUNTY BOARD OF ELECTIONS AND VOTER REGISTRATION, TO PROVIDE FOR THE ADMINISTRATION OF SUCH TAX, IF APPROVED; TO PROVIDE FOR THE PAYMENT OF SUCH TAX; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO ([backup](#))

1. Consideration of first reading to occur on May 23, 2016
2. Capital Project Sales Tax Commission discussion and recommendation to approve the final list of projects and their respective funding levels. Approval occurred on May 10, 2016 / Vote 6:0
3. Capital Project Sales Tax Commission discussion occurred on May 3, 2016
4. Capital Project Sales Tax Commission discussion occurred on April 19, 2016
5. Capital Project Sales Tax Commission discussion occurred on April 5, 2016
6. Capital Project Sales Tax Commission discussion occurred on March 29, 2016
7. Capital Project Sales Tax Commission discussion occurred on March 22, 2016
8. Capital Project Sales Tax Commission discussion occurred on March 8, 2016
9. Capital Project Sales Tax Commission discussion occurred on February 23, 2016
10. Capital Project Sales Tax Commission discussion occurred on February 9, 2016
11. Capital Project Sales Tax Commission discussion occurred on November 10, 2015
12. Capital Project Sales Tax Commission discussion occurred on October 21, 2015

8. CONSENT AGENDA

- A. AN ORDINANCE OF BEAUFORT COUNTY COUNCIL ESTABLISHING THE APPOINTMENT OF ITS REPRESENTATIVE TO THE BEAUFORT COUNTY ECONOMIC DEVELOPMENT CORPORATION ([backup](#))
1. Consideration of first reading to occur on May 23, 2016
 2. Governmental Committee discussion and recommendation to approve ordinance on first reading occurred on May 16, 2016 / Vote 6:1
- B. CONTRACT AWARD / U.S. HIGHWAY 278 - JENKINS ISLAND PROJECT ENGINEERING ALTERNATIVE 2A DESIGN ([backup](#))
1. Contract award: HDR/ICA Engineering, Columbia and Charleston, South Carolina
 2. Contract amount: \$412,176.22; plus 8% project contingency of \$32,973.78 bringing the total budget to \$445,150.00
 3. Funding source: Professional Services, Sales Tax Road Projects, Account #47010011-51160
 4. Public Facilities Committee discussion and recommendation to award the contract occurred on May 16, 2016 / Vote 7:0
- C. A RESOLUTION AUTHORIZING COUNTY ADMINISTRATOR TO ACCEPT FROM PLANTATION BUSINESS PARK OWNERS' ASSOCIATION INC. BUSINESS PARK WAY AND A PORTION OF PLANTATION PARK DRIVE INTO COUNTY ROAD SYSTEM ([backup](#))
1. Public Facilities Committee discussion and recommendation to adopt the resolution occurred on May 16, 2016 / Vote 7:0
- D. A RESOLUTION ADOPTING THE BEAUFORT COUNTY IMPLEMENTATION PLAN FOR CURBSIDE COLLECTION OF WASTE AND RECYCLING IN UNINCORPORATED AREAS OF SOLID WASTE DISTRICT 5, 6, 7, 8 AND 9 BY JUNE 30, 2020 ([backup](#))
1. Public Facilities Committee discussion and recommendation to implement curbside collection of waste and recycling in all unincorporated Solid Waste District 5, 6, 7, 8 and 9 by June 30, 2020. Approval occurred on May 16, 2016 / Vote 6:0
 2. Solid Waste and Recycling Board discussion and recommendation to implement curbside collection of waste and recycling in all unincorporated Solid Waste District 5, 6, 7, 8 and 9 by June 30, 2020. Approval occurred on April 28, 2016 / Vote 5:0
- E. A RESOLUTION SUPPORTING ADMISSION OF THE PORT ROYAL SOUND ESTUARINE SYSTEM AS A MEMBER OF THE NATIONAL ESTUARY PROGRAM ([backup](#))
1. Natural Resources Committee discussion and recommendation to adopt the resolution occurred on May 17, 2016 / Vote 5:0
 2. Natural Resources Committee discussion and recommendation to adopt the resolution occurred on April 19, 2016 / Vote 5:0

- F. TEXT AMENDMENTS TO ARTICLES 1, 2, 3, 4, 5, 6, 7 AND 10 OF THE COMMUNITY DEVELOPMENT CODE AS A RESULT OF THE ONE-YEAR REVIEW OF THE CODE ADOPTED DECEMBER 4, 2014 ([backup](#))
1. Consideration of first reading approval to occur May 23, 2016
 2. Natural Resources Committee discussion and recommendation to adopt the resolution occurred on May 17, 2016 / Vote 5:0
- G. SOUTHERN BEAUFORT COUNTY MAP AMENDMENT / REZONING FOR THIRTEEN (13) PROPERTIES TOTALING 39.02 ACRES LOCATED IN THE BLUFFTON AREA BETWEEN ULMER ROAD AND DEVONWOOD DRIVE:
- From T3-Hamlet Neighborhood to T2-Rural Center for twelve (12) properties: R600 039 000 0205 0000, R600 039 000 0271 0000, R600 039 000 0229 0000, R600 039 000 0519 0000, R600 039 000 0226 0000, R600 039 000 226A 0000, R600 039 000 0860 0000, R600 039 000 226B 0000, R600 039 000 0287 0000, R600 039 000 0286 0000, R600 039 000 0285 0000, and a 2-acre portion of R600 040 000 0003 0000 (located at the northeast corner of Benton Field and Ulmer Roads); and
 - From T3-Hamlet Neighborhood to T4-Hamlet Center for a 4.28-acre portion of R600 039 000 0850 0000 ([backup](#))
1. Consideration of first reading approval to occur on May 23, 2016
 2. Natural Resources Committee discussion and recommendation to adopt the resolution occurred on May 17, 2016 / Vote 5:0

9. PUBLIC HEARING – 6:30 P.M.

- A. AN ORDINANCE CREATING PROCEDURE FOR ESTABLISHING DIRT ROAD MAINTENANCE AND THE ESTABLISHMENT OF A SPECIAL PURPOSE TAX DISTRICT TO COVER COSTS ASSOCIATED WITH IMPROVEMENTS ([backup](#))
1. Consideration of third and reading to occur on May 23, 2016
 2. Second reading approval occurred on May 9, 2016 / Vote 10:1
 3. First reading approval occurred on April 25, 2016 / Vote 9:0
 4. Public Facilities Committee discussion and recommendation to approve ordinance on first reading. Approval occurred on April 18, 2016 / Vote 5:1
- B. AN ORDINANCE AUTHORIZING THE RELINQUISHMENT OF AN EASEMENT ENCUMBERING PROPERTY IDENTIFIED AS TMP R200-007-000-0049-0000 (COOSAW ISLAND SEAWALL) ([backup](#))
1. Consideration of third and reading to occur on May 23, 2016
 2. Second reading approval occurred on May 9, 2016 / Vote 11:0
 3. First reading approval occurred on April 25, 2016 / Vote 8:1
 4. Public Facilities Committee discussion and recommendation to approve ordinance on first reading. Approval occurred on April 18, 2016 / Vote 5:1

C. FISCAL YEAR 2016 – 2017 COUNTY BUDGET PROPOSAL ([backup](#))

1. Consideration of second reading to occur on May 23, 2016
2. Public hearing announcement - Monday, June 13, 2016 beginning at 6:30 p.m., in Council Chambers of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort (2 of 2)
3. Finance Committee discussion and recommendation to approve FY 16-17 budget proposal on second reading. Approval occurred on May 16, 2016 / Vote 5:2
4. Finance Committee discussion and recommendation to approve FY 16-17 fire districts' budget proposals. Approval occurred on May 16, 2016 / Vote 6:1
5. First reading, by title only, approval occurred on May 9, 2016 / Vote 7:4
6. Finance Committee discussion and staff directive to include the Sheriff's Office \$31,772,825 budget request in the County FY 2016-2017 budget proposal. Discussion occurred on April 18, 2016.
7. Finance Committee discussion and recommendation to include a \$295,000 line item to fund economic development in the County FY 2016-2017 budget proposal. Discussion occurred on April 18, 2016 / Vote 4:2
8. Finance Committee discussion occurred on March 21, 2016
9. Strategic Planning Session discussion occurred on February 12, 2016

D. FISCAL YEAR 2016 – 2017 SCHOOL DISTRICT BUDGET PROPOSAL ([backup](#))

1. Consideration of first reading to occur on May 23, 2016
2. Public hearing announcement - Monday, June 13, 2016 beginning at 6:30 p.m., in Council Chambers of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort (2 of 2)
3. Finance Committee discussion and recommendation to approve budget proposal on first reading. Approval occurred on May 16, 2016 / Vote 5:2
4. First reading, by title only, was postponed until the May 23, 2016 meeting / Vote 6:4:1
5. Finance Committee discussion occurred on April 18, 2016

10. MATTERS ARISING OUT OF EXECUTIVE SESSION

11. PUBLIC COMMENT - Speaker sign-up encouraged.

12. ADJOURNMENT

Official Proceedings
County Council of Beaufort County
May 9, 2016

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

A caucus of the County Council of Beaufort County was held Monday, May 9, 2016 beginning at 5:00 p.m. in the Executive Conference Room of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Chairman D. Paul Sommerville, Vice Chairman Gerald Stewart and Councilmen Cynthia Bensch, Rick Caporale, Gerald Dawson, Brian Flewelling, Steven Fobes, Alice Howard, William McBride, Stewart Rodman and Roberts "Tabor" Vaux.

PLEDGE OF ALLEGIANCE

The Chairman led those present in the Pledge of Allegiance.

CALL FOR EXECUTIVE SESSION

It was moved by Mr. Flewelling, seconded by Mr. Fobes, that Council go immediately into executive session to receive legal advice relating to potential litigation / SCDOT / S.C. Highway 170 and 5A Flyover, Rural and Critical Lands Program litigation, and discussion of employment of a person regulated by County Council. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

EXECUTIVE SESSION

RECONVENE OF REGULAR SESSION

RECEIPT OF COUNTY ADMINISTRATOR'S TWO-WEEK PROGRESS REPORT

Mr. Gary Kubic, County Administrator, presented his Two-Week Progress Report, which summarized his activities from April 25, 2016 through May 6, 2016.

RECEIPT OF DEPUTY COUNTY ADMINISTRATOR / SPECIAL COUNSEL'S TWO-WEEK PROGRESS REPORT

Mr. Joshua Gruber, Deputy County Administrator / Special Counsel, presented his Two-Week Progress Report, which summarized his activities from April 25, 2016 through May 6, 2016.

ADJOURNMENT

Council adjourned at 6:00 p.m.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

ATTEST:

Suzanne M. Rainey, Clerk to Council

Ratified:

DRAFT

Official Proceedings
County Council of Beaufort County
May 9, 2016

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

The regular session of the County Council of Beaufort County was held Monday, May 9, 2016 beginning at 6:00 p.m. in Council Chambers of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Chairman D. Paul Sommerville, Vice Chairman Gerald Stewart and Council members Cynthia Bensch, Rick Caporale, Gerald Dawson, Brian Flewelling, Steven Fobes, Alice Howard, William McBride, Stewart Rodman and Roberts "Tabor" Vaux.

PLEDGE OF ALLEGIANCE

The Chairman led those present in the Pledge of Allegiance.

INVOCATION

Chairman Paul Sommerville gave the Invocation.

PROCLAMATION

Motorcycle Safety Awareness Month

The Chairman proclaimed May 2016 as Motorcycle Safety Awareness Month in recognition of registered motorcyclists countywide and organizations, such as Leather & Lace Motorcycle Club, and asked all citizens to join in a concerted effort to promote awareness, mutual respect, and safety for all who use our roadways. Ms. Frances Thorpe, Road Captain, Leather & Lace Motorcycle Club, accepted the proclamation.

The Chairman passed the gavel to the Vice Chairman in order to receive the Administrative Consent Agenda.

ADMINISTRATIVE CONSENT AGENDA

Review of the Proceedings of the Caucus held April 25, 2016

This item comes before Council under the Administrative Consent Agenda.

It was moved by Mr. McBride, seconded by Mr. Dawson, that Council approve the minutes of the caucus held April 25, 2016. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSTAIN - Mr. Fobes and Mrs. Howard. The motion passed.

Review of the Proceedings of the Regular Session held April 25, 2016

This item comes before Council under the Administrative Consent Agenda.

It was moved by Mr. McBride, seconded by Mr. Dawson, that Council approve the minutes of the regular session held April 25, 2016. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSTAIN - Mr. Fobes and Mrs. Howard. The motion passed.

Committee Reports

Governmental Committee

Economic Development Corporation

Mr. Rodman, as Chairman of the Governmental Committee, reported the Mayors have made appointments to the newly created Economic Development Board. Chairman Sommerville will represent County Council, temporarily and until a permanent appointment is made by Council. Going forward Mr. Kubic will convene the Board at which time the members can appoint the remaining Board of Directors, elect corporate officers and consider adoption of the Bylaws.

Lady's Island / St. Helena Island Fire District

Pat Harvey-Palmer

The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. Mrs. Pat Harvey-Palmer, representing St. Helena Island, garnered the ten votes required to serve as a member of the County Transportation Committee.

Public Facilities Committee

County Transportation Committee

James Morrall

The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. Mr. James Morrall, representing Council District 5, garnered the six votes required to serve as a member of the County Transportation Committee.

Paul Runko

The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. Mr. Paul Runko, representing Council District 9, garnered the six votes required to serve as a member of the County Transportation Committee.

The Vice Chairman passed the gavel back to the Chairman in order to continue the meeting.

PUBLIC COMMENT

The Chairman recognized Dr. Lynn Goetze, who is representing her partners, Dr. Scott Cummings and Dr. Kamal Patel, *a.k.a.*, 2WT, LLC. In 2012, we purchased property in the Myrtle Park development with the intentions of building our medical practice. We have sustaining ongoing harm from suspension of our rights of use our property. We can neither develop nor sell it until this development agreement problem is settled. Today we are asking that Council terminate the Oaks Development Agreement between Beaufort County and Oaks Construction Company, Inc.

AN ORDINANCE AUTHORIZING THE RELINQUISHMENT OF AN EASEMENT ENCUMBERING PROPERTY IDENTIFIED AS TMP R200-007-000-0049-0000

It was moved by Mr. Dawson, as Chairman of the Public Facilities Committee (no second required), that Council approve on second reading an ordinance authorizing the relinquishment of an easement encumbering property identified as TMP R200-007-000-0049-0000. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. NAYS – Mr. McBride. The motion passed.

The Chairman announced a public hearing on Monday, May 23, 2016 beginning at 6:30 p.m. in the large meeting room of the Bluffton Branch Library, 120 Palmetto Way, Bluffton, South Carolina.

FISCAL YEAR 2016 – 2017 COUNTY BUDGET PROPOSAL

It was moved by Mr. Stewart, as Chairman of the Finance Committee (no second required), that Council approve on first reading, by title only, the Fiscal Year 2016 – 2017 County budget proposal. The vote: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Fobes, Mr. McBride, Mr. Rodman, Mr. Stewart and Mr. Vaux. NAYS – Mr. Caporale, Mr. Flewelling, Mrs. Howard and Mr. Sommerville. The motion passed.

The Chairman announced the first of two public hearings Monday, May 23, 2016 beginning at 6:30 p.m., in the large meeting room of the Bluffton Branch Library, 120 Palmetto Way, Bluffton; and the second Monday, June 13, 2016 beginning at 6:30 p.m., in Council Chambers of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort.

FISCAL YEAR 2016 – 2017 SCHOOL DISTRICT BUDGET PROPOSAL

Main motion: It was moved by Mr. Stewart, as Chairman of the Finance Committee (no second required), that Council approve on first reading, by title only, the Fiscal Year 2016 – 2017 School District budget proposal.

Motion to postpone: It was moved by Mr. Rodman, seconded by Mr. Flewelling, that Council postpone consideration of first reading of the Fiscal Year 2016 – 2017 School District budget proposal until the May 23, 2016 meeting. The vote: YEAS – Mrs. Bensch, Mr. Flewelling, Mr. Fobes, Mr. McBride, Mr. Rodman and Mr. Sommerville. NAYS – Mr. Dawson, Mrs. Howard, Mr. Stewart and Mr. Vaux. ABSTAIN – Mr. Caporale. The motion passed.

The Chairman announced the first of two public hearings Monday, May 23, 2016 beginning at 6:30 p.m., in the large meeting room of the Bluffton Branch Library, 120 Palmetto Way, Bluffton; and the second Monday, June 13, 2016 beginning at 6:30 p.m., in Council Chambers of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort.

CONSENT AGENDA

TEXT AMENDMENTS TO THE 2010 BEAUFORT COUNTY COMPREHENSIVE PLAN AS A RESULT OF THE FIVE-YEAR REVIEW OF THE PLAN: FIVE-YEAR ASSESSMENT; CHAPTER 4. LAND USE; CHAPTER 6. CULTURAL RESOURCES; AND CHAPTER 9. ENERGY

This item comes before Council under the Consent Agenda. Discussion occurred at the March 22, 2016 meeting of the Natural Resources Committee

It was moved by Mr. Flewelling, seconded by Mr. McBride that Council approve on third and final reading text amendments to the 2010 Beaufort County Comprehensive Plan as a result of the five-year review of the Plan: Five-Year Assessment; Chapter 4. Land Use; Chapter 6. Cultural Resources; and Chapter 9. Energy. The vote: YEAS - Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. NAYS – Mr. Caporale. The motion passed.

AN ORDINANCE CREATING PROCEDURE FOR ESTABLISHING DIRT ROAD MAINTENANCE AND THE ESTABLISHMENT OF A SPECIAL PURPOSE TAX DISTRICT TO COVER COSTS ASSOCIATED WITH IMPROVEMENTS

This item comes before Council under the Consent Agenda. Discussion occurred at the April 18, 2016 meeting of the Public Facilities Committee.

It was moved by Mr. Flewelling, seconded by Mr. McBride, that Council approve on second reading an ordinance creating a procedure for establishing dirt road maintenance and the establishment of a special purpose tax district to cover costs associated with the improvements. The vote: YEAS - Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. NAYS – Mr. Caporale. The motion passed.

The Chairman announced a public hearing on Monday, May 23, 2016 beginning at 6:30 p.m. in the large meeting room of the Bluffton Branch Library, 120 Palmetto Way, Bluffton, South Carolina.

PUBLIC HEARING

AN ORDINANCE TO TERMINATE A DEVELOPMENT AGREEMENT BETWEEN BEAUFORT COUNTY AND OAKS CONSTRUCTION COMPANY, INC., ET AL., PURSUANT TO SECTION 6-31-90 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED

The Chairman opened a public hearing beginning at 6:32 p.m. for the purpose of receiving comments on an ordinance to terminate a Development Agreement between Beaufort County and Oaks Construction Company, Inc., *et al.*, pursuant to Section 6-31-90 of the *Code of Laws of South Carolina, 1976*, as amended. After calling three times for comment and receiving none, the Chairman declared the hearing closed at 6:33 p.m.

Main motion: It was moved by Mr. Flewelling, as Chairman of the Natural Resources Committee (no second required), that Council approve on third and final reading an ordinance to terminate a Development Agreement between Beaufort County and Oaks Construction Company, Inc., *et al.*, pursuant to Section 6-31-90 of the *Code of Laws of South Carolina, 1976*, as amended.

Motion to amend by substitution: It was moved by Mr. Vaux, seconded by Mr. Flewelling, that Council substitute the text in the final paragraph as follows: Now, therefore, in consideration and pursuant to Section 6-31-10 of the *Code of Laws of South Carolina, 1976*, as amended, Beaufort County Council hereby adopts this Ordinance to terminate the Oaks Development Agreement, including any subsequent amendments thereto, but in order to allow a property owner and the County to agree upon appropriate rezoning under the Community Development Code and Development Agreement Act, stays the termination as to the parcels identified as R601-040-000-0143-0000, R601-040-000-0451-0000 through R601-040-000-0462-0000, and R601-040-000-0826-0000 through R601-040-000-0828-0000, generally referred to as the MCFE, LLC Property in the Oaks Development Agreement. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

Vote on the amended motion, which is now the main motion, and includes the motion to amend by substitution: Council approve on third and final reading an ordinance to terminate a Development Agreement between Beaufort County and Oaks Construction Company, Inc., et al., pursuant to Section 6-31-90 of the Code of Laws of South Carolina, 1976, as amended. Further, that substitute the text in the final paragraph as follows: Now, therefore, in consideration and pursuant to Section 6-31-10 of the Code of Laws of South Carolina, 1976, as amended, Beaufort County Council hereby adopts this Ordinance to terminate the Oaks Development Agreement, including any subsequent amendments thereto, but in order to allow a property owner and the County to agree upon appropriate rezoning under the Community Development Code and Development Agreement Act, stays the termination as to the parcels identified as R601-040-000-0143-0000, R601-040-000-0451-0000 through R601-040-000-0462-0000, and R601-040-000-0826-0000 through R601-040-000-0828-0000, generally referred to as the MCFE, LLC Property in the Oaks Development Agreement. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

CALL FOR RECONSIDERATION / COUNCIL VOTE OF MAY 9, 2016 / SOUTHERN BEAUFORT COUNTY BLOODY POINT PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN AMENDMENT FOR R800 027 00A 0076 0000, R800 027 00A 0078 0000, R800 027 00A 0085 0000, AND R800 027 00A 0092 0000 (179.99 ACRES)

It was moved by Mr. Rodman, seconded by Mr. Caporale, that Council reconsider its vote of May 9, 2016 regarding the Southern Beaufort County Bloody Point Planned Unit Development (PUD) Master Plan Amendment for R800 027 00A 0076 0000, R800 027 00A 0078 0000, R800 027 00A 0085 0000, and R800 027 00A 0092 0000 (179.99 acres). The vote: YEAS – Mr. Caporale, Mrs. Bensch, Mr. Fobes and Mr. Rodman. NAYS – Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion failed.

