

# COUNTY COUNCIL OF BEAUFORT COUNTY

ADMINISTRATION BUILDING

100 RIBAUT ROAD

POST OFFICE DRAWER 1228

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WM. WESTON J. NEWTON  
CHAIRMAN

D. PAUL SOMMERVILLE  
VICE CHAIRMAN

## COUNCIL MEMBERS

STEVEN M. BAER  
RICK CAPORALE  
GERALD DAWSON  
BRIAN E. FLEWELLING  
HERBERT N. GLAZE  
WILLIAM L. McBRIDE  
STEWART H. RODMAN  
GERALD W. STEWART  
LAURA VON HARTEN

GARY KUBIC  
COUNTY ADMINISTRATOR

BRYAN J. HILL  
DEPUTY COUNTY ADMINISTRATOR

LADSON F. HOWELL  
COUNTY ATTORNEY

SUZANNE M. RAINEY  
CLERK TO COUNCIL

## AGENDA

### COUNTY COUNCIL OF BEAUFORT COUNTY

Monday, April 11, 2011

4:00 p.m.

Council Chambers

Administration Building

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

- 4:00 p.m.** 1. **CAUCUS**  
Executive Conference Room, Administration Building
- 5:00 p.m.** 2. **REGULAR MEETING**  
Council Chambers, Administration Building
3. CALL TO ORDER
4. PLEDGE OF ALLEGIANCE
5. INVOCATION
6. REVIEW OF MINUTES – [March 14, 2011](#)
7. PROCLAMATIONS
- Sexual Assault Awareness Month  
Jeanne L. Newland, Director of Prevention/Outreach Services  
Hope Haven of the Lowcountry
  - Child Abuse Prevention Month  
Mr. Charles Brown, CPS Supervisor  
Department of Social Services
8. PUBLIC COMMENT
9. COUNTY ADMINISTRATOR'S REPORT  
Mr. Gary Kubic, County Administrator
- [The County Channel / Broadcast Update](#)

Over



- [Two-Week Progress Report](#)
- [Resolution / Fair Housing Month](#)
- Recognition of Donation from New Hope Christian Church to Disabilities Foundation for Camp Treasure Chest  
Mrs. Mitzi Wagner, Director, Disabilities and Special Needs
- Update / Economic Development Task Force Meeting Held April 4, 2011

10. DEPUTY COUNTY ADMINISTRATOR'S REPORT

Mr. Bryan Hill, Deputy County Administrator

- [Two-Week Progress Report](#)
- [Presentation / Earth Month / Think Green](#)  
Mr. Jim Minor, Solid Waste and Recycling Manager
- [Update / Beaufort County \(Lady's Island\) and Hilton Head Island Airport Master Plans](#)  
Mr. Paul Andres, Airports Director
- Construction Project Updates  
Mr. Robert McFee, Division Director, Engineering and Infrastructure  
One Cent Sales Tax Referendum Projects:  
New Bridge over Beaufort River / U.S. 21 / S.C. 802 Construction Project  
S.C. Highway 802 Roadway Construction Project  
S.C. Highway 46 and Simmonsville Road  
Capital Improvement Projects:  
Disabilities and Special Needs Adult Day Care Center  
Hilton Head Airport Aircraft Rescue Firefighting Facility  
Tire-Baler Building
- Coastal Watch Military Exercise  
Mr. Todd Ferguson, Emergency Management Director

CONSENT AGENDA

Items 11 through 14

11. AN ORDINANCE AUTHORIZING FUNDS IN AN AMOUNT NOT TO EXCEED \$1,000,000 OF HOSPITALITY TAX FUNDS TO BE AVAILABLE OVER A FIVE-YEAR PERIOD TO HERITAGE CLASSIC FOUNDATION FOR THE PROCUREMENT OF THE PGA HERITAGE GOLF TOURNAMENT TO BE HELD ON HILTON HEAD ISLAND, SOUTH CAROLINA ([backup](#))
- Consideration of second reading approval April 11, 2011
  - Public hearing – Monday, April 25, 2011, beginning at 6:00 p.m. in Council Chambers of the Administration Building, Beaufort
  - First reading, by title only, approve occurred March 28, 2011/ Vote 7:4
  - Finance Committee discussion and recommendation to approve occurred March 21, 2011 / Vote 5:2

12. BEAUFORT COUNTY ZONING MAP AMENDMENT FOR R100 015 0000 0051 AND R100 015 0000 015A (KNOWN AS THE VILLAGE AT LADY'S ISLAND PLANNED UNIT DEVELOPMENT (PUD), APPROXIMATELY 35+ ACRES TOTAL, BORDERED BY SAM'S POINT AND OYSTER FACTORY ROADS); FROM PUD TO LADY'S ISLAND COMMUNITY PRESERVATION DISTRICT (LICP) AND LADY'S ISLAND EXPANDED HOME BUSINESS (LIEHB) ZONING DISTRICTS ([backup](#)) ([map](#))
  - Consideration of first reading approval April 11, 2011
  - Natural Resources Committee discussion and recommendation to approve occurred April 4, 2011 / Vote 6:0
  
13. TEXT AMENDMENTS TO THE DISASTER RECOVERY AND RECONSTRUCTION ORDINANCE ([backup](#))
  - Consideration of first reading approval April 11, 2011
  - Governmental Committee discussion and recommendation to approve occurred April 4, 2011 / Vote 5:0
  
14. AN ORDINANCE TO ESTABLISH A MULTI-COUNTY INDUSTRIAL/BUSINESS PARK, TO BE KNOWN AS THE CYPRESS RIDGE MULTI-COUNTY PARK, IN CONJUNCTION WITH JASPER COUNTY, SOUTH CAROLINA; TO PROVIDE FOR A WRITTEN AGREEMENT WITH JASPER COUNTY AS TO THE SHARING OF THE REVENUES AND EXPENSES OF THE PARK; TO PROVIDE FOR THE DISTRIBUTION OF REVENUES FROM THE PARK AMONG TAXING ENTITIES HAVING JURISDICTION OVER THE PARK; TO PROVIDE FOR A FEE IN LIEU OF AD VALOREM TAXATION; AND OTHER MATTERS RELATED THERETO
  - Consideration of first reading approval April 11, 2011
  - Governmental Committee discussion and recommendation to approve occurred April 5, 2011 / Vote 5:0 ([ordinance](#)) ([exhibit A](#)) ([taxes](#))
  
15. LOWCOUNTRY HOME CONSORTIUM CONSOLIDATED PLAN AND ANALYSIS OF IMPEDIMENTS
  - Public Hearing Announcement Only
  - Monday, April 25, 2011, beginning at 6:00 p.m. in Council Chambers of the Administration Building, 100 Ribaut Road, Beaufort

**PUBLIC HEARINGS**  
Items 16 and 11

- 6:00 p.m.**
16. TANGER HILTON HEAD OUTLET CENTER I / FIRST AMENDMENT TO DEVELOPMENT AGREEMENT BETWEEN BEAUFORT COUNTY AND COROC / HILTON HEAD I, LLC, A DELAWARE LIMITED LIABILITY COMPANY ([backup](#))
    - Public Hearing Only
    - Second reading approval occurred March 28, 2011 / Vote 8:3 (Stone/Tile) and 11:0 (Signage)

- Monday, April 25, 2011, beginning at 6:00 p.m., in Council Chambers, of the Administration Building (public hearing 2 of 2)
- First reading approval occurred March 14, 2011 / Vote 8:3 (Stone/Tile) and 11:0 (Signage)
- Natural Resources Committee discussion and recommendation to approve occurred March 14, 2011 / Vote 4:3

17. BURTON WATER EXTENSION PROJECT APPLICATION ([backup](#))

- Consideration of resolution adoption to occur April 11, 2011

18. COMMITTEE REPORTS

19. PUBLIC COMMENT

20. EXECUTIVE SESSION - Negotiations incident to proposed contractual arrangements and proposed purchase of property

21. ADJOURNMENT

County TV Rebroadcast	
Monday	4:00 p.m.
Wednesday	9:00 p.m.
Saturday	12:00 p.m.
Sunday	6:30 a.m.

Cable Casting of County Council Meetings <i>The County Channel</i>	
Charter Cable	CH 20
Comcast	CH 2
Hargray Cable	CH 9 & 252
Time Warner Hilton Head Cable	CH 66
Time Warner Sun City Cable	CH 63

Official Proceedings  
County Council of Beaufort County  
March 14, 2011

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

The regularly scheduled meeting of the County Council of Beaufort County was held at 4:00 p.m. on Monday, March 14, 2011, in Council Chambers of the Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

**ATTENDANCE**

Chairman Weston Newton, Vice Chairman D. Paul Sommerville and Councilmen Steven Baer, Rick Caporale, Gerald Dawson, Brian Flewelling, William McBride, Stu Rodman and Gerald Stewart. Herbert Glaze arrived at 4:20 p.m. Laura Von Harten arrived at 4:45 p.m.

