

COUNTY COUNCIL OF BEAUFORT COUNTY

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COUNTY ATTORNEY

SUZANNE M. RAINEY
CLERK TO COUNCIL

AGENDA PUBLIC FACILITIES COMMITTEE Tuesday, January 24, 2012 4:30 p.m. Executive Conference Room Administration Building

Committee Members:

Herbert Glaze, Chairman
Steven Baer, Vice Chairman
Gerald Dawson
Brian Flewelling
William McBride
Jerry Stewart

Staff Support:

Rob McFee, Division Director

1. CALL TO ORDER – 4:30 p.m.
2. DISCUSSION / FEMA REIMBURSEMENT POSSIBILITIES FOR PRIVATE COMMUNITIES
3. BLUFFTON PARKWAY 5B PLANNING
4. MONTHLY UPDATES
 - A. Drainage Projects
 - B. Road Projects
5. CONSIDERATION OF REAPPOINTMENTS AND APPOINTMENTS
 - A. Airports Board
 - B. Solid Waste and Recycling Board
 - C. Stormwater Management Utility Board
6. ADJOURNMENT

A quorum of Council may be in attendance at all Committee meetings.
Please silence your cell phone during the meeting.



Fact Sheet

Provided by Beaufort County Public Works Department • 120 Shanklin Road • Beaufort, SC 29906

Private/Gated Community Debris Removal Procedure

In the instance that Beaufort County is subject to a large-scale disaster where it is in the public interest to remove debris from roads, right of ways and private roads, the County will initiate actions in accordance with the Beaufort County Debris Management Plan. The plan specifies that during the initial response to the disaster the County and/or its Contractors will perform road clearing operations to restore access to all County property for emergency vehicles to include both public and private roads. During this phase debris will be cut as necessary and pushed to the right of way.

In the event of a disaster where debris removal from private communities / gated property is necessary, a representative of the private/ gated community, such as the president of the property owners association or the management firm must contact the County Debris Manager (CDM) within the Public Works Department to coordinate FEMA approval for debris removal. Because private/gated communities are private property, the County is restricted from initiating work on private property. For Beaufort County to assist, the community designee must first contact the County for coordination and approval. Upon receiving a request from the community and prior to commencing work, the County will submit a request for reimbursement and seek approval from the Federal coordinating officer, in accordance with 44 CFR 206.224.

To gain approval for FEMA Assistance, FEMA will work with states affected by a disaster to designate those areas where the debris is so widespread that removal of the debris from private property is in the "public interest" pursuant to 44 CFR 206.224, and thus is eligible for FEMA Public Assistance reimbursement on a case-by-case basis.

- In the instance where the community does not have an existing pre-positioned contract with a debris removal contractor: Upon request from the community and approval from FEMA, the CDM and the County's contractor will visit the site to determine the amount of debris to be removed. A scheduled time will be assigned by the County to the contractor to move the debris to a designated location so the County's contractor will be on site to receive the debris. The County will issue a letter and provide a beginning and end date for the debris to be placed at the designated location.
- In the instance where the community has an existing pre-positioned contract with a debris removal contractor: An alternative option will be made available to the private/gated community: The community's contractor can take the debris to a site designated by the County. A letter will be provided specifying the designated site; starting and ending date for the debris removal. Each truck must have a copy of the letter to enter the debris site. No debris is to be placed at the designated location, right-of-way or site prior to date stated in the letter to the community.

Per the Federal Emergency Management Agency (FEMA) policy debris will be removed from private property only in the case of severe damage where both the County and FEMA agree that the cited policy has been met. In these extreme instances, FEMA has devised a policy describing the criteria it uses to evaluate the eligibility of debris removal work from private property under the Public Assistance Program (*Disaster Assistance Policy 9523.13*). The policy summarized below is applicable to all major disasters and emergencies declared on or after the date of publication of this policy (*July 18, 2007*). **Generally, debris removal from private property following a disaster is the responsibility of the property owner.** However, large-scale disasters may deposit enormous quantities of debris on private property over a large area resulting in widespread immediate threats to the public-at-large. In these cases, the State or local government may need to enter private property to remove debris to: eliminate immediate threats to life, public health, and safety; eliminate immediate threats of significant damage to improved property; or ensure economic recovery of the affected community to the benefit of the community-at-large. In these situations, debris removal from private property may be considered to be in the public interest and thus may be eligible for reimbursement under the Public Assistance Program (*44 CFR 206.224*).

For more information, visit the specific FEMA web page at: http://www.fema.gov/government/grant/pa/9523_13.shtm

FILE

Lisa Sulka

Mayor

Fred Hamilton Jr.