MATTERS ARISING OUT OF EXECUTIVE SESSION

There were no matters arising out of executive session.

PUBLIC COMMENT

There were no requests to speak during public comment.

ADJOURNMENT

Council adjourned at 7:15 p.m.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____

D. Paul Sommerville, Chairman

ATTEST: _____

Suzanne M. Rainey, Clerk to Council

Ratified:

FINANCE COMMITTEE

May 9, 2016

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

The Finance Committee met Monday, May 9, 2016 beginning at 4:00 p.m. in the Executive Conference Room, Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Chairman Jerry Stewart, Vice Chairman Steven Fobes, and members Cynthia Bensch, Rick Caporale, Brian Flewelling, William McBride and Stu Rodman. Non-committee members Gerald Dawson, Alice Howard, Paul Sommerville and Tabor Vaux present. (Paul Sommerville, as County Council Chairman, serves as an *ex-officio* member of each standing committee of Council and is entitled to vote.)

County staff: Jim Beckert, Auditor; Allison Coppage, Assistant County Attorney; Joshua Gruber, Deputy County Administrator/Special Counsel; Alicia Holland, Assistant County Administrator-Finance; Tom Keaveny, County Attorney; and Gary Kubic, County Administrator

Public: Terry Bennett, Director of Grants Management, Beaufort County School District; Shawn Epps, F&ME Consultants; and David Tedder, legal counsel, MCFE, LLC.

Media: Joe Croley, *Lowcountry Inside Track*.

Councilman Stewart chaired the meeting.

INFORMATION ITEM

1. Discussion / Fiscal Year 2016 – 2017 Budget Proposal

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

Discussion: Mr. Josh Gruber, Deputy County Administrator/Special Counsel, provided the Committee with a revised spreadsheet that detailed both revenue and expenditure line items for the current FY2016 budget versus projected/proposed FY2017 budget, to include the changes between the first budget proposal and today. These changes included the following:

- 10001010 Auditor - Additional request for funding from Auditor's Office. This reflects a full year salary appropriation which was a part of the supplemental appropriation.

- General Government Subsidies – This amount includes requests for appropriations received from Lowcountry Council and Governments and Penn Center.
- 10001201 Sheriff Administrative Division – This amount includes a request from the Sheriff's Office for additional personnel as requested at the Finance Committee meeting of April 18, 2016.
- 10001598 Public Welfare Direct Subsidies – This amount includes additional funding for Lowcountry Regional Transportation Authority to receive federal matching funds.
- PEBA Retirement – The Senate's version of the State budget calls for a .5% increase in employer contributions for retirement.
- 4% State COLA – This is the rate that is pending in the budget for State employees, which affects the salaries of certain elected and state officials.
- Economic Development – This amount is included in the budget as a directive from the Finance Committee meeting of April 18, 2016. Staff proposes Council move forward with a 2.12 mil increase (.12 mils increase due to the inclusion of Economic Development amount), rather than the previously proposed 2.0 mil increase.
- The revisions overviewed today amounts to approximately \$1.4 million dollars in additional appropriations. Based upon the Senate's current adopted version of the budget, they have increased the Local Government Fund (LGF) contributions by about half of what Beaufort County has been shorted in previous years (\$2.4 million). Everything that has been presented, with the exception of the \$200,000 for Economic Development, would be paid for without a millage adjustment, but that is contingent upon the House agreeing to that money remaining in the budget, and the budget being adopted by the Governor.

Questions and concerns of the Committee were as follows:

- Is there any assurance that there is no money in the budget to fund continuation of the Sheriff's Office retirees' insurance?
 - Council, as a directive, has taken action to cease providing that benefit. We cannot control the actions of an elected official once the budget has been appropriated. Council does have the authority over their approved budget amount for the following year.
- Why was the County Administrator's budget reduced by \$100,000?
 - The FY2016 budget included an additional \$300,000 for completion of three studies – Salary Compensation Study, Facility Study, and Detention Center Study. With the completion/near completion of these studies, those dollars are not needed to move forward. The Administrator's budget was then increased by \$200,000 for security in the Administration and Human Services buildings.
- Why was the County Attorney's budget reduced by \$74,832?
 - The reduction is due to a transfer of the Public Information Officer's budget, which has been reassigned to the Communication Department's budget.
- Committee asked staff to ensure the Salary and Compensation Study does not include magistrates, judges and elected officials and that they do not receive compensation adjustments.
 - Their salaries are set by Council.

- What is line item 10001698 Cultural and Direct Subsidies?
 - This line item is for educational subsidies - \$2 million each to the Technical College of the Lowcountry and University of South Carolina-Beaufort. This is the same amount provided in the current fiscal year budget.
- Consider an across-the-board cut of 1% or 2% of the County budget proposal budget to eliminate the need for a mil increase.
- Concern was expressed regarding the 5% increase of expenditures and having to defend these increases to the constituents. The \$200,000 line item for Economic Development is not designated for anything particular.
- It may be helpful to have a subtotal for each County administration and the other elected officials given the disproportionate increases over the years.
- The possibility of staff providing a list of where potential cuts could come from.
- The transfer of \$90,000 from the Reserve Fund for a portion of the Economic Development line item.
- What is the total amount of Reserve Fund?
 - \$25 million.
- What is the projected amount of Reserve Funding at the end of FY2016?
 - It may increase by \$1 million.
- What was Council's directive to staff via ordinance regarding the Reserve Fund?
 - 30% of Operational Budget.

Motion: It was moved by Mrs. Bensch, seconded by Mr. Flewelling, that Committee approve directing staff to transfer \$5,021,594 from the Reserve Fund to the General Fund for FY2016-2017 thereby eliminating the 2.12 mil increase. The vote: YEAS – Mrs. Bensch. NAYS - Mr. Caporale, Mr. Flewelling, Mr. Fobes, Mr. McBride, Mr. Rodman, Mr. Sommerville and Mr. Stewart. The motion failed.

Motion: It was moved by Mr. Sommerville, that Committee approve directing staff to remove the \$200,000 line item for Economic Development from the FY2016-2017 proposed budget. The motion died for lack of a second.

Status: Information only.

GOVERNMENTAL COMMITTEE

May 16, 2016

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

The Governmental Committee met Monday, May 16, 2016 beginning at 1:00 p.m. in the Executive Conference Room of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Chairman Stu Rodman, Vice Chairman Rick Caporale, and Committee members Cynthia Bensch, Gerald Dawson, Brian Flewelling, Alice Howard and Jerry Stewart. Non-Committee members Steven Fobes and William McBride present.

County Staff: Allison Coppage, Assistant County Attorney; Josh Gruber, Deputy County Administrator/Special Council; Thomas Keaveny, County Attorney, and Gary Kubic, County Administrator.

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

Mr. Rodman chaired the meeting.

ACTION ITEM

1. Discussion / An Ordinance of Beaufort County Council Establishing the Appointment of its Representative to the Beaufort County Economic Development Corporation

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

Discussion: Mr. Rodman, as Chairman of the Governmental Committee, explained that on June 8, 2015 Council adopted a resolution to adopt an Economic Development Policy for Beaufort County. On July 27, 2015 Beaufort County Council passed a resolution that authorized the County Administrator to prepare the necessary documents to establish a nonprofit economic development corporation to coordinate and implement economic development plans and initiatives. The Articles of Incorporation have been filed with the Secretary of State and the Beaufort County Economic Development Corporation (Corporation) has been established.

The Corporation's board shall be comprised of four municipal representatives, one county council representative and two representatives appointed by the board.

Motion: It was moved by Mr. Caporale, seconded by Mr. Flewelling, that Committee approve and recommend Council approve on first reading an ordinance of Beaufort County Council establishing the appointment of its representative to the Beaufort County Economic Development Corporation. The vote: YEAS - Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mrs. Howard, Rodman and Mr. Stewart. NAYS – Mrs. Bensch. The motion passed.

Recommendation: Council approve on first reading an ordinance of Beaufort County Council establishing the appointment of its representative to the Beaufort County Economic Development Corporation.

INFORMATION ITEM

2. Discussion on Whether to Join Southern Carolina Alliance

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

Discussion: Mr. Rodman reviewed a chronology of economic development events and members discussed whether to join the Southern Carolina Alliance.

- Council and Mayors met March 23, 2015 to discuss several different moving pieces regarding the development of an economic development strategy: understanding the possibilities of Alliances, understanding what we are doing with the S.C. Department of Commerce, and hopefully, a solution we will agree to with our counterparts in the municipalities. The net take-away from that meeting was that the Mayors would like to partner with the County.

- Council adopted a resolution June 8, 2015 establishing an economic development strategy to include the establishment of a Beaufort County Economic Development Corporation to include participation of the municipalities and associated public funding and the purchase and/or infrastructure development of properties in Beaufort County.

- Council adopted a resolution July 27, 2015 authorizing the County Administrator to prepare the necessary documents to establish a nonprofit economic development corporation to coordinate and implement economic development plans and initiatives within Beaufort County.

- The Mayors have met a couple of times and put forward recommendations -- hire a consultant and defer the alliance decision -- which Council looked at during the annual strategic planning session.

- Letter sent to the Charleston Regional Development Alliance wanting to know if they have an interest in pursuing a potential relationship with Beaufort County (February 2016). Charleston wrote back indicating that it was not something they were interested in entertaining at this time.

- Letter sent to Southern Carolina Alliance wanting to know if they have an interest in pursuing a potential relationship with Beaufort County (February 2016). Southern responded in early March 2016. Jasper County would welcome us to come into Southern Carolina, but not as a one-on-one.

- We need public funding to make it work because we do not, like a lot of cities, have a large industrial base to call upon to stand-it-up privately.

- Articles of Incorporation have been filed with the Secretary of State establishing the Beaufort County Economic Development Corporation and a Board of Directors to be configured as follows: one each representing the City of Beaufort, the Town of Bluffton, the Town of Hilton Head Island, and the Town of Port Royal; one representing Beaufort County Council; and two to be appointed by the Board of Directors (April 2016).

- Bylaws have been drafted and circulated for discussion purposes (April 2016).

- The Finance Committee has recommended appropriating \$295,000 in the FY 2017 Budget for Economic Development to include: The carryover of the unspent \$90,000 in the FY 2016 Budget and an additional \$205,000 in the FY 2017 Preliminary Budget (April 2016).

- The first order of business is for the County Administrator to convene the Board at which time the members can appoint the remaining Board of Directors, elect corporate officers and consider adoption of the Bylaws. The seven member Board of Directors includes the following appointments:

Beaufort County - Chairman Paul Sommerville

City of Beaufort - Councilman Stephen Murray

Town of Bluffton - Mayor Lisa Sulka

Town of Hilton Head Island - Mayor David Bennett

Town of Port Royal - Former Councilman Joe Lee

Two by the Board

Motion: It was moved by Mr. Caporale, seconded by Mr. Rodman, that Committee approve and recommend to Council that the County join the Southern Carolina Alliance subject to: (i) a minimum of eight affirmative votes, (ii) a recommendation from the Beaufort County Economic Development Corporation to join, and (iii) an option to exit after one year with a three-month notice. The vote: YEAS – Mrs. Bensch, Mr. Caporale and Mr. Rodman. NAYS – Mr. Dawson, Mrs. Howard, Mr. Flewelling and Mr. Stewart. The motion failed.

Status: Beaufort County Economic Development Corporation to provide a timely recommendation as to joining Southern Carolina Alliance and Council to expedite its decision, all other conditions having been satisfied.

NATURAL RESOURCES COMMITTEE

May 17, 2016

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

The Natural Resources Committee met Monday, May 17, 2016 beginning at 3:00 p.m., in the Executive Conference Room, Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Committee Chairman Brian Flewelling, Vice Chairman Alice Howard and members Gerald Dawson, William McBride and Jerry Stewart present. Committee members Steve Fobes and Roberts Vaux absent.

County Staff: Allison Coppage, Assistant County Attorney; Tony Criscitiello, Planning Director; Joshua Gruber, Deputy County Administrator/Special Counsel; Thomas Keaveny, County Attorney; Gary Kubic, County Administrator; Eric Larson, Division Director-Environmental Engineering; and Rob Merchant, Long-Range Planner/Development Review Planner.

Public: Bob Bender, Lowcountry Estuary; Greg Campbell, Sea Island Corridor Coalition; and Kate Schaefer, South Coast Director, Coastal Conservation League.

Media: Lolita Huckaby, *Lowcountry Inside Track*.

Mr. Flewelling chaired the meeting.

ACTION ITEMS

1. Discussion / Resolution Adopting the Port Royal Sound Estuarine System

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

Motion: It was moved by Mrs. Howard, seconded by Mr. Stewart, that Natural Resources Committee reconsider a resolution supporting the admission of the Port Royal Sound Estuarine System as a member of the National Estuary Program. The vote: YEAS – Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride and Mr. Stewart. ABSENT – Mr. Fobes and Mr. Vaux. The motion passed.

Discussion: This is a resolution supporting the admission of the Port Royal Sound Estuarine System as a member of the National Estuary Program.

Mr. Tony Criscitiello, Planning Director, informed the Committee that the discussion of this item originated with the Rural and Critical Lands Preservation Board. The Board was apprised by the opportunity to have the Port Royal Sound introduced into a national organization that provides for estuary study and institutionalizing certain things that can be done for the health of estuaries, as well as promote scientific evaluation of the things that pertain thereto.

Mr. Bob Bender, Lowcountry Estuary, spoke before the Committee. The major concerns primarily had to do with the involvement of the County and financial interests. He provided Council via email, information stating that the County is under no obligation financially. This is merely a tool to address issues that we will be confronting in future years, and will allow the County to seek funding for the study of issues that we will be facing.

Questions and concerns of the Committee are as follows:

- Would this be a burden on County staff?
 - No. When this item was first introduced, staff did not fully understand enough about the program. This Program, in other jurisdictions, has become an extensive planning tool. This has elements of long range land use planning, environmental controls, and is a fairly involved program.
- What advantages does this provide to the County?
 - The studies that would be done as part of this designation would ultimately form the foundation for additional land use regulations and environmental controls.
- It was mentioned that this Program would offer an avenue for applying for federal grants. What is the obligation of the County to apply matching funds for such grants?
 - It is an avenue only if the County wants to apply for such grants. The County would not be obligated for matching funds.
- Concerns about opening the County for any additional regulations.

Motion: It was moved by Mr. Stewart, seconded by Mrs. Howard, that Natural Resources Committee recommend Council adopt a resolution supporting admission of the Port Royal Sound Estuarine System as a member of the National Estuary Program, subject to the following: (1) County is not under any obligations – financially or regulatory, (2) County is merely endorsing on behalf of other organizations applying for membership; and (3) Any future activities in association with the County will have to come back before Council for approval. The vote: YEAS – Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride and Mr. Stewart. ABSENT – Mr. Fobes and Mr. Vaux. The motion passed.

Recommendation: Council adopt a resolution supporting admission of the Port Royal Sound Estuarine System as a member of the National Estuary Program, subject to the following: (1) County is not under any obligations – financially or regulatory, (2) County is merely endorsing on behalf of other organizations applying for membership; and (3) Any future activities in association with the County will have to come back before Council for approval.

2. Text Amendments to Articles 1, 2, 3, 4, 5, 6, 7 and 10 of the Community Development Code as a Result of the One-Year Review of the Code Adopted December 4, 2014; Applicant: Beaufort County

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

Discussion: Mr. Rob Merchant, Planner, reviewed with the Committee proposed Text Amendments to Articles 1, 2, 3, 4, 5, 6, 7 and 10 of the Community Development Code (Code), as a result of the one year review of the Code adopted December 4, 2014, which included the following:

- **Transect Zone Amendments:** These include amendments to transect zones and related provisions. Since the transect zones are a prominent feature in the new Code, it is in the County's best interest to insure that the districts are utilized and do not present unnecessary barriers to development.
- **Parking Amendments:** These are changes to Division 5.5 to assure that strict maximum parking requirements do not present an unnecessary barrier to development.
- **Sign Amendments:** These are changes to the sign requirements in Division 5.6.
- **Tree Amendments:** These are changes to the Resource Protection Standards in Division 5.11 to respond to concerns about several new developments in the county.
- **Corrections, Clarifications, and provisions from the ZDSO:** These are minor amendments that do not change the substance of the code. They include mistakes found in the code, such as incorrect building setbacks, or references to provisions that were removed from the code (e.g. Plat Vacation). They also include clarifications, which are changes to wording that aid in the understanding of the requirements. Finally, some of the changes being brought forward were provisions

Motion: It was moved by Mr. Stewart, seconded by Mrs. Howard, that Natural Resources Committee recommend Council approve on first reading text amendments to Articles 1, 2, 3, 4, 6, 7 and 10 of the Community Development Code, as a result of the one-year review of the Code adopted December 4, 2014. The vote: YEAS – Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride and Mr. Stewart. ABSENT – Mr. Fobes and Mr. Vaux. The motion passed.

Recommendation: Council approve on first reading text Amendments to Articles 1, 2, 3, 4, 6, 7 and 10 of the Community Development Code, as a result of the one-year review of the Code adopted December 4, 2014.

3. Southern Beaufort County Map Amendment / Rezoning for Thirteen (13) Properties Totaling 39.02 Acres Located in the Bluffton Area Between Ulmer Road and Devonwood Drive; Applicant: Beaufort County

- **From T3-Hamlet Neighborhood to T2-Rural Center for twelve (12) properties: R600 039 000 0205 0000, R600 039 000 0271 0000, R600 039 000 0229 0000, R600 039 000 0519 0000, R600 039 000 0226 0000, R600 039 000 226A 0000, R600 039 000 0860 0000, R600 039 000 226B 0000, R600 039 000 0287 0000, R600 039 000 0286 0000, R600 039 000 0285 0000, and a 2-acre portion of R600 040 000 0003 0000 (located at the northeast corner of Benton Field and Ulmer Roads); and**
- **From T3-Hamlet Neighborhood to T4-Hamlet Center for a 4.28-acre portion of R600 039 000 0850 0000**

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

Discussion: Mr. Rob Merchant, Planner, reviewed map amendments with the Committee. As part of the development of the Beaufort County Community Development Code (CDC), the County changed the zoning of the Alljoy community which includes the properties along Ulmer Road. Since the Alljoy community adjoins Old Town Bluffton, the County determined that this area was a good location to apply the transect zones to continue the goals of promoting pedestrian friendly development. The transect zones were mapped during a charrette held in November 2011 and took effect when the CDC was adopted in December 2014. However, during the development of the Code, the Ulmer Road area was zoned T3 Hamlet Neighborhood, which is primarily a residential zoning district. This area has historically had a mix of commercial and light industrial uses which include concrete manufacturing, bus storage, contractor's offices, and public maintenance buildings. This mix of uses was accommodated in the ZDSO under the Alljoy Community Mixed-Use district. Planning staff believes that the T3 Hamlet Neighborhood designation for this area was an oversight by the consultant and staff and needs to be corrected with a zoning designation that reflects the existing mix of uses.

The T2 Rural Center zoning designation promotes a character, density, and mix of commercial, service, and light industrial uses that are appropriate for the existing development in the area. In addition, the 9.24 acre parcel owned by the Bluffton Fire District at the corner of Burnt Church Road and Ulmer Road was split zoned with the front 5 acres zoned T4 Hamlet Center and the rear 4.28 acres zoned T3 Hamlet Neighborhood. Staff is proposing to zone the entire parcel T4 Hamlet Center to limit the complications that may stem from being split zoned.