**PLEDGE OF ALLEGIANCE**

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

**INVOCATION**

Councilman Stu Rodman gave the Invocation.

**MOMENT OF SILENCE**

The Chairman called for a moment of silence in remembrance of Darrell Blain Hylton, age 68, husband of Theresa Hylton, who died March 10, 2011. He was a Solid Waste & Recycling Operations Forman and County employee since 1997.

Mrs. Winifred R. Murray, age 77, wife of Port Royal Town Mayor Sam Murray, who died March 6, 2011. She was a retired veteran school teacher.

Mrs. Gloria Simon, age 85, wife of Probate Judge Francis Simon, who died March 5, 2011. She was a mother and community volunteer.

**REVIEW OF PROCEEDINGS OF THE REGULAR MEETING HELD FEBRUARY 14, 2011**

It was moved by Mr. McBride, seconded by Mr. Dawson, that Council approve the minutes of the regular meeting held February 14, 2011. The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville and Mr. Stewart. ABSENT – Mr. Glaze and Ms. Von Harten. The motion passed.

## **PROCLAMATION**

The Chairman proclaimed March 2011 as Disabilities Awareness Month and encouraged our citizens to recognize the many contributions made by people with disabilities in their communities, and to work together to promote increased opportunities for people with disabilities. Mrs. Gardenia Simons-White, board member, accepted the proclamation.

Mr. Glaze arrived at 4:20 p.m.

## **PUBLIC COMMENT**

The Chairman recognized Mr. Roberts Vaux, legal counsel representing Doug and Lou Ellen Robertson, who stated Bluffton Town Mayor Lisa Sulka sent a letter dated March 7, 2011 to Chairman Newton requesting County Council to consider a proposal to realign the intersection of Bluffton Parkway at Buckwalter Parkway / Bluffton Parkway Phase 5B Realignment. As a sort of an introduction, Mr. Vaux had tried to find out where that item was discussed and a resolution adopted by Bluffton Town Council, and it was not. The issue was taken up in executive session under a legal briefing regarding the Parkway realignment. We, who own property and live in Bluffton, had no input in it. We have been down this road before. County Council hired experts and engineers; and as a result, adopted a proposal. That does not mean it can never be looked at again, but there ought to be some good reason, other than benefiting one individual, in order to realign it. Mr. Vaux understands the County does not have the money to build the Parkway. It does not have the money to design the Parkway, and certainly does not have the money to hire another engineering firm to restudy and redo it from scratch. We ask that you simply ignore the request. The request does not come to Council as a matter of resolution. Bluffton Town's request comes to County Council as a result of a secret action taken in executive session by consensus.

## **COUNTY ADMINISTRATOR'S REPORT**

### **The County Channel / Broadcast Update**

Mr. Gary Kubic, County Administrator, was absent from today's meeting.

Mr. Bryan Hill, Deputy County Administrator, announced at 9:00 p.m. tonight, The County Channel will premiere the new episode of Coastal Kingdom, "Winter in the Lowcountry." The next in our award-winning series looks at how animals' adaptations and behaviors help them survive even the coldest winter months. Highlights include pelican diving, fox, squirrel, and a red-tail hawk. Coastal Kingdom is produced in partnership with the LowCountry Institute, and hosted by naturalist Tony Mills.

The County Channel is wrapping up production on a video produced with the Sheriff's Office. The video will feature the SWAT team, the Bomb Squad, and highlight some of the unique training exercises they do to prepare for their extremely important and sometimes dangerous job. The video will be used as a public outreach tool, and to inform the citizens of Beaufort County

just how fortunate we are to have these people on our side. The video will also be able to be used by the Sherriff's Office as a recruitment tool.

### **Two-Week Progress Report**

Mr. Hill submitted the County Administrator's Two-Week Progress Report, which summarized his activities from February 28, 2011 through March 11, 2011.

### **Presentation / Boundary Street and Ribaut Road Traffic Signal Network**

Mr. Colin Kinton, Transportation and Traffic Engineer, stated about a year ago he gave a presentation on the progress of the county signal networking in southern Beaufort County. In that he reported that we had networked 100% of our signals in southern Beaufort County and discussed with Council the county's plan to begin our networking and retiming in northern Beaufort County. Tonight Mr. Kinton will report on what staff has accomplished over the last year in northern Beaufort County. Tonight's presentation will focus on three separate projects: Northern Beaufort County Signal Networking, Boundary / Ribaut Signal Networking, and Signal System Re-timing.

Project 1 - Northern Beaufort County signal networking involved the networking of seven signals. This project was completed in August 2010. Expenditures totaled \$33,170. The funding sources were \$11,159 from the county general fund and \$22,560 from SCDOT.

Project 2 - Boundary / Ribaut Signal Networking involved the networking of 15 signals on Boundary Street and Ribaut Road. This project was recently completed. Expenditures totaled \$81,274. The funding sources were \$30,558 from the county general fund, \$22,688 from SCDOT, and the County Transportation Group (CTC) approved \$28,028 from the one cent sales tax projects. Staff has scheduled the network completion of all but four signals in 2011.

Projects 1 and 2 physically network the signals to the county's computer network through our servers using fiber optic technology. This offers improved monitoring of the signals. It allows quick response to public inquiries. It provides the ability to monitor alarms and outages -- if a signal malfunctions, notification occurs via cell phone. It provides traffic count data collection over the network. It provides improved trouble-shooting and quick deployment of timing revisions resulting in reduced time in the field. It provides the ability to deploy special timing plans. It minimizes demand on emergency personnel.

Project 3 - Signal System Re-timing involves the retiming of 19 coordinated signals. Expenditures totaled approximately \$92,021. The funding source was monies paid by SCDOT.

The new timing plans are specifically for the Boundary Street / Ribaut Road corridor. There are seven coordinated plans throughout the day and weekends. Installation provides the ability for future traffic response, used now on US Highway 278, based on fluctuations and traffic demand throughout the day. Coordination is based on predominant traffic flows both north and south on



Ribaut Road and east and west on Boundary Street throughout the day. We can influence special timing plans to handle congested traffic such as Parris Island graduations.

Mr. Kinton has conducted a before and after analysis. The average number of stops reduced 37%, average travel times reduced 10%, and total delays reduced 36%. The increase in system efficiency / level of service, *i.e.*, how have we improved the level of service on Boundary Street and Ribaut Road, has improved an average of 4.5% to 18.6% over the before conditions. This resulted in a benefit cost ratio of 7:1 with an annual savings of \$279,637.

The Signal Operation is the result of a partnership with the MIS Division, SCDOT, City of Beaufort, and Emergency Management Division. We now have more than 69 existing traffic signals in Beaufort County of which 100% are networked in southern Beaufort County and 64% networked in northern Beaufort County.

The next project to be accomplished during 2012 include, hopefully, networking 94% of the signals in northern Beaufort County. Staff is looking toward working with SCDOT to network the three signals Beaufort County maintains in Jasper County along US Highway 278. Staff is going to be expanding its vehicle / system detection -- automatic traffic counts deployed throughout the network -- as well expanding the emergency pre-emption on Ribaut Road / Boundary Street intersection and SC Highway 170.

The County is working with SCDOT using federal money to rebuild the signals / mast arms in the greatest need. At present Bay Street at Carteret Street is underway to rebuild with mast arms. Ribaut Road at Lady's Island Drive is underway with construction starting later this week. Later in 2011 staff will start the design and construction of master arms at Charles Street at Bay Street, Charles Street at Craven Street, and Charles Street at Boundary Street, which are three intersections greatest in need of rebuilt. With the widening of US Highway 278 mast arm installation will occur at US Highway 278 at Buck Island Road (funded), US 278 at Rose Hill (funded), and US 278 at Buckwalter Parkway (funded).