Mayor Pro Tempore

Anthony Barrett

Town Manager



Council Members

Michael Raymond

Oliver Brown

Allyne Mitchell

Sandra Lunceford

Town Clerk

December 22, 2011

Wm. Weston J. Newton, Esquire
County Council Chairman
Jones Patterson Simpson & Newton, PA
Post Office Box 1938
Bluffton, South Carolina 29910

Gary Kubic, Administrator
Beaufort County
Post Office Drawer 1228
Beaufort, South Carolina 29901

Re: Bluffton Parkway 5B Planning

Dear Chairman Newton and Mr. Kubic:

I trust this letter finds you well and looking forward to what will hopefully be a more economically prosperous year for the County and the Town in 2012! I am writing specifically about the current state of planning for the realignment of Bluffton Parkway Phase 5B. Although we have taken some steps forward in having the Town proposed route for 5B re-evaluated with the blessing of the County, I have some lingering concerns that I would like to make known to you as we move forward.

First, there is the monetary savings issue. There has been a lot of discussion about the approximately \$90,000.00 regarding the engineering study for the proposed realignment by the Town, however, there has been very little discussion or recognition of the fact that a significant portion of the land would be donated and there would be an approximately \$4,000,000.00 savings. The net difference is quite substantial and I believe it is most certainly worthwhile for all involved to consider such a cost savings. The Town agrees to be responsible for the approximately \$90,000.00. The recent change to the original Public Facilities motion to require payment up front by the Town does not seem at all appropriate and is not in keeping with the relationship we are trying to forge.

*Theodore D. Washington Municipal Building
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910
Telephone (843) 706-4500 Fax (843) 757-6720
www.townofbluffton.sc.gov*


Second, as you know, the road falls directly within the Buckwalter Development tract. The land in question is governed by the terms of the Buckwalter Development Agreement and its amendments. The Town has worked very hard to produce the Development Agreement along with the developers of those tracts and believe that the document, as amended, is one that provides us foresight into future development and use of property within the Buckwalter Tract. As you know, the Development Agreement has provided numerous community assets including land and funding for existing roadways, parks and other civic uses. As such, we desire for the County to respect the terms of the Development Agreement as amended, which are not overly burdensome with regard to this particular issue. I understand that, although discussions began with regard to 5B prior to 2008 when the Ninth Amendment of the Buckwalter Development Agreement was executed, Mr. Reed and Mr. Hammett had already been in discussions with county staff in order to express their concerns and desires with regard to the alignment issue.

Thirdly, the Town realizes that funding and construction of the Parkway Realignment may be sometime away but as you are aware we are currently engaged in the final planning of this important area of the Town and it is imperative for the Town to know the ultimate location of the Parkway to complete our planning process. As such, we would hope we can work together to have the engineering review and the public hearing process completed well within the next year if not before.

Finally, I have concerns about the way that this road issue has evolved from a jurisdictional standpoint. The Comprehensive Planning Act gives our Planning Commission authority over the location of roads within the Town. Throughout the process, our Planning Commission has not been contacted or consulted on the alignment issue. Furthermore, the Town's input, although we have been present at recent county committee meetings over the last six months or so, has been relegated to public comment. Of course, the Town of Bluffton has a vested interest in protecting the interests of the Town itself and the citizens of the Town. Part of that protection process involves evaluating various road alignments for optimal use and economic viability. In this case, such input has only been given and received "after the fact".

Please note that my concerns as outlined above are not broad and general complaints by nature, but concerns about this specific issue. I view these concerns as things that we can move past as we progress through this process. As such, we would respectfully ask to be made a greater part of the process with respectful consideration to our preferences and goals that are stated above. Please consider my comments and I look forward to working with the County as we move forward in the review and approval process of this realignment. So that we can continue to move this regional initiative in a positive direction, I would like to schedule a meeting with you and applicable staff early in the New Year. The overall objectives of both the County and the Town can be met and we can consider this a project in which we have worked jointly and successfully to overcome bumps in the road as supportive neighbors as well as providing our constituents with a cost effective, safe, and functional transportation route.

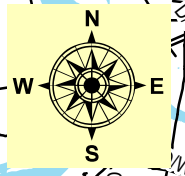
With kindest regards,

A handwritten signature in black ink, appearing to read "Lisa Sulka". The signature is written in a cursive style with a large initial "L".