Mr. Tony Criscitiello, Planning Director, informed the Committee that at the Planning Commission meeting, a representative from the Bluffton Fire District presented a desire to install a training facility (45 foot tower) on the property. The Code does not provide for 45 foot height limitation in regard to training facilities. This issue is scheduled for Planning Commission consideration on June 6, 2016. He recommends that the Committee consider approving initiation

of the height regulation amendment today, and then provide the exact language before third reading, in order to expedite this need.

Motion: It was moved by Mr. Stewart, seconded by Mr. Dawson, that Natural Resources Committee recommend Council approve on first reading a Southern Beaufort County Map Amendment / Rezoning for thirteen (13) properties totaling 39.02 acres located in the Bluffton area between Ulmer Road and Devonwood Drive: (i) from T3-Hamlet Neighborhood to T2-Rural Center for twelve (12) properties: R600 039 000 0205 0000, R600 039 000 0271 0000, R600 039 000 0229 0000, R600 039 000 0519 0000, R600 039 000 0226 0000, R600 039 000 226A 0000, R600 039 000 0860 0000, R600 039 000 226B 0000, R600 039 000 0287 0000, R600 039 000 0286 0000, R600 039 000 0285 0000, and a 2-acre portion of R600 040 000 0003 0000 (located at the northeast corner of Benton Field and Ulmer Roads); (ii) from T3-Hamlet Neighborhood to T4-Hamlet Center for a 4.28-acre portion of R600 039 000 0850 0000; and (iii) amend the height requirement to 45 feet, subject to approval from the Planning Commission prior to third and final reading. The vote: YEAS – Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride and Mr. Stewart. ABSENT – Mr. Fobes and Mr. Vaux. The motion passed.

Recommendation: Council approve on first reading a Southern Beaufort County Map Amendment / Rezoning for thirteen (13) properties totaling 39.02 acres located in the Bluffton area between Ulmer Road and Devonwood Drive: (i) from T3-Hamlet Neighborhood to T2-Rural Center for twelve (12) properties: R600 039 000 0205 0000, R600 039 000 0271 0000, R600 039 000 0229 0000, R600 039 000 0519 0000, R600 039 000 0226 0000, R600 039 000 226A 0000, R600 039 000 0860 0000, R600 039 000 226B 0000, R600 039 000 0287 0000, R600 039 000 0286 0000, R600 039 000 0285 0000, and a 2-acre portion of R600 040 000 0003 0000 (located at the northeast corner of Benton Field and Ulmer Roads); (ii) from T3-Hamlet Neighborhood to T4-Hamlet Center for a 4.28-acre portion of R600 039 000 0850 0000; and (iii) amend the height requirement to 45 feet, subject to approval from the Planning Commission prior to third and final reading.

4. 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: It was moved by Mr. Dawson, seconded by Mr. Stewart, that Natural Resources Committee recommend Council nominate Gerald Schultz for appointment to serve as a member of the Beaufort/Jasper Water and Sewer Authority. The vote: YEAS – Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride and Mr. Stewart. ABSENT – Mr. Fobes and Mr. Vaux. The motion passed.

Motion: It was moved by Mrs. Howard, on behalf of Mr. Sommerville, seconded by Mr. Dawson, that Natural Resources Committee recommend Council nominate Anderson Kinghorn for appointment to serve as a member of the Beaufort/Jasper Water and Sewer Authority. No vote was taken since the Committee favorably endorsed Mr. Schultz.

Motion: It was moved by Mr. McBride, seconded by Mrs. Howard, that Natural Resources Committee recommend Council nominate Donna Altman for reappointment to serve as a member of the Beaufort/Jasper Water and Sewer Authority. The vote: YEAS – Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride and Mr. Stewart. ABSENT – Mr. Fobes and Mr. Vaux. The motion passed.

Recommendation: Council nominate Gerald Schultz for appointment and Donna Altman for reappointment to serve as members of the Beaufort/Jasper Water and Sewer Authority.

INFORMATION ITEMS

5. Presentation / Recap May 2, 2016 Meeting of the Planning Commission

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

Discussion: Mr. Tony Criscitiello, Planning Director, provided the Committee with a recap of the May 2, 2016 Planning Commission meeting.

Status: Information only.

6. 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

Status: One vacancy – Lady's Island.

7. 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

Status: One vacancy – Southern Beaufort County.

Boards and Commissions
Reappointments and Appointments
May 23, 2016

1 Finance Committee

Tax Equalization Board

<u>Nominate</u>	<u>Name</u>	<u>Position/Area/Expertise</u>	<u>Reappoint/Appoint</u>	<u>Votes Required</u>	<u>Term/Years</u>	<u>Expiration</u>
05.23.16	Edward Forrest	At Large, South	Appoint	6/11	Partial	2/17

2 Natural Resources Committee

Beaufort/Jasper Water and Sewer Authority

<u>Nominate</u>	<u>Name</u>	<u>Position/Area/Expertise</u>	<u>Reappoint/Appoint</u>	<u>Votes Required</u>	<u>Term/Years</u>	<u>Expiration</u>
05.23.16	Donna Altman	Countywide	Reapoint	8/11	6	2/22
05.23.16	Gerald Schulze	Countywide	Appoint	6/11	6	22-Feb

BEAUFORT COUNTY ORDINANCE NO. _____

AN ORDINANCE TO IMPOSE A ONE PERCENT SALES AND USE TAX, SUBJECT TO A REFERENDUM, WITHIN BEAUFORT COUNTY, PURSUANT TO THE CAPITAL PROJECT SALES TAX ACT, S.C. CODE ANN. §4-10-300, ET SEQ.; TO DEFINE THE SPECIFIC PURPOSES AND DESIGNATE THE PROJECTS FOR WHICH THE PROCEEDS OF SUCH TAX MAY BE USED; TO PROVIDE THE MAXIMUM TIME FOR WHICH SUCH TAX MAY BE IMPOSED; TO PROVIDE FOR THE MAXIMUM AMOUNT OF GENERAL OBLIGATION BONDS TO BE ISSUED IN ORDER TO FINANCE THE CAPITAL PROJECTS AUTHORIZED HEREUNDER SUCH BONDS TO BE PAYABLE FROM, AND SECURED BY, THE CAPITAL PROJECT SALES AND USE TAX AUTHORIZED HEREBY AS WELL AS THE FULL FAITH, CREDIT AND TAXING POWER OF BEAUFORT COUNTY; TO PROVIDE THE MAXIMUM COST OF THE PROJECTS OR FACILITIES FUNDED FROM THE PROCEEDS OF SUCH TAX OR BONDS AND THE MAXIMUM AMOUNT OF NET PROCEEDS TO BE RAISED BY SUCH TAX FOR THE PAYMENT OF THE COST OF SUCH PROJECTS OR FOR THE PAYMENT OF DEBT SERVICE ON ANY BONDS ISSUED TO PAY SUCH COSTS; TO PROVIDE FOR A COUNTYWIDE REFERENDUM AND TO PRESCRIBE THE CONTENTS OF THE BALLOT QUESTION IN SUCH REFERENDUM; TO PROVIDE CONDITIONS PRECEDENT TO THE IMPOSITION OF SUCH TAX AND CONDITIONS OR RESTRICTIONS ON THE USE OF SUCH TAX REVENUE; TO ESTABLISH THE PRIORITY, AND EXCEPTIONS THERETO, IN WHICH THE NET PROCEEDS OF SUCH TAX, IF APPROVED IN A REFERENDUM, ARE TO BE EXPENDED FOR THE PROJECTS AND PURPOSES STATED; TO PROVIDE FOR THE CONDUCT OF SUCH REFERENDUM BY THE BEAUFORT COUNTY BOARD OF ELECTIONS AND VOTER REGISTRATION, TO PROVIDE FOR THE ADMINISTRATION OF SUCH TAX, IF APPROVED; TO PROVIDE FOR THE PAYMENT OF SUCH TAX; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

BE IT ENACTED BY THE BEAUFORT COUNTY COUNCIL OF BEAUFORT COUNTY, SOUTH CAROLINA, IN PUBLIC MEETING DULY ASSEMBLED:

Section 1. Recitals and Legislative Findings. Incident to the adoption of this Ordinance, the Beaufort County Council of Beaufort County, South Carolina (the "County Council") has made the following findings:

(a) The South Carolina General Assembly has enacted the Capital Project Sales Tax Act, S.C. Code Ann. §4-10-300 et seq. (the "Capital Project Sales Tax Act" or " Act"), pursuant to which the County governing body may impose a one percent sales and use tax by ordinance, subject to a referendum, within the county area for a specific purpose or purposes and for a limited amount of time to collect a limited amount of money, and pursuant to which Beaufort County may utilize the revenues from such tax to pay directly and, or, to pay the debt service on any bonds issued by the County to pay the cost of any projects authorized by such Capital Project Sales Tax Act.

(b) The County Council, as the governing body of the County, is authorized to create a commission subject to the provisions of the Capital Project Sales Tax Act for the purpose of considering proposals for funding Capital Projects within the County area and the formulation of a referendum question which is to appear on the ballot. The County Council adopted a Resolution pursuant to the Capital Project Sales Tax Act creating the Beaufort County Capital Sales Tax Commission (the "Commission") for the purpose

of considering proposals for funding Capital Projects within the County and the formulation of a referendum question which is to appear on the ballot. Members of the Commission were appointed by the County Council and by the municipalities of Beaufort County in accordance with the provisions of the Capital Project Sales Tax Act.

(c) The Commission has considered proposals for funding of one or more Capital Projects within the County and the Commission has, by vote taken in public meetings duly advertised, identified the purposes for which the proceeds of the proposed capital projects sales and use tax shall be used and, in furtherance thereof, approved the projects described in this ordinance, established the maximum time for which the sales and use tax may be imposed at four (4) calendar years, established the maximum aggregate principal amount of general obligation bonds to be issued to finance the projects approved herein and specified that the proceeds of the tax may be pledged to the payment of any such bonds; authorized that grants, if any, may be applied towards the payment of any portion of the cost of a project; established the maximum cost of the projects to be paid from the proceeds of such tax and/or bonds and the maximum amount of net proceeds expected to be raised by the tax and used to pay the costs of such projects or debt service and costs of issuance relating to such bonds; established conditions precedent to the imposition of the sales and use tax and conditions and restrictions on the use of sales and use tax revenue collected pursuant to the Capital Project Sales Tax Act; established the priority in which the net proceeds of the sales and use tax are to be expended for the purposes stated therein; and formulated the ballot question which is to appear on the ballot pursuant to S.C. Code Ann. §4-10-330(D) of the Capital Project Sales Tax Act.

(d) The Beaufort County Council finds that the imposition of a capital projects sales and use tax in the County, subject to the limitations specified in this ordinance and for the purpose of paying, either directly or through payment of debt service on general obligation bonds, the proceeds of which are used to pay all reasonable or necessary expenses incidental to the purchase, acquisition, construction, repair, alteration, improvement of the projects including without limitation the expenses of studies; land title and mortgage title policies, architectural, engineering and construction management services; legal, accounting, organizational marketing or other special services related to the financing of the projects and issuance of bonds, if any; financial or underwriting fees and expenses incurred in connection with issuing bonds; rating agencies' fees; initial trustee and paying agent fees; recording and filing fees; and all other necessary and incidental expenses of the projects as more specifically described in Subsection 3.2 hereof (the "Capital Projects"), all of which the Council finds will serve the proper public and corporate purposes of Beaufort County and its municipalities by enhancing the safety, efficiency and aesthetics of the public infrastructure of Beaufort County, thereby promoting public health welfare, safety, desirable living conditions and economic development within the County and meeting the future needs of the County and its citizens.

Section 2. Adoption of Commission Report. Except as provided by law and to the extent that the Report of the Beaufort County Capital Sales Tax Commission is inconsistent with the terms, conditions and provisions of this Ordinance, the capital projects itemized in the report of the Beaufort County Capital Sales Tax Commission are hereby approved and adopted by Beaufort County Council.

Section 3. Adoption of Capital Projects Sales and Use Tax Subject to Referendum

3.1. A capital projects sales and use tax, as authorized by the Capital Project Sales Tax Act, S.C. Code §4-10-300 et seq. is hereby imposed in the County, subject to a favorable vote of a majority of the qualified electors voting in a special referendum on the imposition of such tax to be held in Beaufort County on November 8, 2016 (the "Referendum"), and to the restrictions and limitations set forth in this Ordinance.

3.2 The capital projects sales and use tax authorized by this Ordinance shall be expended for the purpose of paying, either directly or through payment of debt service on general obligation bonds, the proceeds of which are used to pay the cost of designing, engineering, constructing, expanding, relocating and improving the Capital Projects which shall include the following projects approved by the Commission:

CATEGORY 1, PUBLIC SAFETY:	
Jenkins Island (Windmill Harbour) Roadway Improvements	\$7,400,000
Pinckney Island Road Improvements	\$2,000,000
County Safe Routes to Schools (11):	\$4,640,000
Salem Road/Old Salem Road/Burton Hill Road	
Burnt Church Road and Ulmer Road Pathway and Intersection Improvements	
Joe Frazier Road	
Meridian Road	
Middle Road/Coosa Safe Routes to School	
Stuart Point Sidewalk	
US 17 Pathway Extension	
Big Road	
Seabrook Road	
Pine Grove Road/Burton Wells Road	
Dr. Martin Luther King Jr. Drive	
EMS Facilities - Bluffton/Pritchardville and Burton	\$6,000,000
Implementation of US 278 Traffic Safety Study Recommendations	\$5,600,000
Detention Center Security Improvements and Repairs	\$1,000,000
278 Improvements Jenkins Island to Squire Pope Road	\$4,500,000
Sheriff's Office Communication Equipment	\$6,255,698
Sheriff's Office Traffic Management Improvements	\$836,955
Buck Island and Simmonsville Road Improvement between May River Road and US 278	\$750,000
Hilton Head Island Safe Routes to Schools (2):	\$2,910,000
Main Street West and Connections to US 278	
William Hilton Parkway Eastbound - Gardner Drive to Jarvis Park	
Resurfacing of Town of Port Royal-Owned Roads	\$2,500,000
Port Royal Sidewalk Construction	\$300,000
Sub Total:	\$44,692,653
CATEGORY 2, ENVIRONMENTAL IMPACT:	
Bluffton Sanitary Sewer Installation and Connection	\$4,000,000
Stoney Creek Sub-Basin Pond Improvements and Wetlands Restoration	\$4,250,000

Rose Dhu Creek Sub-Basin Pond Improvements and Wetlands Restoration	\$1,750,000
Oyster Factory Park Improvements	\$2,000,000
Daufuskie Island Consolidation of Island-Wide Solid Waste Disposal	\$1,800,000
Sub Total:	\$13,800,000
CATEGORY 3, ECONOMIC DEVELOPMENT:	
Waddell Mariculture Improvements	\$750,000
Beaufort Downtown Parking Garage	\$13,000,000
Calhoun Street Dock Improvements and Expansion	\$750,000
Construction of New Port Spine Road (Port Redevelopment)	\$4,500,000
TCL Culinary Arts Teaching Institute and the Health Sciences Expansion	\$10,000,000
Sub Total:	\$29,000,000
CATEGORY 4, QUALITY OF LIFE:	
US 21 ITS Bridge System	\$500,000
Waterfront Park and Marina Improvements and Southside Park Improvements	\$4,000,000
Acquisition and Paving of Certain Dirt Roads on Hilton Head Island (21):	\$7,000,000
Aiken Place	
Allen Road	
Mackerel Drive	
Pine Field Road	
Sassafras Lane	
Clifford Miller Road	
Orage Road	
Amelia Court	
Amelia Drive	
Bligen Road	
Cobia Court	
Murray Avenue	
Outlaw Road	
Adell Lane	
Alice Perry Drive	
Benjamin Drive	
Great Barracuda Lane	
Horse Sugar Lane	
Mitchellville Road Ext	
Triggerfish Trail	
Christopher Drive	
Arts, Entertainment & Cultural Campus	\$6,202,000
Pavilion at Historic Mitchelville Freedom Park	\$210,000
Hilton Head Island Recreation Center Expansion	\$10,000,000
Daufuskie Island Road Right-of-Ways	\$1,350,000
USCB Academic/OLLI Building (Bluffton Campus)	\$3,150,000
Sub Total:	\$32,412,000
TOTAL ESIMATED COST OF ALL PROJECTS:	\$119,904,653

3.3. The capital projects sales and use tax authorized herein shall be imposed for a period not to exceed four (4) years from the date of imposition.

3.4. Subject to the provisions of Section 4 of this ordinance, the maximum aggregate principal amount of bonds to be issued to pay the cost of the Capital Projects is \$130,000,000 and it is anticipated that the capital projects sales and use tax authorized hereby will be pledged to the payment of debt service with respect to such bonds. In addition, the County may accept any grants and any other lawful sources of funds to apply to or pay for the Capital Projects provided herein. The maximum cost of the Capital Projects to be funded from the proceeds of the capital projects sales and use tax (including costs relating to the bonds) is \$130,000,000, the maximum amount of bonds to be issued is \$130,000,000 and the maximum amount of net proceeds anticipated to be used to pay such cost or debt service shall be \$130,000,000 which includes the repayment of a principal amount of bonds of \$130,000,000 and interest and expenses relating thereto of not exceeding \$10,000,000.

3.5. The sales and use tax imposed herein shall be imposed only if approved by a majority of qualified electors voting in favor of imposing such tax for the stated purposes in the Referendum. The imposition of such tax shall be subject to the additional conditions and restrictions set forth in this Ordinance and as otherwise imposed by law. The bonds referred to herein shall only be issued only if approved by a majority of qualified electors voting in favor thereof as part of the Referendum.

3.6. It is anticipated that the components of the Capital Projects will be funded to the extent practicable simultaneously from the proceeds of tax revenues and, or, general obligation bonds(s). If sufficient funds are not available to fund completely all components of the Capital Projects simultaneously or in the order provided herein, the County Council shall, by subsequent resolution or resolutions, approve funding for the Capital Projects as funds become available using the system set forth in this Subsection (3.6). The County will fund portions of the Capital Projects as may be necessary to fulfill the conditions of any grant associated with such portion of construction. The County will utilize any remaining funds to undertake those components of the Capital Projects in the most orderly means available. The County shall not commence construction on any component of the Capital Projects unless and until it has arranged funding for completion of such portion of the Capital Project.

3.7. If a sales and use tax is approved by a majority of the qualified electors voting in the Referendum, such tax is to be imposed on the first day of May, 2017, provided the Beaufort County Voter Registration and Election Commission shall certify the results and the County Council shall by Resolution declare the results of the referendum and certify such results to the South Carolina Department of Revenue timely.

3.8. The capital projects sales and use tax imposed by this Ordinance, if approved in the referendum conducted on November 8, 2016, shall terminate on the earlier of: (1) the final day of the fourth (4th) calendar year following imposition of the tax; or (2) the end of the calendar quarter during which the Department of Revenue receives a certificate from the County Administrator indicating that no more bonds approved in the referendum remain outstanding that are payable from the sales tax and that all the amount of the costs of the Capital Projects will have been paid upon application of the net proceeds during such calendar quarter.

3.9. Amounts of sales and use tax collected in excess of the required net proceeds must be applied, if necessary, to complete the Capital Projects; otherwise, the excess funds must be credited to the general fund of the governmental entity or entities receiving the proceeds of the tax, in the proportion in which they received the net proceeds of the tax while it was imposed.

3.10. The capital projects sales and use tax levied pursuant to this ordinance must be administered and collected by the South Carolina Department of Revenue in the same manner that other sales and use taxes are collected. The Department may prescribe amounts that may be added to the sales price because of the tax.

3.11. The tax authorized by this Ordinance is in addition to all other local sales and use taxes and applies to the gross proceeds of sales in the applicable area that is subject to the tax imposed by Chapter 36 of Title 12 of the Code of Laws of South Carolina, and the enforcement provisions of Chapter 54 of Title 12 of the Code of Laws of South Carolina. The gross proceeds of the sale of items subject to a maximum tax in Chapter 36 of Title 12 of the Code of Laws of South Carolina are exempt from the tax imposed by this ordinance. The tax imposed by this ordinance also applies to tangible personal property subject to the use tax in Article 13, Chapter 36 of Title 12 of the Code of Laws of South Carolina.

3.12. The capital projects sales and use tax authorized by this ordinance shall be administered in all respects in accordance with the Capital Project Sales Tax Act and as otherwise required by law.

Section 4. Authorization to Issue General Obligation Bonds Payable from the Proceeds of the Caps

4.1. There is hereby authorized to be issued from time to time in one or more series a maximum of \$130,000,000 aggregate principal amount of general obligation bonds of the County. Such bonds shall be secured by the full faith, credit and taxing power of the Beaufort County and by the proceeds of the capital project sales and use tax authorized hereby. Bonds issued pursuant to this ordinance shall not be counted toward the Beaufort County's 8% constitutional debt limitation.