### **Beaufort County (Lady's Island) Airport Master Plan**

Mr. Paul Andres, Airports Director, provided Council a brief update on the status of the Beaufort County Airport (Lady's Island) Master Plan that is in progress. For the Lady's Island Airport there have been several updates to what is referred to as the Airport Layout Plan (Layout Plan) which talks about development at the Airport. However, the last full Master Plan for the Lady's Island Airport was completed more than 30 years ago. As a result, it was agreed that a full Master Plan was needed for that Airport and that process began in June 2008. To date, the Inventory Forecast Facilities Requirement and Development Alternatives Chapters have been completed and have been presented to the Airports Board. They were presented in April 2009 at which point one main topic of concern that came out was the potential impact for environmental concerns to salt marsh regarding an expansion of the runway. Also there was a concern that City of Beaufort officials be included and advised in this process as we proceeded forward. Subsequent to that the consultant had a change in the planner who was assigned to do the work; and once a new planner was back on board, they were able to make a presentation to the



Beaufort City Mayor and Beaufort City Manager in January 2010 at which point, shortly thereafter, the planning process resumed. Regarding the remaining steps in the Master Plan, the Environmental Overview is in progress, the Airport Layout Plan is being finalized, and the Capital Improvement Plan, which is the financial component, is yet to be developed. At the conclusion of that, the deliverables that we will receive is a full Master Plan Update for the airport which will also include the current version of the Airport Layout Plan. The consultant estimates to have this completed by July 2012.

The two key components in the Plan follow. First, at present our runway safety areas do not meet FAA standards. They are 170 feet to 175 feet too short. This is the overrun area off the end of the runway. Any time you do any work now at an Airport, the FAA wants all safety deficiencies addressed and corrected. That is something we will need to take a look at. Second, at present the critical design aircraft is a Beach King Twin Engine Turboprop. According to FAA design circulars, it requires approximately 444 feet of runway to operate. That would involve just under a thousand foot extension to the existing runway. The consultant looked at different scenarios in order to achieve this additional runway length and of those, the one alternative that had the least overall impact, was to extend the runway to the north into the salt marsh approximately 1,000 feet. It would allow the airport to meet the current and forecast demand for aircraft activity. It does, however, have significant impact to the salt marsh and that is a critical issue. It will not involve land acquisition or acquisition of any residential or business properties. There is a cemetery on the south side of US Highway 21 and as well as US Highway 21 immediately to the south. If the runway were to be extended, that area would have tremendous impact in that regard. It also allows future precision approaches to be preserved at least to the north end of the airport. Another important consideration is it does not present a conflict with airspace for Marine Corps Air Station.

Regarding development of the terminal area, the consultant looked at phased development to accommodate expected growth in based aircraft. Items that are included: a full length parallel taxiway the entire length of the runway, construction of additional T-hangar and conventional hangars, apron expansion, improved parking to the terminal facility, expanding the terminal building, relocating the fuel facility, and constructing a helipad. Since this Plan is still a work in process, some of these projects will shift from one stage / one phase to another as this process is refined – Stage 1 covers zero to five years, Stage 2 six to ten years, and Stage 3 eleven to twenty years.

As to the remaining step, once the Airport Layout Plan is approved, the following task may be immediately carried out to complete the Master Plan. Finalize the draft Airport Layout Plan set. Address any edits / comments on draft Mater Plan chapters completed to date (Inventory through Alternatives). Finalize draft Environmental Overview chapter. Complete the Capital Improvement Program chapter. Make final the County presentation. Submit Master Plan to FAA for review and approval.

Mr. Rodman requested Council receive monthly updates on the status of the Hilton Head Island Airport Master Plan, environmental assessment, design, trees, etc.

### **Bluffton Parkway Phase 5B Realignment**

Mr. Hill, Deputy County Administrator, referred to a letter dated March 7, 2011 from Bluffton Town Mayor Lisa Sulka to Chairman Weston Newton regarding a formal request to reconsider the alignment of Bluffton Parkway. The County has completed a process that allowed voters to understand the parameters of this project as well as allowed significant amount of time to receive for public due diligence. Public hearings were conducted in March 2002. County Council approved in January 2008 staff moving forward with our roads program. It included was all municipalities as well as County Council. This program was a group effort that provided for projects throughout Beaufort County, north and south. Staff believes everything has been vetted and is in the process of moving forward. Staff needs some direction on the next step regarding this letter.

Mr. Newton commented there has been an administrative review of this issue and a determination that further review is not necessary. However, from the political side we do have a municipality that has requested that we review the alignment. Mr. Newton's sense is to send the issue, specifically, the whether to reconsider the alignment, to Public Facilities Committee. Florence & Hutchinson was heavily involved in developing this right-of-way plan that was approved. And if we now are going to engage in a reconsideration of process, what is it going cost? Who is going to pay for it? What are the parameters of that review? Mr. Newton asked Mr. Glaze, as Public Facilities Chairman, to have members take the matter up, not the substitutive review at this juncture, purely the idea of whether we are going to reconsider this alignment and, if so, how that process would unfold and, specifically, where the resources would come from to engage in that process.

Mr. Anthony Barrett, Bluffton Town Manager, said there are two compelling reasons, maybe even three, that we ask County Council to reconsider this alignment. One reason is time has changed. The second is that we are under a Code review. This whole area is under review in terms to become a growth center for our town. We are deciding, just as County Council is with its Code, where growth should be and where growth should not be. Probably the third reason would be that this is an opportunity to get free right-of-way, which is, to Mr. Barrett, compelling. We know that this is not something that is going to be done tomorrow. The County does not have money to do it. The Town does not have any money to do it. But with the Code revision we think it is appropriate at this time to take it under advisement again.

Mr. Rodman said it seems that having some resolution would be important to the Town as they undergo their planning process and from the County perspective it seems that this project is many, many years out when money is available. It does seem, however, kind of a "chicken and egg" or a "catch 22". He cannot see that we should do anything ourselves, from a financial standpoint, but it is important from a planning standpoint and time is critical. It does not do the Town any good to have a decision delayed for a couple of years. Perhaps, the committee will need to understand whether or not the Town would fund any money before the committee could make a determination.

Mr. Newton stated there has actually been a determination made and federal permits drawn on the current realignment. If there is going to be a change in that process, what is it going to cost? But, more importantly, if you are going to reconsider that, just getting the consultants to analyze the Town's proposal, is going to have some price tag. Where those monies come from he would be curious of.

### **Report / County Council Annual Planning Session (Retreat)**

Mr. Newton summarized the annual planning session that took place March 3, 4 and 5. The meeting was held at the B/J Water and Sewer Authority building. The meeting location was held at an open and public-donated facility. Council did not go out of the county, and did not incur any additional expense. However, in full disclosure a portion of the B/JWSA property on SC Highway 170 is in Jasper County. At the retreat Council prioritized its action items, wrestled with some big ideas, and had a good vetting of the issues that were on the table to be dealt with. From here Mr. Lyle Sumeck, the facilitator, will prepare the report materials and return those to administration for a quick turnaround in terms of editing and then disseminated to all members of Council. Mr. Newton hopes that process this year will happen in less than 30 days and brought forward to Council post-haste so that not only can we publish that information, but so that we can use it as benchmarks for our administrative staff and as Council's guidepost moving forward in the next year. Mr. Newton thought it was a productive retreat and appreciates everybody's participation and indulgence as we went through what were long sessions, especially the all day, ten-hour session Friday.

### **Report / 2011 National Association of Counties Legislative Conference**

Mr. Newton reported the 2011 National Association of Counties Legislative Conference was held March 6, 7 and 8 in Washington, DC. Councilmen Paul Sommerville, Jerry Stewart and he attended the conference again this year. They had the occasion, as part of the coordinated events, to meet with Senator Lindsey Graham, Representative Joe Wilson, Representative James Clyburn, Representative Tim Scott, and Senator DeMint's staff. Among the topics we visited with them, of course, is transportation and where we are in the overall program. Many of those gentlemen helped identify, prioritize the needs, and made available project funding in the last few years. We brought them all up to speed on where we were with the St. Helena Island Library at Penn Center as well as recent activities with regard to Mitchelville and how both of those projects tie into the Gullah / Geechee Trail and the bigger picture of tourism. Another topic discussed was the Heritage Golf Tournament. Senator Graham specifically engaged, at the Hilton Head Island Chamber of Commerce Breakfast held October 10, 2011, in a discussion of the Heritage Golf Tournament and its importance to Beaufort County. It was insightful to hear their suggestions and their offer of assistance with regard to the golf tournament. Without exception, our representatives and senators in Washington underscored the importance of the Heritage Golf Tournament, not only to Beaufort County, but to the State of South Carolina. They offered whatever assistance possible, and we have passed that information along to the folks at the Heritage Golf Tournament.