Lisa Sulka,
Mayor of Town of Bluffton

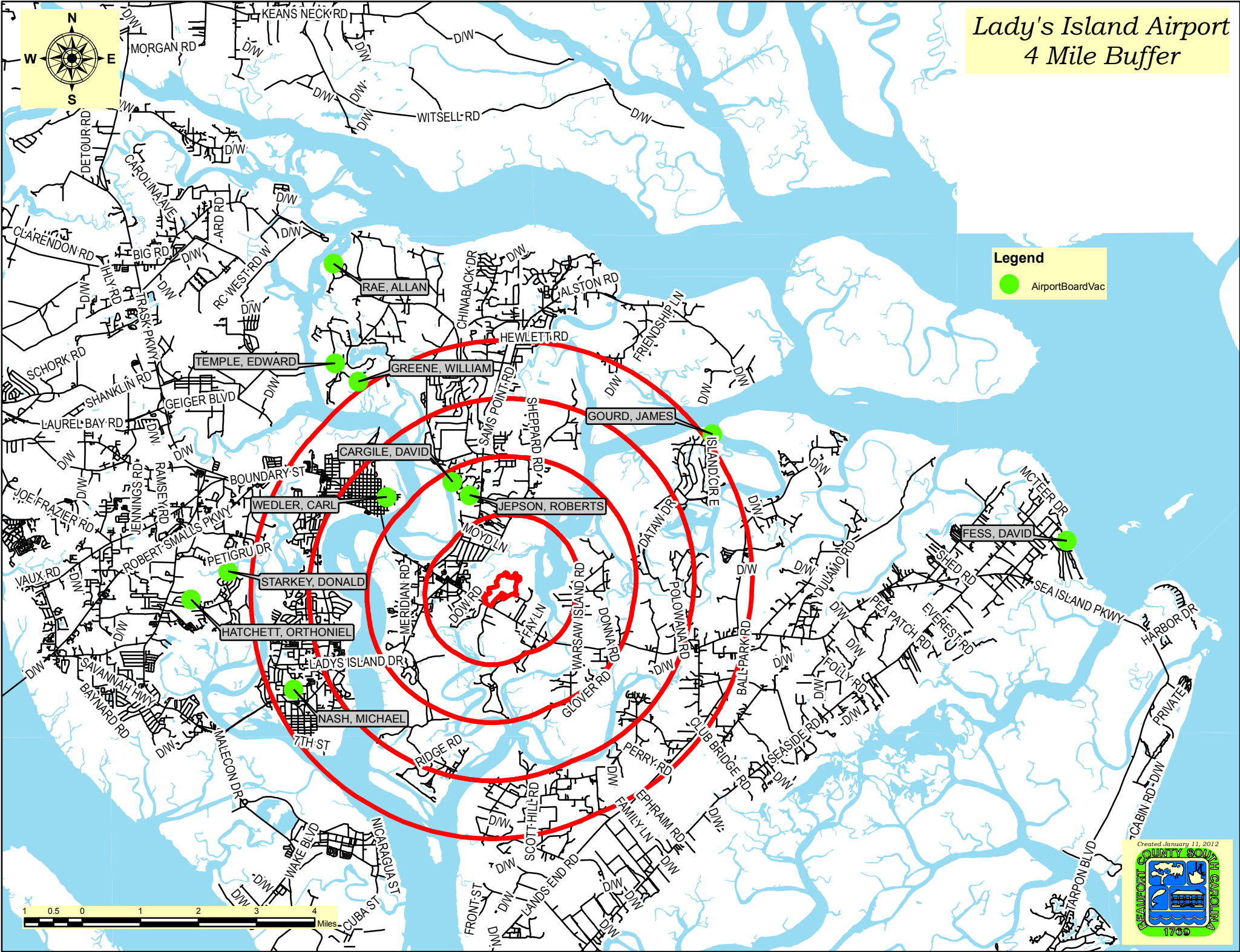
Cc:
Bluffton Town Council Members
Beaufort County Members
Bluffton Town Manager

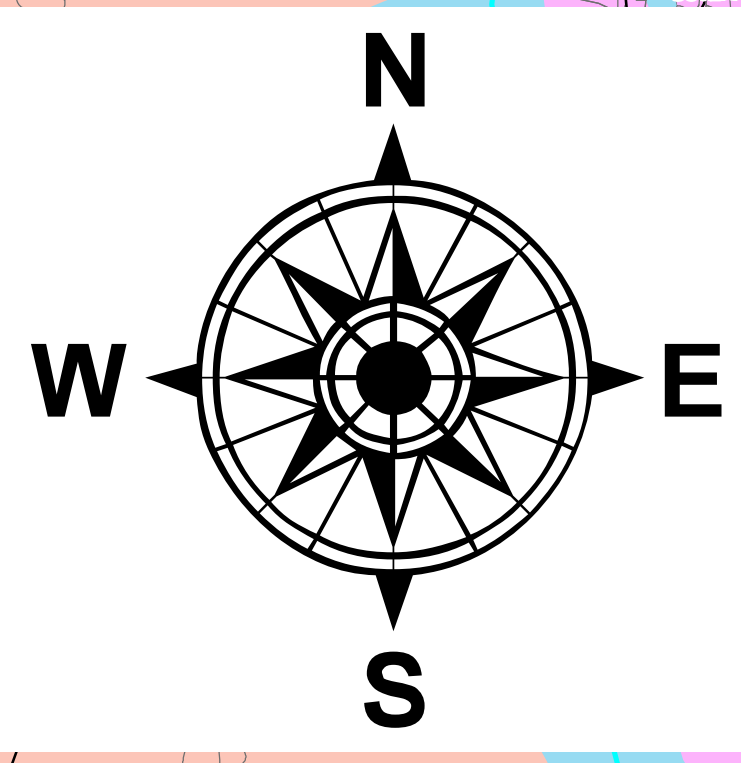
Lady's Island Airport 4 Mile Buffer



Legend

-  AirportBoardVac





Legend

Council Districts

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