4.2. Anything herein to the contrary notwithstanding, nothing in this Ordinance shall be construed as prohibiting the County from issuing revenue bonds to pay for any portion of the Capital Projects to the extent that the County identifies an appropriate source of revenue to be pledged to the payment of such bonds.

Section 5. Capital Project Sales and Use Tax Referendum: Ballot Question

5.1. The Voter Registration and Election Commission of Beaufort County shall conduct a referendum on the question of imposing a capital projects sales and use tax in the area of the County on Tuesday, November 8, 2016, between the hours of 7 a.m. and 7 p.m. under the election laws of the State of South Carolina. The Beaufort County Voter Registration and Election Commission shall publish in a newspaper of general circulation the question that is to appear on the ballot with the list of Capital Projects and the cost of projects and shall publish such election and other notices as are required by the Capital Project Sales Tax Act.

5.2. The question to be included on the ballot of the referendum to be held in the Beaufort County on November 8, 2016, must read substantially as follows:

OFFICIAL BALLOT GENERAL ELECTION BEAUFORT COUNTY, SOUTH CAROLINA NOVEMBER 8, 2016
Beaufort County One Percent Capital Projects Sales Tax Referendum

Local Question #1

MUST A SPECIAL ONE PERCENT SALES AND USE TAX BE IMPOSED IN BEAUFORT COUNTY FOR NOT MORE THAN FOUR (4) YEARS TO RAISE THE AMOUNTS SPECIFIED FOR THE FOLLOWING PURPOSES?

INSERT PROJECT LIST AND CORRESPONDING AMOUNTS

TOTAL ESTIMATED COST OF ALL PROJECTS: \$119,904,653

In order to pay the costs of the capital projects pending receipt of the sales tax revenues, must the County also be authorized to issue not exceeding \$130,000,000 of its general obligation bonds and pledge the proceeds of sales tax, if authorized, to the payment thereof?

The maximum amount of net proceeds of the tax which may be used to pay the cost or debt service on the bonds must not exceed \$10,095,347. The maximum amount of sales tax that may be collected must not exceed the sum of \$130,000,000 which includes the direct costs of the capital projects plus the amount of \$10,095,347 being the maximum amount of cost or debt service on bonds that may be paid from such source. "The \$130,000,000 is to be repaid from the net proceeds of the sales and use tax and if such sales and use tax is inadequate to repay the \$130,000,000, any balance shall be paid by Beaufort County.

CONDITIONS AND RESTRICTIONS ON THE USE OF SALES AND USE TAX REVENUE COLLECTED UNDER THE CAPITAL PROJECT SALES TAX ACT: The capital projects sales and use tax shall be expended for design, engineering, construction or improvement of the highways, roads, streets, bridges, parks and other Capital Projects listed above. Net proceeds of the capital project sales and use tax, if approved, must be expended for the purposes stated and in the priority listed; provided, however, that the order of funding of the projects may be adjusted on the basis of construction schedules or other events that may affect the schedule for any particular project; and provided that multiple projects may be funded simultaneously based on the formula or system contained in the ordinance adopted by the Beaufort County Council which shall include the authority to pay directly the cost of such projects or to issue bonds and/or to borrow funds in advance of receiving the net proceeds of the one percent sales and use tax, the estimated cost of such bonds or other borrowing not to exceed \$130,000,000. The expenditure of revenues from the capital projects sales and use tax, if approved, shall be subject to acquisition of title, right-of-way, design and engineering considerations, environmental issues, the discovery of historic sites or endangered species, the receipt of necessary permits, funding of projects from other sources,

bids in excess of project estimates, qualifications of bidders, cost overruns, exhaustion or insufficiency of net sales and use tax revenues to complete all projects in the order and priority provided herein and other unforeseen circumstances and conditions.

INSTRUCTIONS TO VOTERS: All qualified electors desiring to vote in favor of imposing the tax for the stated purposes and authorizing the general obligation bonds in connection therewith as outlined above and subject to the limitations and conditions set forth above shall vote "YES" and all qualified electors opposed to levying the tax and issuing such general obligation bonds shall vote "NO".

_____ YES

_____ NO

5.3. In the referendum on the imposition of a capital projects sales and use tax in the County, all qualified electors desiring to vote in favor of imposing the tax for the stated purposes and issuing the general obligation bonds shall vote "Yes" and all qualified electors opposed to levying the tax shall vote "No". If a majority of the votes cast is in favor of imposing the tax, then the tax should be imposed as provided in the Capital Project Sales Tax Act, S.C. Code Ann. §4-10-300 et seq. Expenses of the referendum shall be paid by the County.

5.4. Upon receipt of the returns of the referendum, the County Council shall, by Resolution, declare the results thereof. The results of the referendum, as declared by Resolution of the County Council, shall not be open to question except by suit or proceeding instituted within thirty (30) days from the date the County Council shall adopt a Resolution declaring the results of such referendum.

Section 6. Imposition of Tax Subject to Referendum. The imposition of a capital projects sales and use tax in the County is subject in all respects to the favorable vote of a majority of qualified electors' casting votes in a referendum on the question of imposing a capital projects sales and use tax in the area of the County. The referendum is to be conducted by the Beaufort County Voter Registration and Election Commission on November 8, 2016 and the favorable vote of a majority of the qualified electors voting in such referendum shall be a condition precedent to the imposition of a capital projects sales and use tax as provided for in this Ordinance.

Section 7. Effective Date. Except as otherwise provided by law, this Ordinance shall take effect immediately upon adoption.

AND SO IT IS ORDAINED, this ____ day of _____, 2016.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

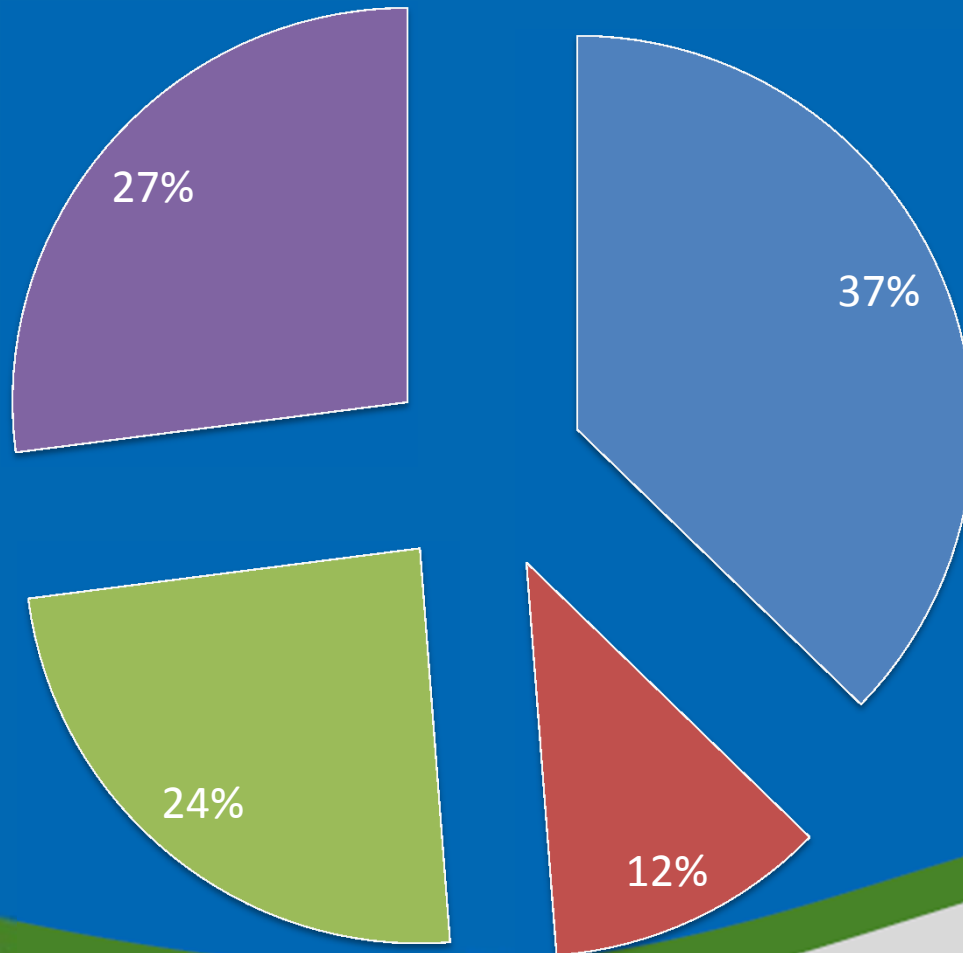
APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

CAPITAL PROJECT SALES TAX SUMMARY



- CATEGORY 1, PUBLIC SAFETY
- CATEGORY 2, ENVIRONMENTAL IMPACT
- CATEGORY 3, ECONOMIC DEVELOPMENT
- CATEGORY 4, QUALITY OF LIFE

CAPITAL PROJECT SALES TAX PROJECTS SUMMARY

CATEGORY 1, PUBLIC SAFETY	\$44,692,653	37%
CATEGORY 2, ENVIRONMENTAL IMPACT	\$13,800,000	12%
CATEGORY 3, ECONOMIC DEVELOPMENT	\$29,000,000	24%
CATEGORY 4, QUALITY OF LIFE	\$32,412,000	27%
TOTAL:	\$119,904,653	



CATEGORY 1, PUBLIC SAFETY

PROJECT	AMOUNT
Jenkins Island (Windmill Harbour) Roadway Improvements	\$7,400,000
Pinckney Island Road Improvements	\$2,000,000
Safe Routes to Schools (11):	\$4,640,000
Salem Road/Old Salem Road/Burton Hill Road	
Burnt Church Road and Ulmer Road Pathway and Intersection Improvements	
Joe Frazier Road	
Meridian Road	
Middle Road/Coosa Safe Routes to School	
Stuart Point Sidewalk	
US 17 Pathway Extension	
Big Road	
Seabrook Road	
Pine Grove Road/Burton Wells Road	
Dr. Martin Luther King Jr. Drive	

CATEGORY 1, PUBLIC SAFETY CONT'D

PROJECT	AMOUNT
EMS Facilities - Bluffton/Pritchardville and Burton	\$6,000,000
Implementation of US 278 Traffic Safety Study Recommendations	\$5,600,000
Detention Center Security Improvements and Repairs	\$1,000,000
278 Improvements from Jenkins Island to Squire Pope Road	\$4,500,000
Sheriff's Office Communication Equipment	\$6,255,698
Sheriff's Office Traffic Management Improvements	\$836,955
Buck Island and Simmonsville Road between May River Road and US 278	\$750,000
Hilton Head Island Safe Routes to Schools (2):	\$2,910,000
Main Street West and Connections to US 278	
William Hilton Parkway Eastbound - Gardner Drive to Jarvis Park	
Resurfacing of Town of Port Royal-Owned Roads	\$2,500,000
Port Royal Sidewalk Construction	\$300,000

TOTAL COST: \$44,692,653



CATEGORY 2, ENVIRONMENTAL IMPACT

PROJECT	AMOUNT
Bluffton Sanitary Sewer Installation and Connection	\$4,000,000
Stoney Creek Sub-Basin Pond Improvements and Wetlands Restoration	\$4,250,000
Rose Dhu Creek Sub-Basin Improvements and Wetlands Restoration	\$1,750,000
Oyster Factory Park Improvements	\$2,000,000
Daufuskie Island Consolidation of Island-Wide Solid Waste Disposal	\$1,800,000

TOTAL COST: \$13,800,000



CATEGORY 3, ECONOMIC DEVELOPMENT

PROJECT	AMOUNT
Waddell Mariculture Improvements	\$750,000
Beaufort Downtown Parking Garage	\$13,000,000
Calhoun Street Dock Improvements and Expansion	\$750,000
Construction of New Port Spine Road (Port Revelopment)	\$4,500,000
TCL Culinary Arts Teaching Institute and the Health Sciences Expansion	\$10,000,000

TOTAL COST: \$29,000,000



CATEGORY 4, QUALITY OF LIFE

PROJECT	AMOUNT
US 21 ITS Bridge System	\$500,000
Waterfront Park and Marina Improvements & Southside Park Improvements	\$4,000,000
Acquisition and Paving of Certain Dirt Roads on Hilton Head Island (21):	\$7,000,000
Aiken Place, Allen Road, Mackerel Drive, Pine Field Road,	
Sassafras Lane, Clifford Miller Road, Orage Road, Amelia Court,	
Amelia Drive, Bilgen Road, Cobia Court, Murray Avenue,	
Outlaw Road, Adell Lane, Alice Perry Drive, Benjamin Drive,	
Great Barracuda Lane, Horse Sugar Lane, Mitchellville Road Ext,	
Triggerfish Trail, Christopher Drive	

CATEGORY 4, QUALITY OF LIFE CONT'D

PROJECT	AMOUNT
Arts, Entertainment & Cultural Campus	\$6,202,000
Pavilion at Historic Mitchelville Freedom Park	\$210,000
Hilton Head Island Recreation Center Expansion	\$10,000,000
Daufuskie Island Road Right-of-Ways	\$1,350,000
USCB Academic/OLLI Building (Bluffton Campus)	\$3,150,000

TOTAL COST: \$32,412,000



Project	Amount
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Port Royal Sidewalk Construction	\$300,000
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Daufuskie Island Consolidation of Island-Wide Solid Waste Disposal	\$1,800,000
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CATEGORY 3, ECONOMIC DEVELOPMENT:	
Waddell Mariculture Improvements	\$750,000
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	Sub Total: \$29,000,000
CATEGORY 4, QUALITY OF LIFE:	
US 21 ITS Bridge System	\$500,000
Waterfront Park and Marina Improvements and Southside Park Improvements	\$4,000,000
Acquisition and Paving of Certain Dirt Roads on Hilton Head Island (21):	\$7,000,000
Aiken Place	
Allen Road	
Mackerel Drive	

ORDINANCE No. _____

AN ORDINANCE OF BEAUFORT COUNTY COUNCIL ESTABLISHING THE APPOINTMENT OF ITS REPRESENTATIVE TO THE BEAUFORT COUNTY ECONOMIC DEVELOPMENT CORPORATION

WHEREAS, on June 8, 2015 Beaufort County Council adopted “A Resolution to Adopt an Economic Development Policy for Beaufort County”; and

WHEREAS, on July 27, 2015 Beaufort County Council passed a resolution that authorized the County Administrator to prepare the necessary documents to establish a nonprofit economic development corporation to coordinate and implement economic development plans and initiatives; and

WHEREAS, the Articles of Incorporation have been filed with the Secretary of State and the Beaufort County Economic Development Corporation has been established; and

WHEREAS, Beaufort County Council resolved the corporation’s board shall be comprised of four municipal representatives, one county council representative and two representatives appointed by the board; and

WHEREAS, Beaufort County Code Sec. 2-192 defines a board as a group established by the Beaufort County Code of Ordinances or laws of the state of South Carolina to advise council and its staff in appropriate matters as set forth by its charter, and/or perform such other functions granted to the group by the enabling statute or ordinance and any amendments thereto.

NOW, THEREFORE, BE IT ORDAINED by Beaufort County Council that a representative to the Beaufort County Economic Development Corporation shall be appointed according to the Beaufort County Code Article V, Division 1, Section 191 through 198.

This ordinance shall become effective as of _____, 2016.

Adopted this ___ day of ____, 2016.

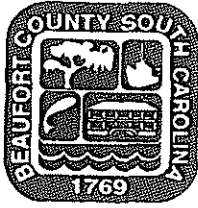
COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, III, County Attorney

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



COUNTY COUNCIL OF BEAUFORT COUNTY
BEAUFORT COUNTY TRAFFIC & TRANSPORTATION
ENGINEERING DEPARTMENT
113 Industrial Village Road, 29906
PO Drawer 1228, Beaufort, SC 29901-1228
Phone: (843) 255-2940 Fax: (843) 255-9443

TO: Councilman Gerald Dawson, Chairman, Public Facilities Committee

VIA: Gary Kubic, County Administrator
Josh Gruber, Deputy County Administrator/Special Counsel
Alicia Holland, Asst. Co. Administrator, Finance *AH*
Dave Thomas, Purchasing Director

FROM: Colin Kinton, Director of Transportation Engineering *ck*

SUBJ: **Approval of Jenkins Island Alternative 2A Design Scope and Fee**

DATE: May 16, 2016

BACKGROUND: HDR/ICA Engineering, Inc. was previously authorized by Beaufort County to provide planning, engineering, and environmental services to develop alternative improvement plans on US 278 on Jenkins Island. The preferred alternative selected is indicated as Alternative 2A. Beaufort County requested a scope and fee from HDR/ICA Engineering, Inc. to complete full engineering design, environmental permitting, and bid documents for the preferred alternative. This project will consist of widening US 278 from an existing 4-lane, divided highway to a typical 6-lane, grassed median highway, between the Wilton J. Graves Bridge to the causeway onto Hilton Head Island, for approximately 1.0 mile. The proposed design will also incorporate signalized median U-turns at Blue Heron Point Rd. and east of Jenkins Rd. Gateway Dr./Crosstree Dr. and Jenkins Rd. will become right-in, right-out only and Blue Heron Point Rd. will become right-in, left-in, right-out in order to eliminate left turn movements from side roads and improve intersection safety. The design proposed for this highway improvement project utilizes the superstreet concept. The project design will also incorporate a shared-use pathway along the westbound direction of US 278 (northern side of the island).

Plans will be developed to provide:

- Three travel lanes for each direction on US 278;
- Conversion of all side roads to right-in, right-out access points (excepting Blue Heron Point Rd which will become a right-in, left-in, right-out);
- The addition / extension of acceleration / deceleration lanes, as necessary;
- The addition of median U-turn lanes (and necessary bulb-outs) and appropriate storage length/tapers as proposed;
- The addition of traffic signals (2) at the separate median U-turn locations;
- The addition of an offset shared-use pathway as proposed

Summary of Proposed Services:

1. Project Management
2. Environmental Services
3. Surveys and Mapping
4. Roadway Design
5. Stormwater Design
6. Sediment and Erosion Control/NPDES Permitting
7. Subsurface Utilities Engineering (SUE)

8. Utility Coordination
9. Construction Phase Services

HDR/ICA Engineering submitted a design scope and fee estimate in the amount of \$412,176.22 for the Jenkins Island Alternative 2A.

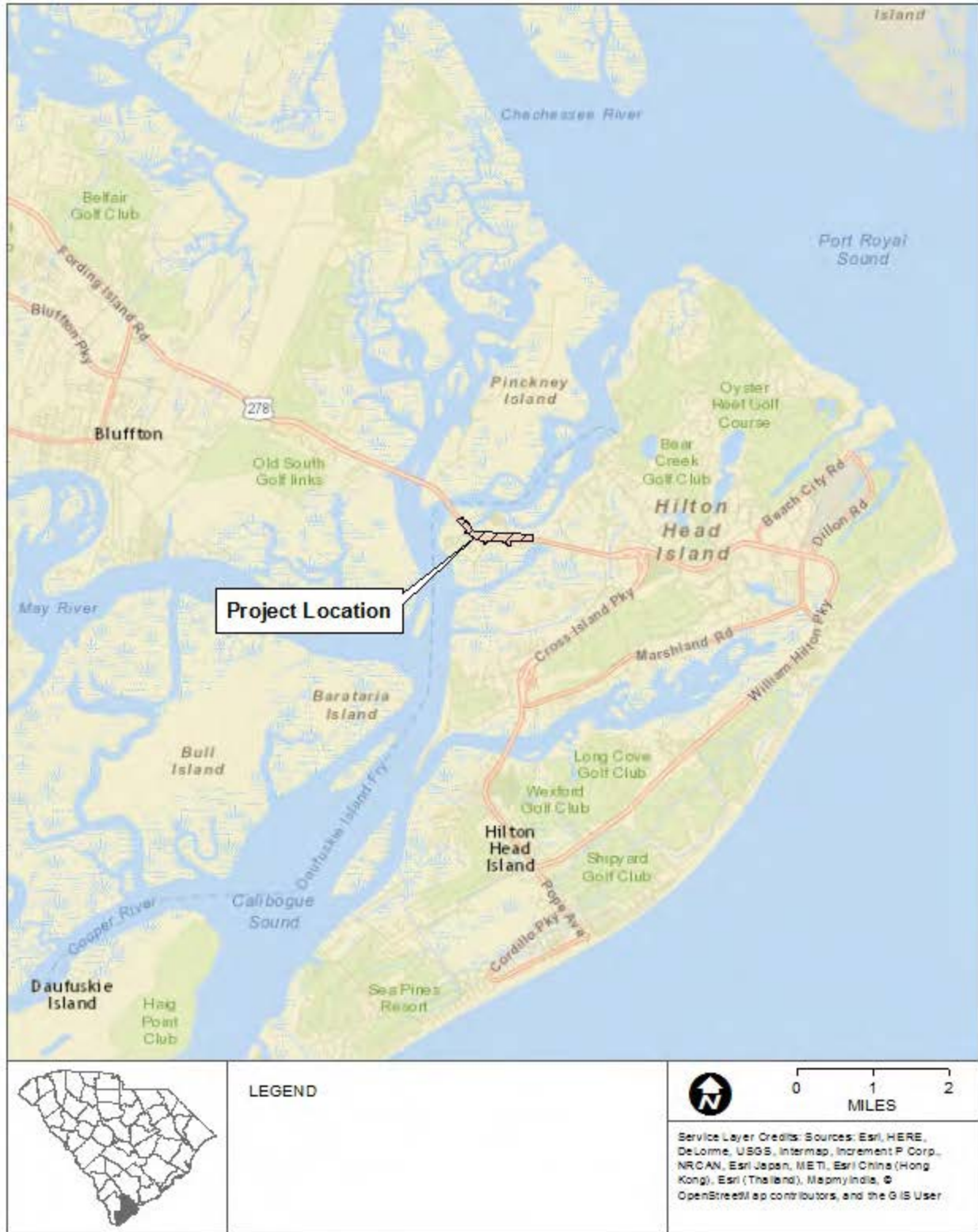
Staff is requesting an 8% project contingency of \$32,973.78. Total project budget is \$445,150.00.