### **County Council Modified Meeting Schedule**

It was moved by Mr. Flewelling, seconded by Mr. Sommerville, that Council amend its 2011 meeting schedule to provide for holding a caucus beginning at 4:00 p.m. and holding the regular meeting beginning at 5:00 p.m. The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Glaze, Mr. Flewelling, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville and Mr. Stewart. ABSENT - Ms. Von Harten. The motion passed.

### **Resolution to Ask for Attorney General's Opinion in Regard to "Roll-forward" Taxes**

Mr. Newton stated at the retreat Council discussed the challenges that reassessment presents and what limitations exist under the law. Mr. Kubic advised Council, at that point in time that he had asked Mr. Ladson Howell, staff attorney, to communicate with the Attorney General to better understand what limitations existed under current state law as it relates to a roll-forward of millage. A state law provides for a rollback of millage and does not clearly delineate what limitations, if any, many exist on roll-forward.

While in Washington, DC we had the occasion, by circumstance, to visit for a few minutes with our Attorney General Alan Wilson. We raised the question with him that we were going to be making a request that his office research and issue an opinion with respect to our question concerning future tax collections in Beaufort County. Attorney General Alan Wilson asked that we represent in making the request, given the limited resources their office has, that this request is coming by official action of Council.

It was moved by Mr. Rodman, seconded by Mr. Stewart, that Council adopt a resolution authorizing the County Attorney to request a legal opinion from the Honorable Alan Wilson, Attorney General for the State of South Carolina, as to whether or not counties will be allowed to roll-forward their millage so that the overall assessed tax base will achieve the same amount of collected taxes necessary for appropriated funds.

Mr. Rodman commented the Town of Hilton Head Island has had a discussion with their Municipal Association and they have received some feedback that they were favorable of doing this.

The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Glaze, Mr. Flewelling, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville and Mr. Stewart. ABSENT - Ms. Von Harten. The motion passed.

### **Parks and Leisure Services Department New Operating Hours**

Mr. Hill, Deputy County Administrator, commented as a follow on to his January 24, 2011 memorandum to Council addressing 15 budget concepts, one of which was a reduction of hours in certain areas, administration believes it is time to go forward with a reduction in hours of operations in the Parks and Leisure Services Department at some recreation facilities effective Monday, March 21, 2011. The new hours are as follows: (i) Buckwalter Recreation Center:

11:00 a.m. to 6:00 p.m. Monday through Friday closed on Saturday and Sunday. (ii) Burton Wells Recreation Center: 8:00 a.m. to 7:00 p.m. Monday through Thursday, 8:00 a.m. to 6:00 p.m.; Friday, 10:00 a.m. to 3:00 p.m. Saturday; closed on Sunday. (iii) Charles “Lind” Brown Activity Center: 10 a.m. to 6 p.m. Monday through Friday closed on Saturday and Sunday.

### **Pet Adoption**

Mr. Bryan Hill, Deputy County Administrator, reported Animal Shelter and Control has received \$2,590 from PetSmart Charities for the events at PetSmart this last quarter. These events include regular day-to-day adoptions, the three-day adopt-a-thon held in February, and the Santa Paws three-week event in December. This money goes into the Spay/Neuter fund for our free clinics. Mr. Hill thanked Public Safety Division Director William Winn, Department Director Toni Lytton, and all Department employees for their efforts in keeping our euthanasia rate down in the County.

### **DEPUTY COUNTY ADMINISTRATOR’S REPORT**

#### **Two-Week Progress Report**

Mr. Bryan Hill, Deputy County Administrator, submitted his Two-Week Progress Report, which summarized his activities from February 28, 2001 through March 11, 2011.

#### **New Bridge over Beaufort River / U.S. 21 / S.C. 802 Construction Project**

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported the new bridge over the Beaufort River will be a 4,200-foot bridge. The contractor is United Contractors, Inc. of Great Falls, South Carolina. The cost is \$34,573,368. The completion date is August 2011. The contractor has completed drilled shafts, footings, and columns. The contractor is continuing to set girders and pour deck spans.

#### **S.C. Highway 802 Roadway Construction Project**

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported this project involves the widening of 5.2 miles of SC Highway 802 (two sections). The contractor is Sanders Bros. of Charleston, South Carolina. The cost is \$10,852,393. The completion date is December 2010. Final asphalt surface was placed on the Lady’s’ Island section from Meridian Road to US Highway 21. Shell Point grading operations and asphalt base operations continue.

#### **SC Highway 46 and Simonsville Road**

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported this project involves the widening of SC Highway 46 to the Bluffton Branch Library and Simonsville Road to Bluffton Parkway for a total of 2.15 miles. SCDOT is administering this project. The contractor is REA Contracting of Columbia, South Carolina. The cost is \$7,503,367.03. The completion date is May 2011. Pipe placement, curb and gutter and sidewalk construction is complete.



Asphalt base is 95% complete. Work was performed on SC Highway 46 roundabout this weekend.

### **Disabilities and Special Needs Adult Day Care Center and Administration Center**

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported this project is a 25,000 square foot multi-use facility with client activity and program areas and administrative space. The contract is Emory J. Infinger and Associates of Charleston, South Carolina. The cost is \$6,436,974. The completion date is March 2011. Geothermal well and roof installation is complete. Interior metal studs, equipment placement and fenestration work is underway.

### **Hilton Head Airport Aircraft Rescue Firefighting Facility**

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported this project involves a 7,200 square foot facility with two equipment bays and administrative space. The contractor is Creative Structures of Knoxville, Tennessee. The cost is \$1,787,638.43. The completion date is March 2011. The contractor is finishing the last of the interior work.

### **Tire-Baler Building**

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported this project involves an 11,000 square foot receiving facility for recyclables, tires and other selected solid waste streams. The contractor is Beaufort Construction. The cost is \$491,022. The completion date is May 2011. Erection of steel trusses, roof and insulation system is complete. The contractor is working on interior office space and concrete flatwork is underway.

### **Bluffton Parkway Phase 5A Roadway**

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported this project involves the construction of 2.31 miles of a new four-lane divided highway between Burnt Church Road and Buckingham Plantation Road. The contractor is Cleland Construction of Ridgeland, South Carolina. The project cost is \$11,578,720. The contract completion date is July 2012. Clearing has been completed and embankment operations are underway.

### **Plantation Business Park**

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported this project involves the construction of 0.5 miles of a 22-foot wide connector road between Westbury Park Way and Simmonsville Road. The contractor is Cleland Construction of Ridgeland, South Carolina. The project cost is \$1,017,385.72. The contract completion date is April 2011. The contractor is now placing culvert. Ninety-percent of paving has been completed and final surface course will be placed later this month.

## **Radio Shop**

Mr. William Winn, Division Director-Public Safety, stated in 1990 when Beaufort County put in its first analogue 800 MHz radio system, one of the requirements placed on Savannah Communications and Motorola was that they had to construct a maintenance facility on Beaufort County property at their expense with no charge to Beaufort County or increase in our maintenance rates. They agreed to do so in exchange for a ten-year contract with the stipulations that any time either one of us cancel the contract we would pay off each other as necessary. Mr. Winn displayed a photograph showing the first part of radio shop building constructed in 1990. At the completion of the first 10-year cycle, Beaufort County again elected to ask Savannah Communications and Motorola to expand the building and in 2001 two bays were added. In the last two months Beaufort County has negotiated with Savannah Communications and Motorola to add on a maintenance facility for our new mobile data program which will be coming on line in the next two to three months. In the three contracts that Beaufort County has signed, the value of the building is approximately \$300,000. It is fully equipped with all the technology we need in there to maintain our systems. Supplies, backup and parts storage is also maintained at this facility.

## **AN ORDINANCE TO PROVIDE FOR A HOME DETENTION PROGRAM AS AN ALTERNATIVE TO INCARCERATION IN CERTAIN CASES IN BEAUFORT COUNTY**

This item comes before Council under the Consent Agenda. It was discussed at the September 7, 2010 Public Safety Committee.

It was moved by Mr. Caporale, seconded by Mr. Sommerville, that Council approve on second reading an ordinance to provide for a Home Detention Center Program as an alternative to incarceration in certain areas in Beaufort County. The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. The motion passed.

The Chairman announced that a public hearing on this issue would be held Monday, March 28, 2011 beginning at 6:00 p.m. in Council Chambers of the Administration Building, Beaufort.

## **BEAUFORT COUNTY DESIGN BUILD CONSTRUCTION FOR DIRT ROAD PAVING CONTRACT #43 – MIDDLEFIELD CIRCLE, JASMINE HALL ROAD, BALLPARK ROAD, IHLEY ROAD (COUNTY COUNCIL DISTRICT #6)**

Ms. Von Harten will vote against the motion. Her comments apply to both dirt road paving contracts, #43 and #44. She is getting to the point where she thinks Council is sending the wrong message by paving roads when we are trying to decrease the amount of impervious surface in Beaufort County. This is going in the wrong direction. We cannot pave every single road in Beaufort County, and she does not want to. Ms. Von Harten believes Council should start going in a different direction.



Mr. Dawson responded to Ms. Von Harten's comment. He begs to differ with her in that we still have many citizens in the rural parts of this county who have, for generations, suffered under the source of dirt roads. When it rains, it is muddy, slippery, nasty, and sometimes even impassable and dangerous. It is easy for someone to say they we should not be paving any more roads if you live on a paved road. We have to be cognizant of the fact that we have a lot of citizens who are privy to that and they deserve the same affordability of living on a paved a driveway and roads. As an example Mr. Dawson had called the Public Works Department on March 11, 2011, following the heavy rainfall earlier in the week, about one particular road where children could not walk from the end of the dirt road to the main road to board the school bus because of the muddy road. This particular road is a county maintained dirt road and was graded the week before the rainfall. The County is going to spend money one way or the other – Public Works grades the road, it rains, the road becomes impassable, Public Works then puts down either rocks or any product in order to harden the surface. We are still spending money.

Ms. Von Harten did not say we should not fail to maintain those roads and improve them, she does not think we should be paving more roads. We should maintain what we have. She understands it costs more to maintain dirt roads over the course of time, but it is money spent in a different way. Right now we are putting \$1.5 million between these two contracts (#43 and #44) into outside firms, engineers, construction people. That money is going to be gone quickly and it is going to go towards getting that result, but that money is going to be gone. If we took that same money and applied it to maintaining those roads over the long haul that would provide jobs for people with low skills and it would keep some money in our community and jobs for people who really need it over the long haul. It is just a different approach. We need to maintain our dirt roads. It is going to cost; it is just a different way of using that money.

Mr. Flewelling pointed out the winning bidders on both of these contracts, #43 and #44, are local firms.

It was moved by Mr. McBride, seconded by Mr. Baer, that Council award a contract in the amount of \$1,167,172.55 to REA Contracting, LLC / Andrews & Burgess, Inc. to design and build Dirt Road Paving Contract #43. It will be funded by BCTC/TAG funds from the following: Middlefield Circle, 3322T-54728; Jasmine Hall Road, 3322T-54729; Ballpark Road, 3322T-54730; Ihley Road, 3322T-54731. The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville and Mr. Stewart. NAYS - Ms. Von Harten. The motion passed.

**BEAUFORT COUNTY DESIGN BUILD CONSTRUCTION FOR DIRT ROAD PAVING CONTRACT #44 – FISH HALL ROAD, JESSICA DRIVE, NED COURT (COUNTY COUNCIL DISTRICT #2)**

It was moved by Mr. McBride, seconded by Mr. Baer, that Council award a contract in the amount of \$620,376.30 to REA Contracting, LLC / Andrews & Burgess, Inc. to design and build the Dirt Road Paving Contract #44 to be funded by BCTC/TAG funds from the following: Fish Haul Road, 3322T-54732; Jessica Drive, 3322T-54733; Ned Court, 3322T-54734. The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr.

Newton, Mr. Rodman, Mr. Sommerville and Mr. Stewart. NAYS - Ms. Von Harten. The motion passed.

### **PUBLIC HEARINGS**

#### **TEXT AMENDMENTS TO THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE (ZDSO), ARTICLE V. USE REGULATIONS; TABLE 106-1098. GENERAL USE TABLE; AND SECTION 106-1247. ASSEMBLY AND WORSHIP, SMALL (ALLOWS SCHOOLS AS A LIMITED USE IN SMALL ASSEMBLY AND WORSHIP USES AND REMOVES SIZE REQUIREMENT)**

The Chairman opened a public hearing at 6:11 p.m. for the purpose of receiving information from the public regarding a text amendment to the Zoning and Development Standards Ordinance (ZDSO), Article V, Table 106-1098. General Use Table and Section 106-1247 (allows schools as a limited use in small assembly and worship uses and removes the size requirement). After calling three times for public comment and receiving none, the Chairman declared the hearing closed at 6:12 p.m.

It was moved by Mr. Sommerville, as Natural Resources Committee Chairman, that Council approve on third and final reading a text amendment to the Zoning and Development Standards Ordinance (ZDSO), Article V, Table 106-1098. General Use Table and Section 106-1247 that will allow schools as a limited use in small assembly and worship uses and removes the size requirement. The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. The motion passed.

#### **AN ORDINANCE TO PROVIDE FOR A DAY WATCH PROGRAM AS AN ALTERNATIVE TO INCARCERATION IN CERTAIN CASES IN BEAUFORT COUNTY**

The Chairman opened a public hearing at 6:13 p.m. for the purpose of receiving information from the public on an ordinance to provide for a Day Watch Program as an alternative to incarceration in certain cases in Beaufort County. After calling three times for public comment and receiving none, the Chairman declared the hearing closed at 6:14 p.m.

It was moved by Mr. Stewart, as Governmental Committee (formerly Public Safety Committee) Chairman, that Council approve on third and final reading an ordinance to provide for a Day Watch Program as an alternative to incarceration in certain cases in Beaufort County. The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. The motion passed.

The Chairman passed the gavel to the Vice Chairman in order to receive committee reports.

## **COMMITTEE REPORTS**

### **Community Services Committee**

#### **Alcohol and Drug Abuse Board**

Mrs. Bette Goettle

The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. Mrs. Bette Goettle garnered the ten votes required to serve as a member of the Alcohol and Drug Abuse Board.

Mr. Charles Hammel

The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. Mr. Charles Hammel garnered the ten votes required to serve as a member of the Alcohol and Drug Abuse Board.

Mr. K.Z. Najaka

The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. Mr. K.Z. Najaka garnered the eight votes required to serve as a member of the Alcohol and Drug Abuse Board.

#### **Disabilities and Special Needs Board**

Mrs. Nancy Pinkerton

The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. Mrs. Nancy Pinkerton garnered the ten votes required to serve as a member of the Disabilities and Special Needs Board.

### **Finance Committee**

#### **Accommodations Tax Board**

Mr. Dick Farmer

The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. Mr.

Dick Farmer, representing at-large, garnered the eight votes required to serve as a member of the Accommodations Tax Board.

### **Natural Resources Committee**

#### **Development Agreement: Tanger Outlet I**

Mr. Sommerville, as Natural Resources Committee Chairman, stated members debated for more than an hour today and discussed whether or not we should amend, and in what way, our Development Agreement with Tanger Outlet I (Tanger) to deal with a situation that has evolved over the last year and a half regarding outparcels – stone and tile use at the Olive Garden restaurant (Olive Garden) as well as the positioning of signage at Tanger I. Mr. Sommerville believes that at least eight members of Council were at today's discussion. This issue comes forward as a committee recommendation, on a vote of four to three, to amend the Development Agreement to permit the Planning Director and County Administrator to approve or disapprove two items. One item is the use of natural stone and tile, on an outparcel for the Olive Garden, which are approved items in the Zoning and Development Standards Ordinance. The second item has to do with the positioning of signage.

Mr. Tony Criscitiello, Planning Director, commented at the Natural Resources Committee held earlier today, members discussed two amendments to the Development Agreement in regard to Article VIII, Section D. The first issue has to do with the ability of the County, through the Administrator and Planning Director, to approve the opportunity to install in the Olive Garden tile on the roof and natural stone as building materials. As pointed out, those are approved materials under Appendix B, Section 4, paragraphs A.1 and A.2 of the Zoning and Development Standards Ordinance (ZDSO). The direction coming forward from Council in the amended Development Agreement would provide the authority to the County Administrator and the Planning Director to approve those two materials. With that said, the majority of the issues associated with the Oliver Garden would be handled by the administrative function that the Planning Director would perform. The second issue is signage, with regard to the implementation of the ZDSO in the signage section, *i.e.*, the ability of the developer to properly sign the buildings in relationship to the actual tenants in the buildings on the wall space. It makes sense for the signage to occur with regard to our implementation of our ordinance without modification. We have no ability to modify that without a text amendment. Normally how this is handled, in regard to large developments like this, is through a Planned Unit Development (PUD) and then there is a master signage plan that accompanies that PUD that specifically details how the signage is going to be handled. In this instance it did not happen. Consequently, we are faced with a situation that in order for us to meet the deadline, we are under pressure to have a grand opening by the end of March, and we are forced in a very important way that the Development Agreement be amended in regard to the materials for the Olive Garden and then in regard to the signage on the major component of the commercial development.