FUNDING: Professional Services, Sales Tax Road Projects, Account #47010011-51160. As of 5/11/16, there is an available balance of one million dollars.

FOR ACTION: Public Facilities Committee meeting on May 16, 2016.

RECOMMENDATION: The Public Facilities Committee approves and recommends to County Council approval of HDR/ICA Engineering scope and fee in the amount of \$412,176.22 for the Jenkins Island Alternative 2A Design. Additionally, approve a project contingency of 8% bringing the total budget to \$445,150.00 with funding as outlined above.

Attachments: Location map
Alternative 2A concept plan



connecting Bluffton Parkway to US 278 approximately 2 miles west of the Project Study Area.

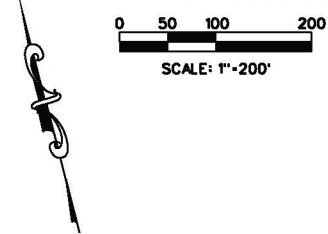
Figure 1-1. Project Location



LEGEND

- DELINEATED WETLANDS
- PRESENT RIGHT OF WAY
- EXISTING PROPERTY LINES
- PROPOSED NEW RW
- EXISTING ROADWAY - RETAIN
- PROPOSED WIDENING /IMPROVEMENTS
- PAVEMENT REMOVAL
- NEW CONCRETE ISLAND
- PROPOSED TRAVEL PATTERN

MATCHLINE "A"
SEE NEXT SHEET



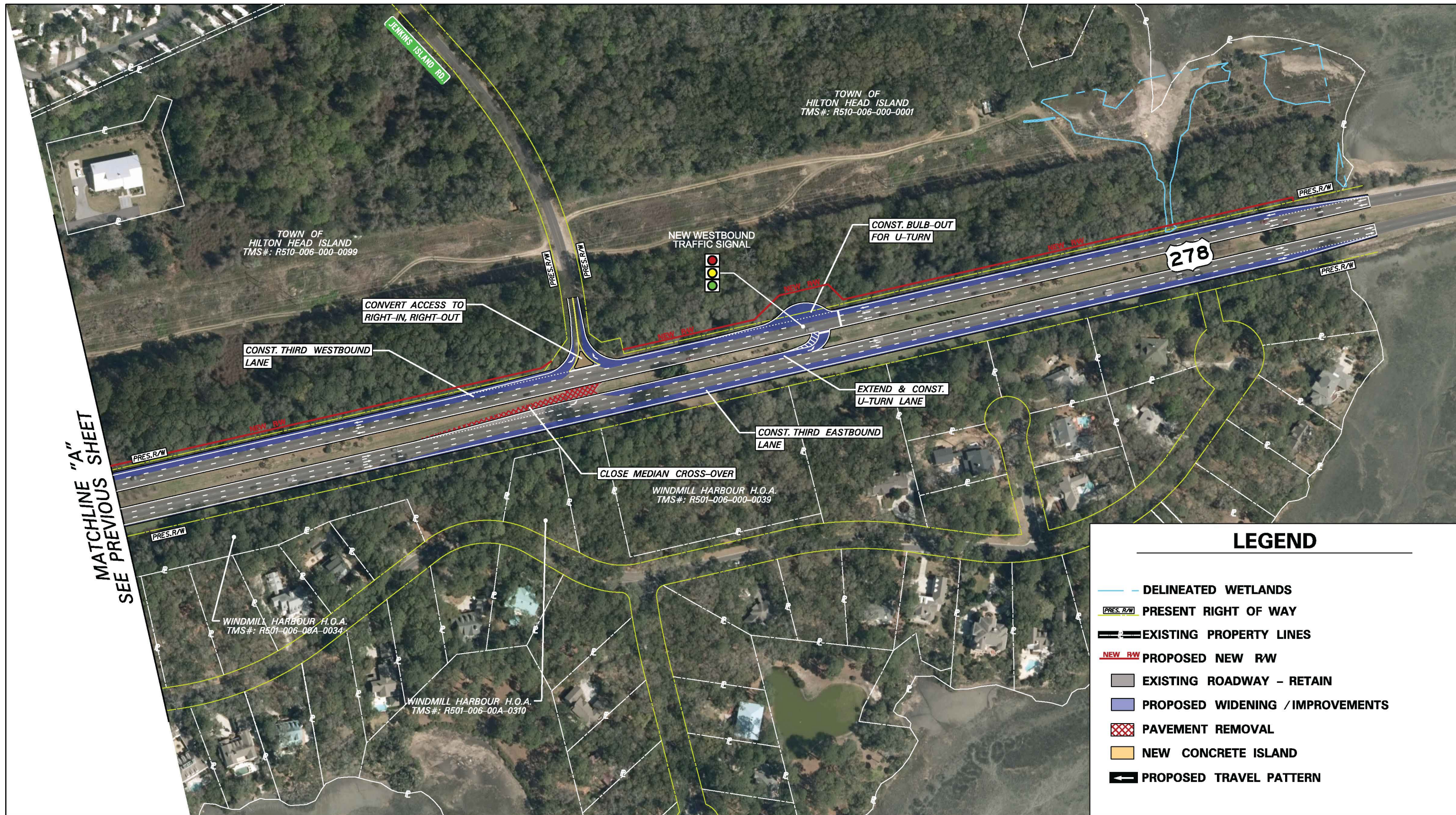
JENKINS ISLAND ACCESS MANAGEMENT SYSTEM
 BEAUFORT COUNTY, SC

ALTERNATIVE NO. 2A
 MODIFIED SUPER-STREET WITH TRAFFIC SIGNALS

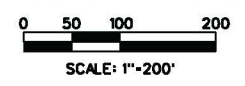
PRELIMINARY ENVIRONMENTAL SCREENING REPORT

DATE
 NOV. 20, 2015

FIGURE
 ALT. 2A - SHEET 1



MATCHLINE "A"
SEE PREVIOUS SHEET



JENKINS ISLAND ACCESS MANAGEMENT SYSTEM
 BEAUFORT COUNTY, SC

ALTERNATIVE NO. 2A
 MODIFIED SUPER-STREET WITH TRAFFIC SIGNALS

PRELIMINARY ENVIRONMENTAL SCREENING REPORT

DATE
 NOV. 20, 2015

FIGURE
 ALT. 2A- SHEET 2

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING COUNTY ADMINISTRATOR TO ACCEPT FROM PLANTATION BUSINESS PARK OWNERS' ASSOCIATION INC. BUSINESS PARK WAY AND A PORTION OF PLANTATION PARK DRIVE INTO COUNTY ROAD SYSTEM

WHEREAS, Highway 278 is a heavily traveled main thoroughfare in southern Beaufort County consisting of six plus lanes at various points which are used for both commercial and personal travel; and

WHEREAS, in an effort to reduce the amount of traffic on Highway 278, to alleviate congestion and to improve safety on this and other highways, Beaufort County has encouraged, and invested in, the development, design and construction of a network of frontage roads which run adjacent to heavily traveled highways and thoroughfares and which allow motorist who are traveling to and from local business to use these networks of roads rather than the highways and main thoroughfares; and

WHEREAS, Plantation Business Park is a commercial center in the Town of Bluffton which is located adjacent to Highway 278 and which consists of a variety of businesses and offices which are joined by a network of private and County owned roads all of which make access to and from businesses and offices convenient and help motorists avoid the use of Highway 278; and

WHEREAS, Business Park Way and Plantation Park Drive (TMS No: R610 031 000 0135 0000) are frontage roads which run perpendicular to and parallel with Highway 278, respectively; Business Park Way is owned by Plantation Business Park Property Owners' Association Inc. ("the Association"); part of Plantation Park Drive is owned by Beaufort County and part of it is owned by the Association; and

WHEREAS, the Association desires to convey to Beaufort County its interest in Business Park Way and Plantation Park Drive (collectively "the road"); and

WHEREAS, Beaufort County commissioned a forensic engineering study of stormwater drainage infrastructure and fixtures which exist on, and abut, the road which the Association owns; and

WHEREAS, the study determined that significant maintenance issues exist with the stormwater drainage infrastructure and fixtures which abut, and are adjacent to, the road which the Association owns; as a result of the study, Beaufort County agrees to accept into the County's road system Business Park Way and that portion of Plantation Park Drive which the Association owns; but Beaufort County accepts only the road; it does not accept, nor does it intend to accept, ownership of any stormwater drainage infrastructure or fixtures and it does not

accept responsibility for repairing, replacing or maintaining any stormwater drainage infrastructure or fixtures which adjoin or abut Business Park Way or that portion of Plantation Park Drive which is owned by the Association and which is identified above by TMS number.

NOW, THEREFORE, BE IT RESOLVED, at a meeting duly assembled of the County Council of Beaufort County, that the County Administrator is hereby authorized to accept Business Park Way and that portion of the Plantation Park Drive which is owned by Plantation Park Business Owners' Association Inc. and only the road, but not any stormwater drainage infrastructure or fixtures which adjoin or abut the road which is owned by the Association and which is identified by TMS number (TMS No: R610 031 000 0135 0000).

ADOPTED this _____ day of _____, 2016.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II County Attorney

ATTEST:

Suzanne M. Rainey, Clerk to County Council

RESOLUTION 2016 /

A RESOLUTION ADOPTING THE BEAUFORT COUNTY IMPLEMENTATION PLAN FOR CURBSIDE COLLECTION OF WASTE AND RECYCLING IN UNINCORPORATED AREAS OF SOLID WASTE DISTRICT 5, 6, 7, 8 AND 9 BY JUNE 30, 2020

WHEREAS, the Beaufort County Solid Waste and Recycling Board was created with the mission to advise the council and county staff in determining appropriate levels of public solid waste management services for residential, commercial and industrial taxpayers and governmental entities within the county; and

WHEREAS, on July 23, 2015, the Solid Waste and Recycling Board recommended to County Council that Council direct staff to initiate actions to phase out Convenience Center use in Beaufort County and complete the transition to a curbside system for waste collection and recyclables by 2020; and

WHEREAS, County Staff, with guidance from its consultant developed a plan dated March 2016 which recommended a series of steps requiring coordination with municipalities, review and revision of County ordinances and negotiation of franchise agreements in order to implement curbside services; and

WHEREAS, staff presented to the Solid Waste and Recycling Board the proposed plan to implement curbside collection of waste and recyclables in all unincorporated solid waste Districts (5, 6, 7, 8, and 9) by June 30, 2020; and

WHEREAS, county-wide curbside collection will benefit Beaufort County citizens by offering more convenient opportunities to recycle, increasing collection efficiency, reducing the environmental and safety issues associated with the overuse of Convenience Centers as our population increases and

WHEREAS, the Solid Waste and Recycling Board and County staff recommend adoption of the Beaufort County Curbside Collection Plan and the recommendations therein.

NOW THEREFORE, BE IT RESOLVED that Beaufort County Council, being duly assembled, hereby adopts the Beaufort County Curbside Collection Plan, the recommendations contained therein and will take all such action deemed necessary to meet the plan goals.

Adopted this ____ day of _____, 2016.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II County Attorney



BEAUFORT COUNTY PUBLIC WORKS
 120 Shanklin Road
 Beaufort, South Carolina 29906
 Voice (843) 255-2800 Facsimile (843) 255-9435



To: Councilman Gerald Dawson, Chairman, Public Facilities Committee
 From: Dan Duryea, Chairman Solid Waste and Recycling Citizen Advisory Board
 SUBJ: Curbside Waste and Recycling Collection Alternatives

Date: April 28, 2016

BACKGROUND: In a memo dated July 23, 2015, the Solid Waste and Recycling Citizen Advisory Board recommended to County Council that Council direct staff to initiate actions to phase out Convenience Center use in Beaufort County and complete the transition to a sustainable curbside system for waste collection and recycling by 2020. In addition, the Board recommended that the County suspend the practice of paying for waste disposal other than waste collected from County Convenience Centers effective July 1, 2016. The recommendations were presented to the Executive Committee of County Council on September 9, 2015. Staff received direction from the Council committee to retain our solid waste consultant to develop a report for Council laying out the alternatives to accomplish these tasks.

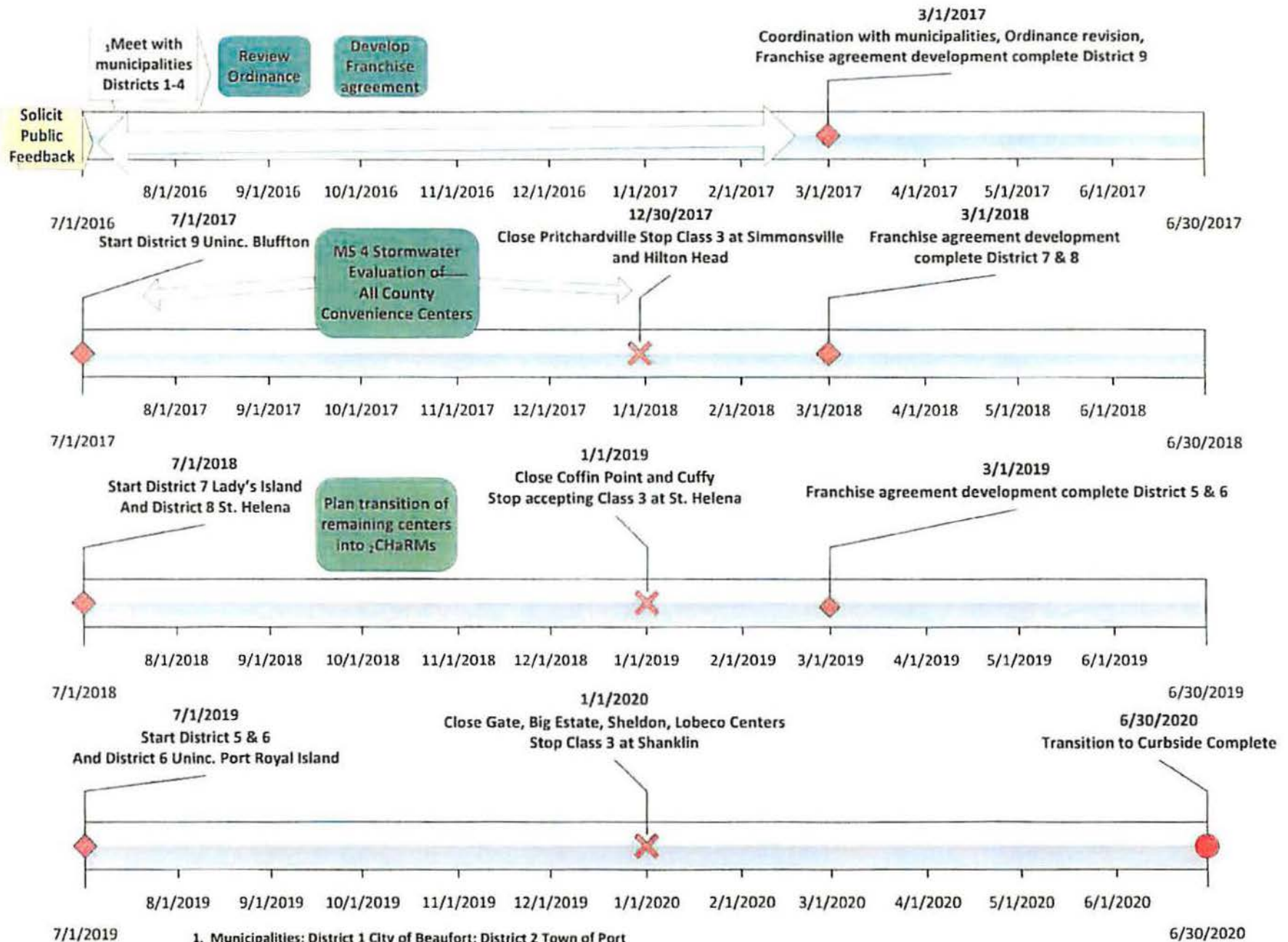
FOR ACTION: Public Facilities Committee meeting occurring on May 16, 2016.

RECOMMENDATION: The Solid Waste and Recycling Citizen Advisory Board and County staff recommends that the Public Facilities Committee of Beaufort County Council approves and recommends to County Council the attached staff recommendation to implement curbside collection of waste and recycling in all unincorporated solid waste Districts (5, 6, 7, 8 & 9) by June 30, 2020. In addition, County staff will coordinate with the municipalities and all concerned to eliminate payment by Beaufort County for residential waste disposal (other than waste collected at County Convenience Centers) by June 30, 2020.

CC: Gary Kubic, County Administrator *GKubic*
 Josh Gruber, Deputy County Administrator/Special Counsel *JG*
 Eric Larson, Division Director Environmental Engineering *EL*
 David Wilhelm, Public Works Director *DW*
 James S. Minor, Jr. Solid Waste Manager *JSM*

Attachment: (1) Abby Goldsmith Resources Report and Staff Recommendation dated March 2016





1. Municipalities: District 1 City of Beaufort; District 2 Town of Port Royal; District 3 Town of Hilton Head Island; District 4 Town of Bluffton
2. CHaRM : Centele for Hard to Recycle Materials

RESOLUTION 2016 /

A RESOLUTION SUPPORTING ADMISSION OF THE PORT ROYAL SOUND ESTUARINE SYSTEM AS A MEMBER OF THE NATIONAL ESTUARY PROGRAM

WHEREAS, the Port Royal Sound Estuarine System is a unique and largely understudied high salinity salt marsh estuarine system; and

WHEREAS, the Port Royal Sound Estuarine System is a major economic, cultural and historical resource for Beaufort County, South Carolina and the state as a whole; and

WHEREAS, anticipated research conducted under the auspices of the Port Royal Sound Conservancy will address a wide range of multiple fields and topics, particularly, focusing on stormwater issues, system-carrying capacities and potential sea level rise; and

WHEREAS, there are no estuarine systems in either the States of South Carolina or Georgia with the National Estuary Program as currently structured.

NOW, THEREFORE, BE IT RESOLVED that the National Estuary Program:

1. Consider and recognize the value of information gained through the study of an estuarine system unique beyond its current membership; and
2. Appreciate the importance of the resource to its stakeholders and their commitment to its sustainable use in the face of growing challenges; and
3. Prepare to work in collaboration with entities within the Port Royal Sound Conservancy to share knowledge and expertise for the benefit of all; and
4. Seize the opportunity to broaden its scope by extending membership to an estuarine system of the South Atlantic Coast which is not currently represented within the National Estuary Program; and
5. The County is not under any obligation, either financial or regulatory, for its endorsement of the National Estuary Program; and
6. The County is principally committed to helping other organizations apply for membership in the National Estuary Program; and
7. Any further consideration involving the National Estuary Program that will require County action, will necessitate County Council approval.

Adopted this ____ day of _____, 2016.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II County Attorney

2016 /

TEXT AMENDMENTS TO ARTICLES 1, 2, 3, 4, 5, 6, 7 AND 10 OF THE COMMUNITY DEVELOPMENT CODE AS A RESULT OF THE ONE-YEAR REVIEW OF THE CODE ADOPTED DECEMBER 4, 2014.

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

Adopted this ____ day of _____, 2016.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

First Reading:

Second Reading:

Public Hearing:

Third and Final Reading:



MEMORANDUM

TO: Beaufort County Planning Commission

FROM: Tony Criscitiello, Planning Director

DATE: April 4, 2015

SUBJECT: 1 Year Review of Community Development Code – Proposed Text Amendments

When County Council adopted the Community Development Code (CDC) on December 8, 2014, the motion included a 6 month and 1 year evaluation of the code as a condition of approval. As in the six-month review, staff has learned of both minor and major corrections that should be made to the ordinance based on application and enforcement of the Code. These proposed amendments are provided in this memo.

To help navigate through this list of amendments, they have been categorized with the major changes first and minor fixes at the end of the document. The amendments are divided into the following categories:

- **Transect Zone Amendments:** These include amendments to transect zones and related provisions. Since the transect zones are a prominent feature in the new Code, it is in the County's best interest to insure that the districts are utilized and do not present unnecessary barriers to development.
- **Parking Amendments:** These are changes to Division 5.5 to assure that strict maximum parking requirements do not present an unnecessary barrier to development.
- **Sign Amendments:** These are changes to the sign requirements in Division 5.6.
- **Tree Amendments:** These are changes to the Resource Protection Standards in Division 5.11 to respond to concerns about several new developments in the county.
- **Corrections, Clarifications, and provisions from the ZDSO:** These are minor amendments that do not change the substance of the code. They include mistakes found in the code, such as incorrect building setbacks, or references to provisions that were removed from the code (e.g. Plat Vacation). They also include clarifications, which are changes to wording that aid in the understanding of the requirements. Finally, some of the changes being brought forward were provisions that were in the former ZDSO and did not make it into the final draft of the CDC.

Transect Zone Amendments

Section 3.2.90.D: T3 Neighborhood – Building Placement: This amendment consists of reducing the side-yard setback in T3 Neighborhood from 10 feet to 7 ½ feet: This amendment is being proposed to allow greater flexibility in the type of house that could be built in this district. The T3 Neighborhood district allows a minimum lot width of 50 feet. With the 10 foot side yard setback, houses are limited to a maximum of 30 feet in width. Reducing this setback would allow more variety in the placement of houses in this district.

D. Building Placement		
Setback (Distance from ROW/Property Line)		
Front	15' min., 20' max.	A
Side Street	10' min., 20' max.	B
Side:		
Side, Main Building	10'-7 ½' min.	C
Side, Ancillary Building	5' min.	
Rear		
Rear, Main Building	15' min.	D
Rear, Ancillary Building	5' min.	
Façade within Façade Zone:		
Front	75%	
Side Street	50%	
Lot Size (20,000 SF Maximum)		
Width	100' max.	E
Depth	200' max.	F
Miscellaneous		

Where existing adjacent buildings are in front of the regulated BTL or front setback, the building may be set to align with the façade of the front-most immediately adjacent property.

Maximum lot size does not apply to Recreation, Education, Safety, Public Assembly uses

E. Building Form		
Building Height		
Main Building	2.5 stories max.	G
Ancillary Building	2 stories max.	
Ground Floor Finish Level ¹	18" min.	H
Upper Floor(s) Ceiling	8' min. clear	I
Footprint		
Maximum Lot Coverage ²	30% of lot area	
Miscellaneous		
Loading docks, overhead doors, and other service entries may not be located on street-facing façades.		
Notes		
¹ Buildings located in a flood hazard zone will be required to be built above base flood elevation in accordance with Beaufort County Building Codes.		
² Lot coverage is the portion of a lot that is covered by any and all buildings including accessory buildings.		

Section 3.4.80.E: Place Type Overlay Zone: Allocation of Transect Zones. This amendment provides greater flexibility for the Village Place Type. The amendment would allow in the Village Place type both T4 Hamlet Center Open and T4 Neighborhood Center or a combination of the two districts.

Table 3.4.80.E. Allocation Mix of Transect Zones for Each Community Unit Type		
Transect Zone	Percentage of Land Assigned to Zone	
Rural Crossroads Place Type		
T2 Rural (T2R)	No min.	65% max.
T2 Rural Center(T2RC)	5% min.	20% max.
T3 Edge (T3E)	No min.	25% max.
T3 Hamlet Neighborhood (T3HN)	25% min.	40% max.
Hamlet Place Type		
T2 Rural (T2R)	No min.	65% max.
T3 Edge (T3E)	No min.	25% max.
T3 Hamlet Neighborhood (T3HN)	25% min.	70% max.
T4 Hamlet Center(T4HC)	10% min.	50% max.
Village Place Type		
T3 Edge (T3E)	No min.	25% max.
T3 Hamlet Neighborhood (T3HN)	No min.	25% max.
T3 Neighborhood (T3N)	25% min.	70% max.
T4 Hamlet Center Open (T4HCO) and/or T4 Neighborhood Center(T4NC)	10% min.	50% max.

Parking Amendments

Section 5.5.40.A2: Allowable Increases and Reductions in Number of Parking Spaces: Staff recommends changing the allowable increases and decreases in the number of parking spaces to match what was permitted in the ZDSO.

“2. **Allowable Increases and Reductions in Number of Parking Spaces.** The Director may allow up to a **five-20** percent increase or a 20 percent reduction in the required number of parking spaces if the applicant can show, through a parking demand study, that additional or fewer parking spaces are required. The parking demand study shall be approved by the County Traffic and Transportation Engineer. All approved additional parking spaces shall have a pervious surface. “

Table 5.5.40.B: Number of Motor Vehicle Parking Spaces Required. These amendments would change the parking requirements for restaurants, banks, and medical offices. The Planning Department recommends making these adjustments to the parking table based on input from developers and land planners. For restaurants, the ZDSO allowed 12 parking spaces per 1,000 square feet of floor area. The CDC currently allows only 8 per 1,000. Staff recommends striking a balance of 10 spaces per 1,000 square feet of building space. This requirement matches what the Town of Hilton Head Island requires for the same use. For banks and medical offices, staff recommends revising the parking standards to match what the ZDSO required – 4.5 space per 1,000 square feet, or 1 space per 222 gross square feet.

Table 5.5.40.B: Number of Motor Vehicle Parking Spaces Required	
Use	Number of Required Spaces
Retail & Restaurants	
General Retail, except for the following:	1 per 300 GSF
Floor Area Over 25,000 SF	1 per 250 GSF
Drive-Through Facilities	5 stacking spaces per drive-through, including service window, plus base use requirement.
Adult Oriented Business	1 per 150 GSF
Bar, Tavern, Nightclub	1 per 150 GSF
Gas Station/Fuel Sales	1 per pump plus requirement for general retail
Restaurant, Café, Coffee Shop:	1 per 100-150 GSF including outdoor dining areas
Drive-Through Facilities	5 stacking spaces per drive-through, including service window and menu board areas, plus base use requirement.
Vehicle Sales and Rental	1 per 1,500 GSF plus 2.5 per service bay
Offices & Services	
General Offices & Services, except the following:	1 per 300 GSF
Drive-Through Facilities	5 stacking spaces per drive-through, including service window, plus base use requirement.
Banks	1 per 222 GSF
	5 stacking spaces per drive-through, including service window, plus base use requirement.
Animal Clinic/Hospital	1 per 300 GSF
Animal Services/Kennel	1 per 300 GSF
Daycare Center	1 per employee plus 1 off-street drop-off/pick-up space per 10 students
Lodging, except the following:	1 per room
Bed and Breakfast (5 rooms or less)	2 spaces plus 1 per guest room
Medical Clinics/Offices	1 per 222-300 GSF
Hospitals	1 per 2 beds plus 1 per 4 employees
Vehicle Services: Maintenance & Repair	1 per 1,000 GSF plus 2.5 per service bay

¹ Residential parking space requirements can be satisfied by garage or covered spaces.

Sign Amendments

Table 5.6.40.A: Sign Types: This amendment would allow for wall signs as in T2 and S1 districts. Wall signs are common in all districts that allow commercial uses. The CDC currently does not allow wall signs in the T2 districts or S1. These districts allow commercial uses and therefore should permit wall signs.

<p>Wall Signs. Wall signs are signs flat against the facade consisting of individual cut letters applied directly to the building or painted directly on the surface of the building.</p>			<p>5.6.160</p>
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Table 5.6.40.B: Aggregate Sign Area: This amendment would allow one freestanding menu board sign for each drive-through lane. Some drive-through restaurants are providing two lanes and ordering stations to help speed up the ordering process. The way the code currently reads, a maximum of one ordering sign is allowed per business.

Table 5.6.40.B: Aggregate Sign Area (continued)	
Maximum Aggregate Sign Area	
Building Attached Signs	Building Detached Signs
Commercial Oriented Community – Single Tenant Building Fronting One or More Thoroughfares	
<p>Principal Building Frontage. Aggregate sign area for the Principal Building Frontage equals 1 ½ square feet for each linear foot of building frontage measured along the thoroughfare where the building has frontage and/or the primary entrance.</p> <p>If the building fronts one thoroughfare, up to 33% of the total signage permitted on the Principal Building Frontage may be applied to one or more alternative building elevations. Combined signage for alternative building elevations shall not exceed 33% of the aggregate sign area for the Principal Building Frontage.</p> <p>If the building fronts two or more thoroughfares, up to 33% of the total signage permitted on the Principal Building Frontage may be applied to a building elevation that does not face a thoroughfare.</p> <p>Secondary Building Frontage. Aggregate sign area for the Secondary Building Frontage equals ½ square foot for each linear foot of building frontage measured along the thoroughfare where the building has secondary frontage and/or a secondary entrance.</p> <p>Up to 33% of total signage permitted along the Secondary Building Frontage may be applied to an alternative building elevation. However, Secondary Building Frontage signage may not be applied/added to an elevation containing Principal Building Frontage signage.</p>	<p>One (1) Freestanding Sign, Landscape Wall Sign, or a combination of the two, not to exceed 40 square feet in aggregate, may be sited along the primary thoroughfare frontage at the primary vehicular entrance. Signs may be used for identification purposes, as a directory listing, or a combination thereof.</p> <p>Freestanding Directional Signs shall not count toward the maximum aggregate signage.</p> <p>Drive-Through Menu Boards. One (1) Freestanding Menu Board Sign <u>per drive-through lane</u>, not to exceed 32 square feet in aggregate, may be sited as part of a drive-through business. The sign may list the type and price of items or services offered and to the maximum extent possible, shall not be visible from a primary street right-of-way. Where appropriate the base of the menu board shall be landscaped and/or incorporated into the landscaping plan.</p>

Tree Amendments

5.8.90 Perimeter Buffers. The amendments to this section strengthen the protection of perimeter buffers by specifying there is to be no removal of vegetation within buffers without the Director’s approval, and by requiring protection fencing for buffers prior to construction.

I. Development within Required Perimeter Buffers

1. The required perimeter buffer shall not contain any development, impervious surfaces, or site features (except fences or walls) that do not function to meet the standards of this Section unless otherwise permitted in this Development Code.
2. No vegetation or tree removal, or other construction activities shall occur within perimeter buffers.
3. Sidewalks, trails, and other elements associated with passive recreation may be placed in perimeter buffers with approval by the Director if all required landscaping is provided and damage to existing vegetation is minimized to the maximum extent practicable.
4. Overhead and underground utilities required or allowed by the County are not permitted in perimeter buffers except where they are perpendicular to the perimeter buffer.

M. Protection of Perimeter Buffers During Construction. Prior to commencing underbrushing, clearing work or any site alterations, a conspicuous four-foot-high barrier to prevent encroachment by people, materials, and vehicles shall be erected around all required perimeter buffers and shall remain in place until the Certificate of Compliance is issued, except where additional landscaping, walls or fences are installed in accordance with this Section.

5.11.100 Tree Protection. These amendments strengthen the tree protection standards by allowing the Director to require a certified arborist’s report at the beginning of a project’s review to determine the health and feasibility of saving specimen trees on a development site. This provision is included in the City of Beaufort’s draft development code. The amendments also include provisions from the Town of Bluffton’s code in which tree removal may be referred to the Planning Commission if the staff finds specified tree removal criteria have not been met.

All trees that are not protected under Section 5.11.90 (Forests) or Section 5.8.90 (Perimeter Buffers) shall be protected in accordance with this section.

- A. **General.** Careful site planning for new development shall, to the greatest extent practicable, preserve existing trees and vegetation on the property to be developed. This is to include all specimen trees in good health as well as groups of smaller healthy trees and understory vegetation that provide wildlife habitat, corridors, and bird nesting areas.
- B. **Specimen Trees.** A specimen tree is defined as follows:
 1. Understory trees - Dogwood, Redbud, and Southern Magnolia that are equal to or greater than a diameter of 4 inches (DBH).
 2. Overstory trees - American Holly, Bald Cypress, Beech, Black Oak, Black Tupelo, Cedar, Hickory, Live Oak, Palmetto, Pecan, Red Maple, Southern Red Oak, Sycamore, or Walnut that are equal to or greater than a diameter of 16 inches (DBH).

3. All other trees equal to or greater than a diameter of 24 inches (DBH) except those identified as invasive species in Table 5.11.100.C.

C. **Tree Survey Required.** Prior to any development approval, except bona fide forestry, the applicant shall provide a tree survey of the areas in which building, clearing or construction activities are planned in accordance with the following:

1. The tree survey shall include all trees 8 inches DBH and larger, and all dogwoods (*Cornus spp.*), redbuds (*Cercis canadensis*), and magnolias (*Magnolia spp.*) four inches DBH and larger.
2. The tree survey shall indicate species type and size (DBH).
3. The tree survey shall be conducted by a certified arborist, professional urban forester, registered landscape architect, or registered land surveyor. All tree surveys shall be certified by a registered land surveyor.
4. A tree survey shall be less than five years old beginning from the application submission date for which the survey pertains. The Director may require that a new tree survey be undertaken at the applicant's expense when it has been determined that a tree survey is more than five years old.

D. **Tree Removal.**

1. Preservation of Existing Trees a Priority. Reasonable design alternatives shall be explored to preserve existing trees to the extent practicable. At the discretion of the Director, a Certified Arborist Report may be required as part of the tree retention/removal plan for all specimen trees on a development site. Such report shall detail the general health of each tree and the steps necessary to promote survival during and after construction.

2. Tree Removal Criteria. Before approval to remove any tree over 8" DBH, or any specimen tree, is granted by the Director, the following criteria shall be considered:

- a. It is difficult or impossible to reasonably use the property without the removal of the tree.
- b. Roads, parking areas, drive aisles, paths and other site features have been designed around the canopies of existing trees to the greatest extent possible.
- c. Removal will allow the preservation of other, healthier hardwood trees on the property.
- d. Adjustments to the site plan cannot be made to save the tree without losing lots or floor area.

3. If the Director finds that the applicant has not met the criteria listed above, the removal shall require approval by the Planning Commission.

14. Mitigation. Where individual specimen trees are to be cut (see subsection B above), the developer shall plant sufficient trees having a caliper of 2.5 inches or more each so as to meet the DBH of the tree or total trees cut. Such trees shall be of the same species as those cut unless the Director approves other species to enhance the diversity to that similar to the native forest areas. All mitigation trees shall be planted within the disturbed area of the site.

25. Existing Trees Used for Mitigation. The saving of existing non-specimen trees is encouraged and may be utilized to meet the mitigation requirement above. Existing trees used for mitigation must be located within the disturbed area of the site.

36. Penalty for Removing Trees Prior to Permitting. If trees are cut down prior to a development receiving all necessary permits from the County, the County shall not issue a permit to allow the development to occur within two years of the tree removal, unless the property owner provides

mitigation for the trees removed. Mitigation shall involve the replanting of trees a minimum of 2.5 caliper inches with a total caliper equal to 1.25 times that of the DBH of the trees removed.

47. Reforestation Fee. Where the director determines that the required replacement of trees is not feasible or not desirable due to the size and shape of property and/or structures, crowding of the trees to where thinning will be required, other design limitations, or other viable site constraints, such reduction shall be subject to a general reforestation fee. This fee shall be the actual and verified cost of the required tree replacement and shall be paid to the county before final approval is given for the development plan. The funds collected through this reforestation fee shall be used by the county to plant trees and other landscaping in highway medians, along roads, or on other public properties as deemed appropriate.

Corrections, Clarifications, and provisions from the ZDSO

Article 1: General Provisions

1.6.60 Planned Unit Development (PUD) Approved Prior to December 8, 2014 (from ZDSO). This proposed amendment carries over language that was in the ZDSO that addresses minor amendments to existing PUDs. Staff proposes adding a number 5 under this section to read as follows:

5. The Director may approve minor amendments to an approved PUD master plan for the changes listed below. All other amendments to a PUD master plan shall follow the procedures for a Zoning Map Amendment (see Sec. 7.3.40).
 - a. Minor changes in the location of roads or widths of streets or rights-of-way within the master plan;
 - b. Minor changes in the allocation of housing density within the master plan so long as the overall approved density of the master plan is not increased; and
 - c. Changes in the proposed build-out and phasing schedule.

Article 2: Multi-Lot and Single Lot Community Scale Development

2.2.60.A.2 Access Management – Design: Driveway Separation (Correction). This correction states that local roads and minor roads are still subject to the requirements in SCDOT's ARMS Manual. Amend as follows:

2. Within conventional zones, thoroughfares shall meet these standards:
 - a. Street, driveway, or other access separation along county, state and federal highways shall be in accordance with the SCDOT, *Access and Roadside Management Standards*, and County-approved access management plans.
 - b. In no event, however, shall residential driveways and non-residential full-access curb cuts be permitted at spacing less than as follows:
 4. Minor Collector and Local roads: ~~No minimum~~ See subsection a. above.

2.5.30 Manufactured Home Community Standards (Correction). This correction amends Table 2.5.30 to provide a maximum gross density to manufactured home communities and revise the side yard setback from 0 feet to 5 feet.

Table 2.5.30.A Manufactured Home Community Standards	
Site Dimensions	
Gross Density	4 dwelling units per acre
Site Area	Min: 3 acres Max: 20 acres
Lot Size	Min: 4,000 square feet
Lot Width	Min: 40 feet
Lot Depth	Min: 80 feet
Building Height	
Principle Building	Max: 35 feet
Secondary Building (Includes Garage or Outbuilding)	Max: 35 feet
Building Setbacks	
Front (includes Private Frontage)	Min: 12 feet Max: 18 feet
Side (Includes Garage or Outbuilding)	Min: 0-5 feet
Rear (Includes Garage or Outbuilding)	Min: 5 feet
Building Function	
Non-Residential Uses	One traditional neighborhood shop permitted for developments with more than 100 units, and must be incorporated into the development design.

2.9.40 Thoroughfare Design (from ZDSO). This is language from the ZDSO which requires existing streets in a proposed subdivision to revise their rights of way to comply with the requirements of this code. Add a new subsection J to read as follows:

J. Dedication of Right-Of-Way. A proposed subdivision that includes a platted street that does not conform to the minimum right-of-way requirements of this chapter shall provide for the dedication of additional right-of-way along either one or both sides of the street so that the minimum rights-of-way required by this code can be established. If the proposed subdivision abuts only one side of the street, a minimum of one-half of the required extra right-of-way shall be dedicated by such subdivision.

Article 3: Specific to Zones

Table 3.1.70 Land Use Definitions (Correction). Amend the use “Community Care Facility” to “Institutional Care Facility” to match all other sections of the code.

Community Institutional Care Facility [correction]

3.3.30 Neighborhood Mixed Use (C3) Zone Standards (Clarification).

C. Building Form

Building Height

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

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

D. Gross Density¹ and Floor Area Ratio

Gross Density

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

²Subject to the requirements in Division 2.3

Article 4: Specific to Use

4.1.190 Recreational Facility: Campgrounds (from ZDSO). This amendment increases the buffer width required around campgrounds to match the 100 feet that was originally required in the ZDSO.

- A. **Buffers.** This use shall be screened with a 100-ft. wide, opaque, visual buffer equal to a Type E Perimeter Buffer (see Table 5.8.90.D) next to all property lines.

4.2.20.E General Standards and Limitations (Accessory Uses and Structures). This amendment allows greater flexibility in the square footage of accessory buildings for properties located in the T2R district.

- E.2. **Size.** Except for a standard two-car garage (less than 600 square feet) all other for the T2R district, individual freestanding accessory structures on a parcel shall not collectively exceed 30 percent of the floor area of the principal structure. This does not include standard two car garages (less than 600 square feet), accessory dwellings, guest houses, structures used for bona fide agricultural purposes, and accessory structures used for home businesses and cottage industries. In the T2R district, except for structures used for bona fide agricultural purposes, all freestanding accessory structures shall be clearly incidental and subordinate to the principal structure.

5.12.30.C Stormwater Standards (Clarification): This amendment requires stormwater ponds to be appropriately sized to accommodate expected runoff.