Mr. Sommerville summarized the Committee meeting held earlier today. These text amendments would accomplish two things. It would allow the County Administrator to approve, by our current ZDSO, materials in the building and secondly, the signage, which Mr. Criscitiello

mentioned. At the meeting Mr. Sommerville explained in great detail that the Olive Garden, the outparcel purchaser at Tanger, has spent about a year and half, made five presentations to the Southern Corridor Review Board (Southern CRB), and made major changes based on their recommendations. Mr. Sommerville passed around copies of the rendering of the five different versions that the Olive Garden presented to the Southern CRB just to show the number of changes that were made based on recommendations made by Southern CRB. Mr. Sommerville's point was that Southern CRB suggestions were taken seriously by the Olive Garden over this year and half period and these five presentations and major changes were made. At the end of the five presentations and a year and half, it came down to the Southern CRB determination that they did not like natural stone and they did not like tile, even though they are approved in the ZDSO. They certainly have the right to not like it, they have the right to reject it, and they have done that. Council, on the other hand, has a Development Agreement which it entered into several years ago with Tanger and we have a right to amend that Agreement to permit our Planning Director to make that determination. Mr. Sommerville sat through all of the Southern CRB meetings where this issue was discussed. He thought there was a lot of give and take on both parties. A number of changes were made, but at the end of the day we have to decide whether or not we, as a body, are going to exercise our right to amend that Development Agreement as it is being recommended here, as was a committee recommendation to this body, or we are not. If we are not, then we are denying the Olive Garden the right to build their branding on this particular site and that is what is comes down to, architectural branding. They have given, given and given and they cannot give anymore without completely compromising their architectural branding. This issue comes forward as a committee recommendation. It is controversial. It was controversial at the committee meeting. He is certain it is going to be controversial here. Mr. Sommerville feels strongly in support of this amendment to the Development Agreement for the purpose stated.

Mr. Newton has no problem with the Olive Garden. In fact, many of his constituents expressed an interest in wanting the Olive Garden built, and they want it here. Perhaps, there is some confusion about the facts. There is no deadline of March 31, 2011 as it relates to the Olive Garden. They are not going to get the restaurant built by March 31 and unlikely break ground regardless of what happens here. Mr. Sommerville's suggestion that we are denying the Olive Garden the right to build, perhaps, misses the issue -- at the Columbiana Mall there is an Olive Garden with no stone and no tile. Mr. Newton does not think it denies anybody anything except, perhaps, their desire to build stone and tile at this location at a very heavily traveled corridor in Beaufort County. The signage issue makes sense. It is a Tanger issue. It does not give them any more square footage of signage, but clarifies confusion in the ordinance and Development Agreement relative to the way signs were calculated. The amendment before Council requires three readings, two public hearings, and going forward is to allow the Planning Director and County Administrator the right to approve stone and tile. It does not say they absolutely will approve stone and tile, and if Council is narrowly split, they may be very concerned about approving stone and tile. Mr. Newton is not a fan of bureaucracy. We all stated at our retreat we wanted to try to streamline the process. We run the risk of getting caught up in the emotion saying, "we are in a recession and these folks are going to build a restaurant so let's go lay down the regulatory bar and let them build". They do build other places without stone and tile. From a lawyer's perspective, but also as a member of Council and whose district this project is in, he



does not like to make up the rules as we go approach. We established a Southern CRB. We decided what their authority was and the scope of their authority under the Development Agreement. We now have an applicant who does not like the result from the Southern CRB. We had a meeting January 24, 2011 where Tanger legal counsel and three members of Council's Development Agreement Committee made a recommendation to tighten down the language to acknowledge that approved materials in our ZDSO were appropriate for consideration and to suggest that it go back to the Southern CRB for their review and consideration. We all agreed that that was appropriate. In fact, Tanger agreed that they got everything they had bargained for at the point in time they negotiated this Development Agreement with Beaufort County. There are a lot of different opinions about whether the County's two Corridor Review Boards should exist or should not exist. Its existence is the balance of interests of various parties and protecting our corridors. Once created by state law, Council does not sit in review of them. Mr. Newton's concern is we open Pandora's Box today and we invite anybody, who does not like a decision from the CRB to stand in front of Council and request approval, too, of their project and can you find an exception that fits their project. Mr. Newton does not believe government works where the ends justify the means. There is a process. We ought to adhere to that process, clarify what our intention was when we entered into this Development Agreement, and send it back to the Southern CRB with an expectation that they will do the job as it has been instructed. Mr. Newton will not vote in favor of this amendment. He is in favor of the signage issue and is delighted to support that by way of clarification. This other issue begs a bigger question and he does not think Council ought to be substituting the County Administrator's and the Planning Director's judgment for that of the Southern CRB.

Mr. Stewart remarked based upon Mr. Newton's comments and the earlier discussion today in Natural Resources Committee, he requested a division of the motion - signage and Olive Garden Restaurant. He agrees wholeheartedly with Mr. Newton's views on setting the precedent and the way we proceed from a policy position. Mr. Newton had an amendment alternative that went back to what we agreed to with Tanger representatives, that we would send it back to the Southern CRB. He thinks we deserve and we should do that. Mr. Stewart would like to see that amendment going forward – sending the issue back to the Southern CRB and if they choose to oppose it at that time, Council then consider its alternative as opposed to handling it independently tonight without the Southern CRB having to weigh in and make public its final decision with respect to this issue.

Mr. Baer commented about the signage. There have been verbal assertions made that the signage place has not changed, just relocating signs. There is nothing in the text that says that. There are no pictures. The diagrams that were in the handout were never provided to Council. Mr. Baer has no idea what he is being told is correct or not. Anyone trying to trace this issue through the minutes or history will not have the vaguest idea why Council decided this. The signage issue is really easy to solve. Provide the complete documentation of what it was before and what this wording is now. We only have the now words, not the before words. Provide the missing figure and provide some photographic examples or sketch examples of what is proposed and this will sail through quickly. But, here we have an applicant, who has known for months what signage requirements are needed and for some reasons it only got to Council last week. Now Council is being asked to rush and to do the people's business without adequate

information. He will vote against the signage whether or not the motion is divided. As to the stone and tile issue, the plans for Tanger are actually quite nice. He would probably vote for the stone and tile. However, procedural he will vote against the signage until Council receives more information.

Main motion.

It was moved by Mr. Sommerville, as Natural Resources Committee Chairman (no second required), that Council approve on first reading the First Amendment to Development Agreement between Beaufort County and COROC, Hilton Head I, LLC, a Delaware Limited Liability Company - Tanger Hilton Head Outlet Center I – which includes two text changes to the Development Agreement: (i) Stone and Tile - Article XIII, Section D is amended with the replacement of the last sentence in that section, “Design review and approval consistent with Chapter 106: Appendix B, Section 4, subparagraph A.1 and subparagraph A.2 of the ZDSO for any Development of the Property shall be the responsibility of and made by the Planning Director and County Administrator and not be subject to corridor review pursuant to Section 106-581 of the ZDSO”. (ii) Signage - Article XII, Section C, Building Signage Used by Tenants in the Outlet Center, paragraphs (a), (b) and (c) “Exhibit B-2(a).”

Mr. Stewart called for a division of the question signage issue and the stone and tile issue.

There are now two main motions.

Main motion (stone and tile)

Council approve on first reading the First Amendment to Development Agreement between Beaufort County and COROC, Hilton Head I, LLC, a Delaware Limited Liability Company - Tanger Hilton Head Outlet Center I – Article XIII, Section D is amended with the replacement of the last sentence in that section, “Design review and approval consistent with Chapter 106: Appendix B, Section 4, subparagraph A.1 and subparagraph A.2 of the ZDSO for any Development of the Property shall be the responsibility of and made by the Planning Director and County Administrator and not be subject to corridor review pursuant to Section 106-581 of the ZDSO”.

Main motion (signage)

Council approve on first reading the First Amendment to Development Agreement between Beaufort County and COROC, Hilton Head I, LLC, a Delaware Limited Liability Company - Tanger Hilton Head Outlet Center I – Article XII, Section C, Building Signage Used by Tenants in the Outlet Center, paragraphs (a), (b) and (c) “Exhibit B-2(a).”