- C. All development and redevelopment shall utilize and integrate Stormwater BMPs which are appropriate to their location and environment, sized to accommodate the expected runoff, and contribute to the overall character of a proposal. Stormwater facilities may not be utilized to circumvent other requirements in this Code. BMPs implemented at the development scale shall be integrated into civic and open space networks to the maximum extent technically feasible in accordance with standards found in Division 2.8, Civic and Open Space

Types. Stormwater BMPs should be selected in keeping with the applicable transect zone or conventional zone, as indicated in Table 5.12.30.V. BMPs may be designed as a singular practice or as part of various supplemental pre-treatment BMPs in a series to achieve the runoff volume, runoff pollution load, and peak runoff rate control standards.

Article 10: Definitions

10.1.80 H Definitions: Height (Clarification). This amendment carries over exceptions to building height requirements that were originally in the ZDSO.

Height.

1. **Overall.** Overall building height shall be measured vertically from the natural grade or finished grade adjacent to the building exterior to the average height of the highest roof surface, **excluding chimneys, cupolas, and spires.**
2. **Eave/Parapet.** Building height to eave/parapet shall be measured from the eave or top of parapet to natural grade or finished grade at the lowest point adjacent to the building exterior, whichever yields the greatest height.

2016 /

SOUTHERN BEAUFORT COUNTY MAP AMENDMENT / REZONING FOR THIRTEEN (13) PROPERTIES TOTALING 39.02 ACRES LOCATED IN THE BLUFFTON AREA BETWEEN ULMER ROAD AND DEVONWOOD DRIVE:

- From T3-Hamlet Neighborhood to T2-Rural Center for twelve (12) properties: R600 039 000 0205 0000, R600 039 000 0271 0000, R600 039 000 0229 0000, R600 039 000 0519 0000, R600 039 000 0226 0000, R600 039 000 226A 0000, R600 039 000 0860 0000, R600 039 000 226B 0000, R600 039 000 0287 0000, R600 039 000 0286 0000, R600 039 000 0285 0000, and a 2-acre portion of R600 040 000 0003 0000 (located at the northeast corner of Benton Field and Ulmer Roads); and
- From T3-Hamlet Neighborhood to T4-Hamlet Center for a 4.28-acre portion of R600 039 000 0850 0000

Adopted this _____ day of _____, 2016.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

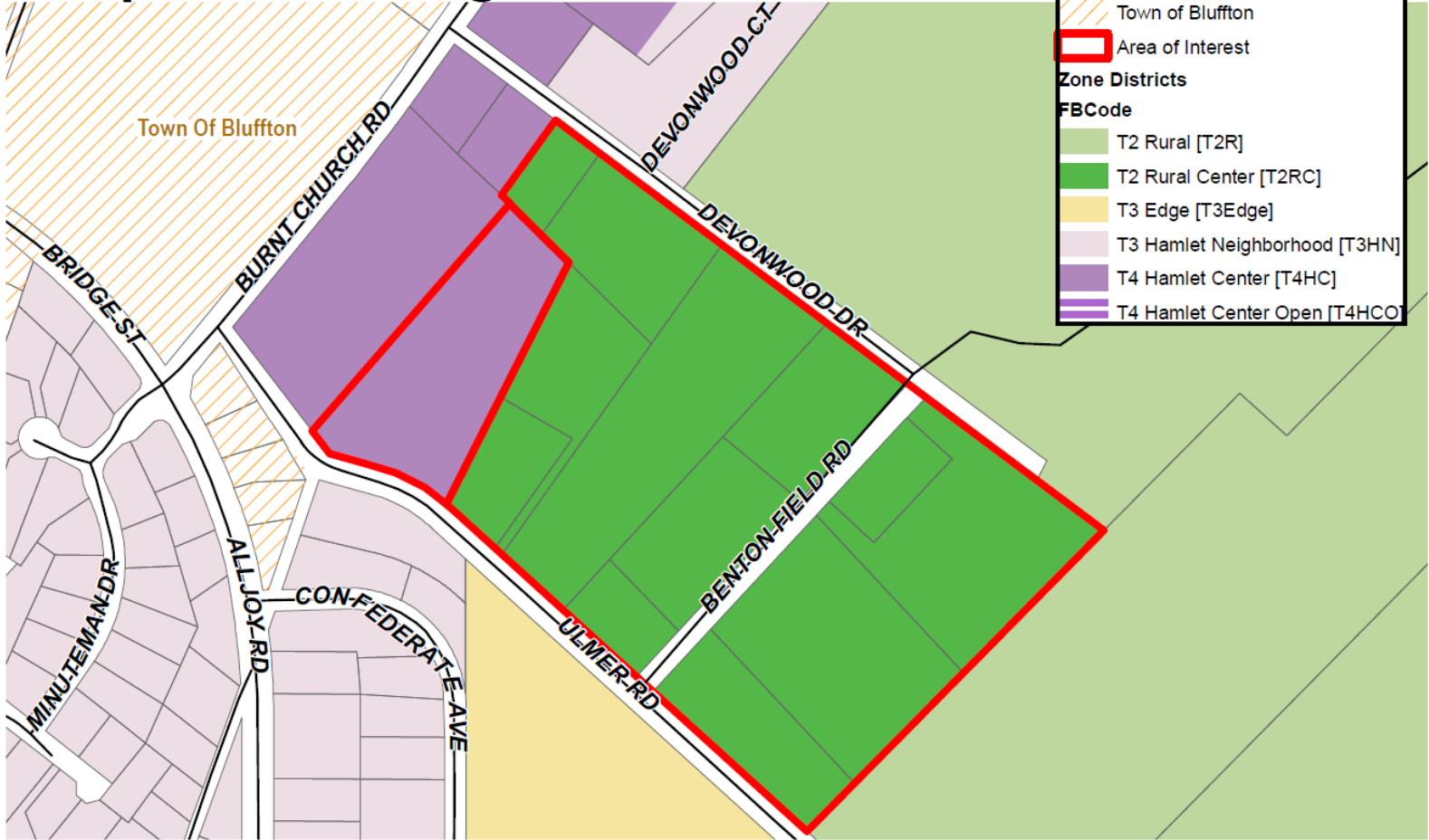
Thomas J. Keaveny, II, County Attorney

ATTEST:

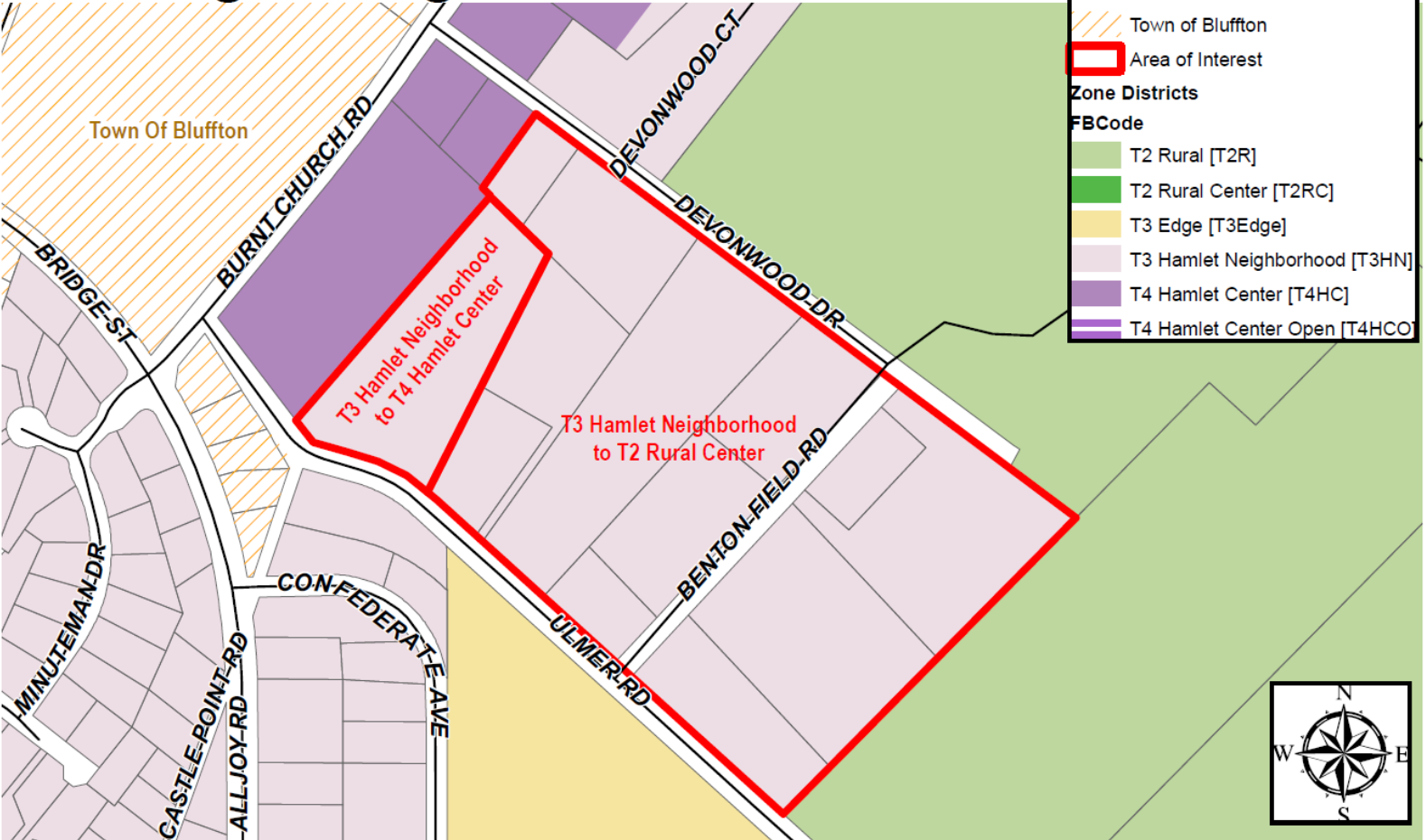
Suzanne M. Rainey, Clerk to Council

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

Proposed Zoning



Existing Zoning



ORDINANCE 2016/_____

AN ORDINANCE CREATING PROCEDURE FOR ESTABLISHING DIRT ROAD MAINTENANCE AND THE ESTABLISHMENT OF A SPECIAL PURPOSE TAX DISTRICT TO COVER COSTS ASSOCIATED WITH IMPROVEMENTS

WHEREAS, Beaufort County has a duty to provide for the general public works including roads, drainage, bridges and related access services.

WHEREAS, Beaufort County has several hundred miles of paved and unpaved roads including an undetermined number of miles of dirt surface roads that are private or not otherwise a part of the County Road System; and

WHEREAS, a majority of these dirt surface roads serve as the sole means of ingress and egress by many Beaufort County residents and taxpayers and are not generally maintained creating difficulty for persons living on them to have a reasonable means of access to their property; and

WHEREAS, Beaufort County Council recognizes that in order for its residents and citizens to have reasonable access to government provided services including fire and EMS, work, church and other opportunities, a reasonable means of getting to and from their residences is essential; and

WHEREAS, Beaufort County Council recognizes that some private roads are in need of one-time repair by the County based on hardship conditions; therefore, a procedure should be put in place for a resident to petition for repair and establish payment of the benefits received; and

WHEREAS, S.C. Code Sec. 4-9-30(5)(a)(ii) allows for the establishment of a Special Tax District when a petition is submitted to the County Council signed by seventy – five percent or more of the resident freeholders who own at least seventy – five percent of the assessed valuation of the real property in the proposed special tax district and upon certification of the petition County Council may pass an ordinance establishing the special tax district; and

WHEREAS, it should be noted that at no time will this petition process be utilized to develop a road in an area which is underdeveloped and in which the property owners are seeking assistance from the County to build a road in order for them to subdivide their land to make a profit.

NOW, THEREFORE, BE IT ORDAINED, by Beaufort County Council that the following procedure is enacted for the one-time repair of a private road based on hardship conditions and the establishment of a special tax district for the benefits gained from some such improvement.

CHAPTER 34, Article 1

Section 34.1 PURPOSE

Beaufort County Council recognizes that some private roads are in need of one-time repair by the County based on hardship conditions so its residents and citizens can have reasonable access to government provided services including fire and EMS, work, church and other opportunities.

Section 34.2 PROCEDURE

- 1) Upon receipt of a signed petition of the residents for a one-time maintenance request, the Beaufort County Public Works Director will review the roadway and determine whether roadway maintenance is necessary and appropriate.
- 2) If deemed necessary and appropriate and the one-time maintenance would provide reasonable access to government-provided services including fire and EMS, work, church and other opportunities, the Public Works Director shall prepare a cost estimate for road maintenance and provide a copy to the property owners.
- 3) Upon receipt of the cost estimate, seventy – five percent or more of the resident freeholders who own at least seventy – five percent of the assessed valuation of the real property adjacent to any road proposed roadway project shall sign a petition affirming the approval of establishment of a special purpose tax district for the purpose of a one-time roadway maintenance project.
- 4) After receiving 75% approval from the resident freeholders, the Public Works Director will forward the cost estimate and maintenance proposal to County Council for review and approval.
- 5) Upon approval, County Council shall create a special tax district pursuant to S.C. Code Sec. 4-9-30(5)(a)(ii) to cover the costs of the maintenance.

Adopted this ____ day of May, 2016.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council
First Reading: April 25, 2016
Second Reading: May 9, 2016
Public Hearing:
Third and Final Reading:

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE RELINQUISHMENT OF AN EASEMENT
ENCUMBERING PROPERTY IDENTIFIED AS TMP R200-007-000-0049-0000**

WHEREAS, on or about April 20, 1990, B. Randolph Dunlap and Beaufort County entered into a Settlement Agreement in Case No. 88-CP-07-00743, wherein B. Randolph Dunlap agreed to deed to Beaufort County a five-foot (5') pedestrian easement located on real property identified as TMP R200-007-000-0049-0000 for public use in exchange for various promises; and

WHEREAS, a five-foot (5') pedestrian easement, as contemplated within the settlement agreement, was recorded with the Beaufort County Register of Deeds at Book 553/Page 536; and

WHEREAS, due to changes in the condition of the pedestrian easement, it no longer provides safe access for the public to the waterway; and

WHEREAS, Beaufort County and the property owner now agree that the property owner will release the County from its obligation to maintain the ten-foot (10') seawall in exchange for the County relinquishing the five-foot (5') pedestrian easement; and

WHEREAS, Beaufort County Council has determined that it is in its best interest to relinquish the five-foot (5') easement attached hereto and incorporated by reference as "Exhibit A."; and

WHEREAS, S.C. Code Ann. §4-9-130 requires that the transfer of any interest in real property owned by the County must be authorized by the adoption of an ordinance by Beaufort County Council.

NOW, THEREFORE, BE IT ORDAINED, BY BEAUFORT COUNTY COUNCIL, that the County Administrator is hereby authorized to take all other actions as may be necessary to relinquish the easement as described, with particularity, within Exhibit A.

Adopted this ____ day of _____, 2016.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney
ATTEST:

Suzanne M. Rainey, Clerk to Council
First Reading: April 25, 2016
Second Reading: May 9, 2016
Public Hearings:
Third and Final Reading:



April 18, 2016

1:5,551

Road Classifications

— <all other values>

— STATE, PAVED

--- STATE, UNPAVED

— COUNTY, PAVED

--- COUNTY, UNPAVED

— PRIVATE, PAVED

--- PRIVATE, UNPAVED

--- PRIVATE, UNDETERMINED

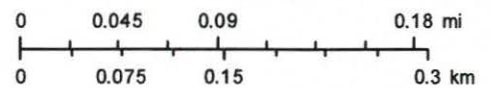
— TOWN, PAVED

--- TOWN, UNPAVED

— MILITARY / PAVED

--- MILITARY / UNPAVED

□ Parcels



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

FY 2016-2017 BEAUFORT COUNTY BUDGET

To provide for the levy of tax for corporate Beaufort County for the fiscal year beginning July 1, 2016 and ending June 30, 2017, to make appropriations for said purposes, and to provide for budgetary control of the County's fiscal affairs.

BE IT ORDAINED BY COUNTY COUNCIL OF BEAUFORT COUNTY:

SECTION 1. TAX LEVY

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

SECTION 2. MILLAGE

The County Auditor is hereby authorized and directed to levy in Fiscal Year 2016-2017 a tax of 61.15 mills on the dollar of assessed value of property within the County, in accordance with the laws of South Carolina. These taxes shall be collected by the County Treasurer, as provided by law, and distributed in accordance with the provisions of this Ordinance and subsequent appropriations hereafter passed by the County Council of Beaufort County.

County Operations	50.77
Purchase of Real Property Program	4.90
County Debt Service	5.48

SECTION 3. SPECIAL DISTRICT TAX LEVY

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

	<u>Revenues</u>	<u>Expenditures</u>	<u>Millage Rate</u>
Bluffton Fire District Operations	\$12,873,433	\$12,789,870	24.64
Bluffton Fire District Debt Service	\$ 574,700	\$ 567,720	1.10
Burton Fire District Operations	\$ 5,164,548	\$ 5,422,374	62.42
Burton Fire District Debt Service	\$ 385,268	\$ 385,268	5.26
Daufuskie Island Fire District Operations	\$ 1,142,613	\$ 1,142,613	58.44
Daufuskie Island Debt Service	\$ - 0 -	\$ - 0 -	0.00
Lady's Island/St. Helena Is. Fire District Operation	\$ 5,509,396	\$ 5,509,396	37.92
Lady's Island/St. Helena Is. Fire District Debt Service	\$ 312,137	\$ 312,137	2.20
Sheldon Fire District Operations	\$ 1,304,607	\$ 1,304,607	36.86
Sheldon Fire District Debt Service	\$ 72,500	\$ 72,500	2.20

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

SECTION 4. COUNTY OPERATIONS APPROPRIATION

An amount of \$116,068,625 is appropriated to the Beaufort County General Fund to fund County operations and subsidized agencies as follows:

I. Elected Officials and State Appropriations:

A. Sheriff	\$22,304,949
Emergency Management	\$ 7,693,069
B. Magistrate	\$ 1,894,965
C. Solicitor	\$ 1,245,000
D. Clerk of Court	\$ 1,110,126
E. Treasurer	\$ 1,094,659
F. Probate Court	\$ 761,622
G. Auditor	\$ 855,551
H. County Council	\$ 623,418
I. Public Defender	\$ 699,293
J. Coroner	\$ 530,310
K. Master-in-Equity	\$ 314,129
L. Social Services	\$ 147,349
M. Legislative Delegation	\$ <u>65,175</u>
 Total	 \$ 39,339,615

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

II. County Administration Operations:

A. Public Works	\$15,891,565
B. Administration	\$ 9,048,350
C. Emergency Medical Services	\$ 6,800,786
D. Detention Center	\$ 5,834,728
E. Education Allocation	\$ 4,000,000
F. Community Services	\$ 3,752,480
G. Library	\$ 3,721,948
H. Parks and Leisure Services	\$ 3,113,584
I. Assessor	\$ 2,141,021
J. Mosquito Control	\$ 1,701,066
K. Building Codes and Enforcement	\$ 1,087,874
L. Public Health	\$ 1,081,000
M. Employee Services	\$ 990,724
N. Animal Services	\$ 867,793
O. Voter Registration	\$ 718,261

P. Traffic Engineering	\$ 630,789
Q. Planning	\$ 605,219
R. Register of Deeds	\$ 506,613
S. General Government Subsidies	\$ 345,579
T. Zoning	\$ 181,401
U. Employer Provided Benefits	<u>\$13,708,229</u>
 Total	 \$76,729,010

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

SECTION 5. COUNTY OPERATIONS REVENUES

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

- A. \$ 89,216,574 to be derived from tax collections;
- B. \$ 11,602,715 to be derived from charges for services;
- C. \$ 9,197,645 to be derived from intergovernmental revenue sources;
- D. \$ 3,429,000 to be derived from fees for licenses and permits;
- E. \$ 1,568,750 to be derived from inter-fund transfers;
- F. \$ 750,000 to be derived from fines and forfeitures' collections;
- G. \$ 251,136 to be derived from miscellaneous revenue sources;
- H. \$ 52,805 to be derived from interest on investments;

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

SECTION 6. PURCHASE OF DEVELOPMENT RIGHTS AND REAL PROPERTY PROGRAM

The revenue generated by a 4.90 mill levy is appropriated for the County's Purchase of Development Rights and Real Property Program.

SECTION 7. COUNTY DEBT SERVICE APPROPRIATION

The revenue generated by a 5.48 mill levy is appropriated to defray the principal and interest payments on all County bonds and on the lease-purchase agreement authorized to cover other Capital expenditures.