Mr. Sommerville commented the Olive Garden does not have stone and tile at the Columbiana Mall which prompted him to ask the Olive Garden headquarters the reason. Their answer he was given follows: They currently have 750 restaurants in total. Their current branding is called Tuscan farmhouse. There are 250 to 300 restaurants that currently are Tuscan farmhouse



branding. The remaining 450 +/- are not. They are non-prototypical. Olive Garden has a plan in place to retrofit every one of those or close them. He specifically asked about the restaurant at Columbiana Mall and was told it was an old unit, 20+ years old, 9,100 square feet, and their current prototype is 7,500 square feet. It is a ten year old branding. And it will be a renovated interior and it will either be externally retrofitted with stone and tile or it will be closed within two years. It is true they have restaurants that have not been brought up to standard and they say they are going to bring them up and he will take them at their word.

The Development Agreement Committee report that came forward, as Mr. Newton has correctly stated, was to essentially add some reinforcing language and send it back to the Southern CRB. Mr. Sommerville said at the January 24, 2011 Development Agreement Committee meeting that he would follow up with the Southern CRB, would attend their meeting, and explain to them what we were doing and what was coming forward. He did that. They made it clear to him they do not want to see it anymore. They have seen it five times. They have made many changes from which we should all be eternally grateful, but they are not going to change their mind on the stone and tile. They do not want to see it again, period. The Olive Garden representatives have been through this a year and a half. He thinks that is beyond unreasonable. He does not fault the Southern CRB, they have done their job, and their job is done. They have said to Council, "If you want stone and tile, you approve it. We do not like it, even though it is approved in the ZDSO." Sending it back to Southern CRB is an exercise in futility. It is an insult to the folks who are trying to do business in Beaufort County. Doing business in Beaufort County has been deservedly criticized. It is very difficult to do business in Beaufort County. A lot of people would rather take a beating than do business in Beaufort County. We are trying to change that image. This is a critical part of that willingness on Council's part to change. He does not agree with the amendment; it is setting a horrible precedent. First of all the only reason we are able to do this is because we have a Development Agreement. But, how many Development Agreements have we done in the last six years, three or four? Anybody who goes before the Southern CRB without a development agreement would not fall under this category. The Development Agreements have exclusive domain, we have the right to negotiate them, and we have the right to renegotiate them. Under the circumstances, this one is crying out to be renegotiated, granted it came forward on a split decision. He respects the people who disagree with him, but this is an area where we have fundamental disagreement. Is this a horrible precedent we are setting or is this something we need to do because it is our responsibility to do it? We have an obligation to folks that try to do business in Beaufort County to be reasonable with them at some point and assume responsibility for this as a body and correct it, fix it, or at least provide another alternative to solve the problem. He feels very patiently about this issue and is certainly going to vote in favor of it.

Ms. Von Harten remarked there is an author who spoke here recently, James Howard Kuntsler, who wrote *Geography of Place*. He came here as a personal favor of some of the people in the City of Beaufort and said he would return to help us understand a little bit more about what we need to do to maintain our sense of place. It is exactly decision points like this when we decide one way or the other where we are choosing to retain our sense of place or choosing to surrender it. One of the goals in the Comprehensive Plan is to help Beaufort County retain its sense of place. Part of that is retaining its natural beauty and a part of it is not allowing chain industries

to come along our corridors and put in these cookie-cutter establishments that look exactly the same in Colorado or Oregon or Pennsylvania. If people want to eat at the Olive Garden, it is not because they have stone and tile. The Darden Restaurant Groups also has other restaurants. If that look does not suit them, if the Lowcountry look that we want along our corridors is not suitable for the Olive Garden, maybe they could build the Bahama Grill there or one of their other restaurants. They are successful. They can figure it out. The fact of the matter that nationally branded look is not what many of us want for the Lowcountry. She will vote against the motion.

Mr. Rodman stated since it is an ordinance and requires three readings and time is somewhat important to them, it makes sense to move this along even if people are against it. He will vote in favor of it. It seems clear to him from what Mr. Sommerville has said that the Southern CRB is not going to change its mind at this point in time. When we were putting the Development Agreement together, it would seem that if this had been discussed at that point in time and there was discussion about national branding, in his mind conjures up the fact that there would be some similarity / some modification to the way companies would brand themselves. If there might be multiple different ones that might want something and might not necessarily appeal to the CRB, but if it meets our overall requirements, it seems to Mr. Rodman it is okay. It also seems to Mr. Rodman it was discretionary at that point in time for us, in the Development Agreement, to say to the Southern CRB, you are going to handle to main buildings, but Council will handle the outbuildings. Given that we farm that decision out to them, it seems we have the ability to pull that back in. Given that we do very few of these and it is a very isolated case, Mr. Rodman is not overly concerned with the precedent. Mr. Rodman will support the motion.

Mr. Newton commented we did have the national branding discussion. We did, actually, recognize that there would be national branding on the site consistent with our ordinance. That is why he thinks sending it back to the Southern CRB with clarification language actually reflects what the intention of the parties were at the time we entered into the Development Agreement. Aesthetics are a subjective determination. Somebody has got to make them if we do not want to have just anything and everything appear in our corridors. We ought to respect the process and send it back to the Southern CRB. If they so no, perhaps they have abused their discretion and exceeded the bounds upon which we have given them to do so and there are mechanisms in place to seek redress rather than Council changing the rules.

Mr. McBride remarked the issue before Council is about a company that has submitted at least five different design plans to the Southern CRB and each time it got slapped back to them. This is a case where a company tried very, very hard to meet the spirit of the law in Beaufort County and we have a Board that continued to be adamant about having things a certain way. His concern is the attitude and belief that Beaufort County is very unfriendly to businesses. This is another example that shows Beaufort County is anti-business. We cannot continue to provide adequate employment for people in this County as long as we give the impression to outside businesses that we are unfriendly and unwelcome in Beaufort County. He will support the motion.

Mr. Stewart agrees that we are unfriendly to business, etc. But making an exception in this case is not going to solve the problem. It is going to come up the next time and the next time. We have to get to the root cause of the problem and solve that. This is putting a band aid on it for one particular case that is before us today. This is not the way to do it. He is opposed to it because we should respect the Southern CRB, since the issue has been before them, not to say to Mr. Sommerville that they are not going to change their mind. We need to send them a very specific statement that we are authorizing or saying that this is an acceptable mode and let them make their decision and force them to come back to use with a decision.

Motion to amend by substitution.

It was moved by Mr. Stewart, seconded by Mr. Newton, that Council retain the existing language in the last sentence in Article XIII, Section D of the Planned Unit Development, "Owner and Developer(s) shall, except as otherwise described in this Agreement, be subject to corridor review in accordance with Section 106-581 of the ZDSO.

Mr. Stewart recommends sending the matter back to the Southern CRB to decide properly and in an appropriate manner and the issue will be resolved.

Mr. Sommerville commented Southern CRB has denied it five times and they know stone and tile is permitted in the ZDSO. At the Natural Resources Committee we had a fairly lengthy discussion as well about context. That subject has not come up in this meeting. But part of the problem that caused us to get where we are, is that in the initial Development Agreement discussions, going back several years ago, the Development Agreement Committee agreed the four outparcels would not have to be architectural contextual with Tanger I. Unfortunately, we did not convey that message to the Southern CRB in the Development Agreement so when they looked at it, they did not understand it or they chose to ignore it. They made the outparcels contextual with Tanger. What this does, it addresses that issue specifically, head on. We can say it shall be permitted and not be viewed in context, but they still have the right to review it in context and they still have the right to say we do not like stone and tile. This does not require them to do anything. It just simply reaffirms what the Development Agreement Committee decided several years ago that it is not necessary to consider context. We do not want you do consider context. As Mr. Rodman commented earlier, we could have excluded these four outparcels from Southern CRB review back then, but we had no idea would be there. Tanger could not tell us. All of us were a little apprehensive about giving carte blanche to anything that came down the pike, so we said it would be subject to the Southern CRB.

Mr. Rodman spoke against the motion to amend because it delays the process. As this moves forward to second and third and final readings, assuming Council passes it, will clearly be a tight vote either way. It opens up the opportunity for the Chairman and Vice Chairman, if they want to, to both visit with the Southern CRB and, perhaps between now and third and final reading, there would be an opportunity to see if there can be some meeting of the minds without sending this all the back and delaying the process. He will vote against the amendment.

Mr. Stewart pointed out the fact that this motion to amend is what came forward and voted for by majority in Development Agreement Committee. As the Chairman pointed out, this amendment was agreed to by Council and Tanger's counsel and representative, at a January 24, 2011, meeting that they agreed to and thought this was the appropriate way to go forward. It is very important to understand that this is what came out of the Development Agreement Committee, this is what was to be moved forward to Natural Resources Committee and voted on there, which it was not, and ultimately to get Council if it was approved or disapproved.