SECTION 8. BUDGETARY ACCOUNT BREAKOUT

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

SECTION 9. OUTSTANDING BALANCE APPROPRIATION

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

SECTION 10. AUTHORIZATION TO TRANSFER FUNDS

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

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

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

SECTION 11. ALLOCATION OF FUNDS

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

SECTION 12. MISCELLANEOUS RECEIPTS ABOVE-ANTICIPATED REVENUES

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

SECTION 13. TRANSFERS VALIDATED

All duly authorized transfers of funds heretofore made from one account to another, or from one fund to another during Fiscal Year 2016, are hereby approved.

SECTION 14. EFFECTIVE DATE

This Ordinance shall be effective July 1, 2016. Approved and adopted on third and final reading this ____ day of _____, 2016.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

First Reading:

Second Reading:

Public Hearings:

Third and Final Reading:

BEAUFORT COUNTY, SOUTH CAROLINA
FISCAL YEAR 2017 PROPOSED BUDGET

BUDGET ORDINANCE DESCRIPTION	FY 2016 ORIGINAL APPROP	TOTAL CHANGE	State Mandated Retirement Increase	4% STATE COLA	FY 2017 PROJECTED/ PROPOSED
REVENUES					
AD VALOREM TAXES	84,195,180				89,216,574
CAP OF 2.67% = 1.30 MILS		3,509,524			
LOOK BACK OF 0.70 MILS					
TOTAL MIL INCREASE OF 2.00 = 50.77 MIL RATE					
PROPERTY VALUE GROWTH (1.64%)		1,511,870			
CHARGES FOR SERVICES	10,402,715	1,200,000			11,602,715
INTERGOVERNMENTAL REVENUE	7,865,416	1,332,229			9,197,645
LICENSES AND PERMITS	3,029,000	400,000			3,429,000
INTERFUND TRANSFERS	1,268,750	300,000			1,568,750
FINES AND FORFEITURES	750,000	-			750,000
MISCELLANEOUS	251,136	-			251,136
INTEREST	52,805	-			52,805
Total Revenue Appropriation	<u>\$ 107,815,002</u>	<u>\$ 8,253,623</u>			<u>\$ 116,068,625</u>
EXPENDITURES					
SHERIFF	21,521,304	712,925	70,720	-	22,304,949
EMERGENCY MGMT	7,678,698	-	14,371	-	7,693,069
MAGISTRATE	1,888,596	-	6,369	-	1,894,965
SOLICITOR	1,060,000	185,000	-	-	1,245,000
CLERK OF COURT	1,081,865	25,000	3,261	-	1,110,126
TREASURER	1,088,802	-	2,357	3,500	1,094,659
PROBATE	753,821	-	2,801	5,000	761,622
AUDITOR	577,912	272,000	2,139	3,500	855,551
COUNTY COUNCIL	621,909	-	1,509	-	623,418
PUBLIC DEFENDER	634,293	65,000	-	-	699,293
CORONER	479,471	50,000	839	-	530,310
MASTER IN EQUITY	306,894	-	1,235	6,000	314,129
SOCIAL SERVICES	147,349	-	-	-	147,349
LEGISLATIVE DELEGATION	74,874	(10,000)	301	-	65,175
Subtotal of Elected Officials and State Appropria	37,915,788	1,299,925	105,902	18,000	39,339,615
PUBLIC WORKS	14,068,229	1,800,000	23,336	-	15,891,565
ADMINISTRATION	6,354,192	677,949	16,209	-	7,048,350
EMS	6,228,552	550,000	22,234	-	6,800,786
DETENTION CENTER	5,618,218	200,000	16,510	-	5,834,728
EDUCATION	4,000,000	-	-	-	4,000,000
COMMUNITY SERVICES	3,579,854	172,051	575	-	3,752,480
LIBRARY	3,434,916	275,000	12,032	-	3,721,948
PALS	3,106,370	-	7,214	-	3,113,584
ASSESSOR	1,988,020	145,000	8,001	-	2,141,021
MOSQUITO CONTROL	1,518,366	180,000	2,700	-	1,701,066
BUILDING CODES/ENF	984,098	100,000	3,776	-	1,087,874
PUBLIC HEALTH	1,081,000	-	-	-	1,081,000
EMPLOYEE SVCS	989,543	-	1,181	-	990,724
ANIMAL SVCS	775,694	90,000	2,099	-	867,793
VOTER REGISTRATION	716,075	-	2,186	-	718,261
TRAFFIC ENGINEERING	669,282	(40,000)	1,507	-	630,789
PLANNING	603,049	-	2,170	-	605,219
REGISTER OF DEEDS	504,968	-	1,645	-	506,613
GENERAL GOVT SUBSIDIES	289,882	55,697	-	-	345,579
ZONING	180,678	-	723	-	181,401
Subtotal of County Administration Operations	56,690,986	4,205,697	124,098	-	61,020,781
BENEFITS	13,208,229	500,000	-	-	13,708,229
	<u>\$ 107,815,003</u>	<u>\$ 6,005,622</u>	<u>\$ 230,000</u>	<u>\$ 18,000</u>	<u>\$ 114,068,625</u>
COMPENSATION STUDY IMPLEMENTATION (INCLUDED WITH ADMINISTRATION BUDGET)					2,000,000
GRAND TOTAL OF EXPENDITURES					<u>\$ 116,068,625</u>

NOTE: Benefits include Group Health Insurance, Worker's Compensation Insurance, Tort Liability Insurance and Unemployment Insurance.

ORDINANCE NO. 2016 /

FY 2016-2017 BEAUFORT COUNTY SCHOOL DISTRICT BUDGET

An Ordinance to provide for the levy of tax for school purposes for Beaufort County for the fiscal year beginning July 1, 2016 and ending June 30, 2017, and to make appropriations for said purposes.

BE IT ORDAINED BY COUNTY COUNCIL OF BEAUFORT COUNTY:

SECTION 1. TAX LEVY

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

SECTION 2. MILLAGE

In Fiscal Year 2016-2017 and in accordance with the laws of South Carolina, the County Auditor is hereby authorized and directed to levy a tax on the following mills on the dollar of assessed value of property within the County.

School Operations	108.00
School Bond Debt Service (Principal and Interest)	31.71

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

SECTION 3. SCHOOL OPERATIONS APPROPRIATION

An amount of \$216,782,976 is hereby appropriated to the Beaufort County Board of Education to fund school operations and \$1,330,981 to be allocated to the general fund balance. This appropriation is to be spent in accordance with the school budget approved by the County Council of Beaufort County, and will be funded from the following revenue sources:

- A. \$131,662,584 to be derived from tax collections;
- B. \$ 77,261,805 to be derived from State revenues;
- C. \$ 900,000 to be derived from Federal revenues;
- D. \$ 1,493,500 to be derived from other local sources; and
- E. \$ 5,465,087 to be derived from inter-fund transfers.

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

SECTION 4. BUDGETARY ACCOUNT BREAKOUT

The line-item budgets submitted by the Beaufort County Board of Education under separate cover for FY 2016-2017 are incorporated herein by reference and shall be part and parcel of this Ordinance.

SECTION 5. OUTSTANDING BALANCE APPROPRIATION

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

SECTION 6. TRANSFERS VALIDATED

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

SECTION 7. EFFECTIVE DATE

This Ordinance shall be effective July 1, 2016. Approved and adopted on third and final reading this ____ day of _____, 2016.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____

D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

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

ADD-ONS

The document(s) herein were provided to Council for information and/or discussion after release of the official agenda and backup items.

Topic: FY2016-2017 County Budget Ordinance - Revised
Date Submitted: May 23, 2016
Submitted By: Alicia Holland
Venue: County Council Regular Session

FY 2016-2017 BEAUFORT COUNTY BUDGET

To provide for the levy of tax for corporate Beaufort County for the fiscal year beginning July 1, 2016 and ending June 30, 2017, to make appropriations for said purposes, and to provide for budgetary control of the County's fiscal affairs.

BE IT ORDAINED BY COUNTY COUNCIL OF BEAUFORT COUNTY:

SECTION 1. TAX LEVY

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

SECTION 2. MILLAGE

The County Auditor is hereby authorized and directed to levy in Fiscal Year 2016-2017 a tax of 61.27 mills on the dollar of assessed value of property within the County, in accordance with the laws of South Carolina. These taxes shall be collected by the County Treasurer, as provided by law, and distributed in accordance with the provisions of this Ordinance and subsequent appropriations hereafter passed by the County Council of Beaufort County.

County Operations	50.89
Purchase of Real Property Program	4.90
County Debt Service	5.48

SECTION 3. SPECIAL DISTRICT TAX LEVY

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

	<u>Revenues</u>	<u>Expenditures</u>	<u>Millage Rate</u>
Bluffton Fire District Operations	\$12,873,433	\$12,789,870	24.64
Bluffton Fire District Debt Service	\$ 574,700	\$ 567,720	1.10
Burton Fire District Operations	\$ 5,164,548	\$ 5,422,374	62.42
Burton Fire District Debt Service	\$ 385,268	\$ 385,268	5.26
Daufuskie Island Fire District Operations	\$ 1,142,613	\$ 1,142,613	58.44
Daufuskie Island Debt Service	\$ - 0 -	\$ - 0 -	0.00
Lady's Island/St. Helena Is. Fire District Operation	\$ 5,509,396	\$ 5,509,396	37.92
Lady's Island/St. Helena Is. Fire District Debt Service	\$ 312,137	\$ 312,137	2.20
Sheldon Fire District Operations	\$ 1,304,607	\$ 1,304,607	36.86
Sheldon Fire District Debt Service	\$ 72,500	\$ 72,500	2.20

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

SECTION 4. COUNTY OPERATIONS APPROPRIATION

An amount of \$116,268,625 is appropriated to the Beaufort County General Fund to fund County operations and subsidized agencies as follows:

I. Elected Officials and State Appropriations:

A. Sheriff	\$22,304,949
Emergency Management	\$ 7,693,069
B. Magistrate	\$ 1,894,965
C. Solicitor	\$ 1,245,000
D. Clerk of Court	\$ 1,110,126
E. Treasurer	\$ 1,094,659
F. Probate Court	\$ 761,622
G. Auditor	\$ 855,551
H. County Council	\$ 623,418
I. Public Defender	\$ 699,293
J. Coroner	\$ 530,310
K. Master-in-Equity	\$ 314,129
L. Social Services	\$ 147,349
M. Legislative Delegation	\$ 65,175
Total	\$ 39,339,615

Please switch these 2 items, so that the Auditor is F. and Probate Court is G. (descending order)
Same thing with County Council and Public Defender.

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

II. County Administration Operations:

A. Public Works	\$15,891,565
B. Administration	\$ 9,048,350
C. Emergency Medical Services	\$ 6,800,786
D. Detention Center	\$ 5,834,728
E. Education Allocation	\$ 4,000,000
F. Community Services	\$ 3,752,480
G. Library	\$ 3,721,948
H. Parks and Leisure Services	\$ 3,113,584
I. Assessor	\$ 2,141,021
J. Mosquito Control	\$ 1,701,066
K. Building Codes and Enforcement	\$ 1,087,874
L. Public Health	\$ 1,081,000
M. Employee Services	\$ 990,724
N. Animal Services	\$ 867,793
O. Voter Registration	\$ 718,261

P. Traffic Engineering	\$ 630,789
Q. Planning	\$ 605,219
R. Register of Deeds	\$ 506,613
S. General Government Subsidies	\$ 545,579
T. Zoning	\$ 181,401
U. Employer Provided Benefits	\$13,708,229
Total	\$76,929,010

Please switch these also.

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

SECTION 5. COUNTY OPERATIONS REVENUES

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

- A. \$ 89,416,574 to be derived from tax collections;
- B. \$ 11,602,715 to be derived from charges for services;
- C. \$ 9,197,645 to be derived from intergovernmental revenue sources;
- D. \$ 3,429,000 to be derived from fees for licenses and permits;
- E. \$ 1,568,750 to be derived from inter-fund transfers;
- F. \$ 750,000 to be derived from fines and forfeitures' collections;
- G. \$ 251,136 to be derived from miscellaneous revenue sources;
- H. \$ 52,805 to be derived from interest on investments;

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

SECTION 6. PURCHASE OF DEVELOPMENT RIGHTS AND REAL PROPERTY PROGRAM

The revenue generated by a 4.90 mill levy is appropriated for the County's Purchase of Development Rights and Real Property Program.

SECTION 7. COUNTY DEBT SERVICE APPROPRIATION

The revenue generated by a 5.48 mill levy is appropriated to defray the principal and interest payments on all County bonds and on the lease-purchase agreement authorized to cover other Capital expenditures.

SECTION 8. BUDGETARY ACCOUNT BREAKOUT

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

SECTION 9. OUTSTANDING BALANCE APPROPRIATION

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

SECTION 10. AUTHORIZATION TO TRANSFER FUNDS

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

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

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

SECTION 11. ALLOCATION OF FUNDS

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

SECTION 12. MISCELLANEOUS RECEIPTS ABOVE-ANTICIPATED REVENUES

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

SECTION 13. TRANSFERS VALIDATED

All duly authorized transfers of funds heretofore made from one account to another, or from one fund to another during Fiscal Year 2016, are hereby approved.

SECTION 14. EFFECTIVE DATE

This Ordinance shall be effective July 1, 2016. Approved and adopted on third and final reading this ____ day of _____, 2016.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

First Reading:

Second Reading:

Public Hearings:

Third and Final Reading:

Topic: FY2016-2017 Proposed Budget Spreadsheet - Revised
Date Submitted: May 23, 2016
Submitted By: Alicia Holland
Venue: County Council Regular Session

BEAUFORT COUNTY, SOUTH CAROLINA
FISCAL YEAR 2017 PROPOSED BUDGET

BUDGET ORDINANCE DESCRIPTION	FY 2016 ORIGINAL APPROP	TOTAL CHANGE	State Mandated Retirement Increase	4% STATE COLA	FY 2017 PROJECTED/ PROPOSED
REVENUES					
AD VALOREM TAXES	84,195,180				89,416,574
CAP OF 2.67% = 1.30 MILS		3,509,524			
LOOK BACK OF 0.70 MILS					
TOTAL MIL INCREASE OF 2.00 = 50.77 MIL RATE					
PROPERTY VALUE GROWTH (1.64%)		1,511,870			
ECONOMIC DEVELOPMENT (ADDITIONAL 0.12 MIL INCREASE)		200,000			
TOTAL PROPOSED FY 2017 OPERATIONS MILL RATE = 50.89					
CHARGES FOR SERVICES	10,402,715	1,200,000			11,602,715
INTERGOVERNMENTAL REVENUE	7,865,416	1,332,229			9,197,645
LICENSES AND PERMITS	3,029,000	400,000			3,429,000
INTERFUND TRANSFERS	1,268,750	300,000			1,568,750
FINES AND FORFEITURES	750,000	-			750,000
MISCELLANEOUS	251,136	-			251,136
INTEREST	52,805	-			52,805
Total Revenue Appropriation	\$ 107,815,002	\$ 8,453,623			\$ 116,268,625
EXPENDITURES					
SHERIFF	21,521,304	712,925	70,720	-	22,304,949
EMERGENCY MGMT	7,678,698	-	14,371	-	7,693,069
MAGISTRATE	1,888,596	-	6,369	-	1,894,965
SOLICITOR	1,060,000	185,000	-	-	1,245,000
CLERK OF COURT	1,081,865	25,000	3,261	-	1,110,126
TREASURER	1,088,802	-	2,357	3,500	1,094,659
AUDITOR	577,912	272,000	2,139	3,500	855,551
PROBATE	753,821	-	2,801	5,000	761,622
PUBLIC DEFENDER	634,293	65,000	-	-	699,293
COUNTY COUNCIL	621,909	-	1,509	-	623,418
CORONER	479,471	50,000	839	-	530,310
MASTER IN EQUITY	306,894	-	1,235	6,000	314,129
SOCIAL SERVICES	147,349	-	-	-	147,349
LEGISLATIVE DELEGATION	74,874	(10,000)	301	-	65,175
Subtotal of Elected Officials and State Appropria	37,915,788	1,299,925	105,902	18,000	39,339,615
PUBLIC WORKS	14,068,229	1,800,000	23,336	-	15,891,565
ADMINISTRATION	6,354,192	2,677,949	16,209	-	9,048,350
EMS	6,228,552	550,000	22,234	-	6,800,786
DETENTION CENTER	5,618,218	200,000	16,510	-	5,834,728
EDUCATION	4,000,000	-	-	-	4,000,000
COMMUNITY SERVICES	3,579,854	172,051	575	-	3,752,480
LIBRARY	3,434,916	275,000	12,032	-	3,721,948
PALS	3,106,370	-	7,214	-	3,113,584
ASSESSOR	1,988,020	145,000	8,001	-	2,141,021
MOSQUITO CONTROL	1,518,366	180,000	2,700	-	1,701,066
BUILDING CODES/ENF	984,098	100,000	3,776	-	1,087,874
PUBLIC HEALTH	1,081,000	-	-	-	1,081,000
EMPLOYEE SVCS	989,543	-	1,181	-	990,724
ANIMAL SVCS	775,694	90,000	2,099	-	867,793
VOTER REGISTRATION	716,075	-	2,186	-	718,261
TRAFFIC ENGINEERING	669,282	(40,000)	1,507	-	630,789
PLANNING	603,049	-	2,170	-	605,219
GENERAL GOVT SUBSIDIES	289,882	255,697	-	-	545,579
REGISTER OF DEEDS	504,968	-	1,645	-	506,613
ZONING	180,678	-	723	-	181,401
Subtotal of County Administration Operations	56,690,986	6,405,697	124,098	-	63,220,781
BENEFITS	13,208,229	500,000	-	-	13,708,229
GRAND TOTAL OF EXPENDITURES	\$ 107,815,003	\$ 8,205,622	\$ 230,000	\$ 18,000	\$ 116,268,625

Topic: FY2016-2017 Proposed Budget Spreadsheet - Revised

Date Submitted: May 23, 2016

Submitted By: Alicia Holland

NOTE: Benefits include Group Health Insurance, Worker's Compensation Insurance, Tort Liability Insurance and Unemployment Insurance.

Venue: County Council Regular Session

Topic: FY2016-2017 School District Budget Ordinance - Revised
Date Submitted: May 23, 2016
Submitted By: Phyllis White
Venue: County Council Regular Session

ORDINANCE NO. 2016 /

FY 2016-2017 BEAUFORT COUNTY SCHOOL DISTRICT BUDGET

An Ordinance to provide for the levy of tax for school purposes for Beaufort County for the fiscal year beginning July 1, 2016 and ending June 30, 2017, and to make appropriations for said purposes.

BE IT ORDAINED BY COUNTY COUNCIL OF BEAUFORT COUNTY:

SECTION 1. TAX LEVY

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

SECTION 2. MILLAGE

In Fiscal Year 2016-2017 and in accordance with the laws of South Carolina, the County Auditor is hereby authorized and directed to levy a tax on the following mills on the dollar of assessed value of property within the County.

School Operations	111.50
School Bond Debt Service (Principal and Interest)	31.71

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

	Prior Year Millage	% Average CPI	% Population Growth	Allowable Annual % Increase of Millage Rate	Millage Bank Used	Millage Bank Balance
2014	97.45	2.07%	2.21%	4.28%	-2.47%	1.81%
2015	103.5	1.46%	2.27%	3.73%	-3.73%	1.81%
2016	103.5	1.62%	2.50%	4.12%	0.00%	5.93%

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

SECTION 3. SCHOOL OPERATIONS APPROPRIATION

An amount of \$216,782,976 is hereby appropriated to the Beaufort County Board of Education to fund school operations and \$1,330,981 to be allocated to the general fund balance. This appropriation is to be spent in accordance with the school budget approved by the County Council of Beaufort County, and will be funded from the following revenue sources:

- A. \$131,662,584 to be derived from tax collections;
- B. \$ 77,261,805 to be derived from State revenues;
- C. \$ 900,000 to be derived from Federal revenues;
- D. \$ 1,493,500 to be derived from other local sources; and
- E. \$ 5,465,087 to be derived from inter-fund transfers.

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

SECTION 4. BUDGETARY ACCOUNT BREAKOUT

The line-item budgets submitted by the Beaufort County Board of Education under separate cover for FY 2016-2017 are incorporated herein by reference and shall be part and parcel of this Ordinance.

SECTION 5. OUTSTANDING BALANCE APPROPRIATION

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

SECTION 6. TRANSFERS VALIDATED

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

SECTION 7. EFFECTIVE DATE

This Ordinance shall be effective July 1, 2016. Approved and adopted on third and final reading this ____ day of _____, 2016.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

First Reading:

Second Reading:

Public Hearings:

Third and Final Reading:

DRAFT