Mr. Caporale views the issue as Council trying to arbitrate matters of taste for a long time. It is not working for him. One half of the buildings along US Highway 278 he would have turned them down, too. After the last five years, he has a much more liberally attitude about how we should be approaching these problems. He will vote against the amendment

The vote on the motion to amend by substitution: YEAS – Mr. Baer, Mr. Newton and Mr. Stewart. NAYS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman and Mr. Sommerville. ABSTAINED – Mr. Glaze and Ms. Von Harten. The motion failed.

The vote on the main motion (stone and tile): Council approve on first reading the First Amendment to Development Agreement between Beaufort County and COROC, Hilton Head I, LLC, a Delaware Limited Liability Company - Tanger Hilton Head Outlet Center I and, further, amends Article XIII, Section D by replacing the last sentence in that section, "Design review and approval consistent with Chapter 106: Appendix B, Section 4, subparagraph A.1 and subparagraph A.2 of the ZDSO for any Development of the Property shall be the responsibility of and made by the Planning Director and County Administrator and not be subject to corridor review pursuant to Section 106-581 of the ZDSO". YEAS – Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Rodman and Mr. Sommerville. NAYS – Mr. Newton, Mr. Stewart and Ms. Von Harten. The motion passed.

Mr. Baer asked for the right diagrams and photographs of examples and the delta, what is different on this from what it was before. He withdrew this objection to the signage issue and will support the motion.

Vote on the main motion (signage): Council approve on first reading the First Amendment to Development Agreement between Beaufort County and COROC, Hilton Head I, LLC, a Delaware Limited Liability Company - Tanger Hilton Head Outlet Center I and, further, amends Signage: Article XII, Section C, Building Signage Used by Tenants in the Outlet Center, paragraphs (a), (b) and (c) "Exhibit B-2(a)." YAES – Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. The motion passed.

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

### **PUBLIC COMMENT**

There were no requests to speak during public comment.

**CALL FOR EXECUTIVE SESSION**

It was moved by Mr. Rodman, seconded by Mr. Dawson, that Council go immediately into executive session for the purpose of negotiations incident to proposed contractual arrangements and proposed purchase of property. The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. The motion passed.

**EXECUTIVE SESSION**

**RECONVENE OF REGULAR SESSION**

It was moved by Mr. McBride, seconded by Mr. Glaze, that Council purchase the conservation easements on three parcels located on St. Helena Island: (i) Orange Grove Plantation totaling 801 acres +/- in the amount of \$3,750,000 to be split 50% each Beaufort County Rural and Critical Lands Program (\$1,875,000) and USDA (\$1,875,000), (ii) Eddings Creek headwater totally 28 acres +/- in the amount of \$409,250 to be split 50% each Beaufort County Rural and Critical Lands Program (\$204,625) and USDA (\$204,625); and (iii) Penn Center agricultural land totaling 92 acres +/- in the amount of \$484,500 to be split 50% each Beaufort County Rural and Critical Lands Program (\$242,250) and USDA (\$242,250). The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. The motion passed.

**ADJOURNMENT**

Council adjourned at 6:59 p.m.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: \_\_\_\_\_  
Wm. Weston J. Newton, Chairman

ATTEST: \_\_\_\_\_  
Suzanne M. Rainey, Clerk to Council

Ratified:



**The  
County  
Channel**

**In Production:**

*USCB Sand Sharks Baseball*







**The  
County  
Channel**

**In Production:**

*Beaufort County Animal Control*





The  
County  
Channel

Announced:



*Beaufort High School  
Spring Concert*

**OFFICE OF THE COUNTY ADMINISTRATOR  
COUNTY COUNCIL OF BEAUFORT COUNTY**

**GARY KUBIC**  
COUNTY ADMINISTRATOR

**CHERYL HARRIS**  
EXECUTIVE ASSISTANT

ADMINISTRATION BUILDING  
100 RIBAUT ROAD  
POST OFFICE DRAWER 1228  
BEAUFORT, SOUTH CAROLINA 29901-1228  
TELEPHONE: (843) 255-2026  
FAX: (843) 255-9403  
[www.bcgov.net](http://www.bcgov.net)

**BRYAN J. HILL**  
DEPUTY COUNTY ADMINISTRATOR

**LADSON F. HOWELL**  
STAFF ATTORNEY

**COUNTY ADMINISTRATOR'S REPORT**

**Monday, April 11, 2011  
4:00 p.m.  
County Council Chambers**

**INFORMATION ITEMS:**

- **The County Channel / Broadcast Update (Enclosure)**
- **Two-week Progress Report (Enclosure)**
- **Recognition of Donation from New Hope Christian Church to Disabilities Foundation for Camp Treasure Chest  
Mrs. Mitzi Wagner, Director, Disabilities and Special Needs**
- **Update / Economic Development Task Force Meeting Held April 4, 2011**



## Memorandum

**DATE:** April 8, 2011  
**TO:** County Council  
**FROM:** Gary Kubic, County Administrator  
**SUBJ:** County Administrator's Progress Report

The following is a summary of activities that took place March 28, 2011 to April 8, 2011:

### March 28, 2011

- Court hearing Re: Casaundra White
- Redistricting meeting
- County Council Caucus meeting
- County Council meeting

### March 29, 2011

- Meeting with staff and Van Willis, Port Royal Town Manager, Re: Port Royal Video Documentary / Cypress Tree Reclamation
- Meeting with Dr. Jane Upshaw, Chancellor, USCB, Weston Newton, Council Chairman, and Dr. Earle Holley, Vice Chancellor for Finance and Operations, USCB
- Public Facilities Committee meeting
- County Council FY 2012 Budget Workshop

### March 30, 2011

- Meeting with Stephanie Cocarro, Website Administrator
- Meeting with Ed Hughes, County Assessor
- Meeting with Andrew Fulghum, Jasper County Administrator

### March 31, 2011

- Tanger Outlet Grand Reopening and Ribbon-Cutting Celebration

April 1, 2011

- Meeting with Edra Stephens, Director of Business Licenses
- Staff meeting Re: Procedures for Receiving / Responding to Freedom of Information requests
- Beaufort Leadership Government day in Council Chambers

April 4, 2011

- Meeting with Doug Henderson, Treasurer-Elect.
- Staff meeting Re: Hospitality Tax / Department of Revenue (DOR) / County Auditor's State Report
- Meeting with Sharon Burris, Auditor and staff re: County Auditor's State Report
- Economic Development Task Force meeting
- Natural Resources Committee meeting
- Governmental Committee meeting
- County Council FY 2012 Budget Workshop

April 5, 2011

- Meeting with Mike Bostwick, Director of YMCA
- Meeting with representatives of Haig Point Ferry Company, David Starkey, Chief Financial Officer, Morris Campbell, Director of Community Services, and Dave Thomas, Purchasing Director re: Haig Point Ferry System / Marine Transportation Fee for all Support / Service Personnel
- Meeting with Dick Stewart
- Governmental Committee Meeting at Bluffton Library
- County Council FY 2012 Budget Workshop

April 6, 2011

- Agenda review with Chairman, Vice Chairman and Executive Staff
- Meeting with Martin Goodman, Director of Small Business Administration

April 7, 2011

- ICMA Webconference Re: "Fiscal Distress: Tools to Diagnose the Cause and Apply the Right Solutions" at Beaufort Industrial Village #2

April 8, 2011

- Grand Opening of the RM Reimaging Education and Learning (REAL) Center at Whale Branch Early College High School
- Meeting with Raymond Wenig, Board Chairman, The Lowcountry Small Business HUB Organization Re: Economic Development Alternatives
- Tour of SWAT building in Okatie

**FAIR HOUSING RESOLUTION**

**WHEREAS**, April 11, 2011 marks the 43<sup>rd</sup> anniversary of the passage of the U.S. Fair Housing Law, Title VIII of the Civil Rights Act of 1968, as amended, and the State of South Carolina enacted the South Carolina Fair Housing Law in 1989, that both support the policy of Fair Housing without regard to race, color, creed, national origin, sex, familial status, and handicap, and encourages fair housing opportunities for all citizens; and

**WHEREAS**, the County Council of Beaufort County is committed to addressing discrimination in our community, to support programs that will educate the public about the right to equal housing opportunities, and to plan partnership efforts with other organizations to help assure every citizen of their right to fair housing; and

**WHEREAS**, the County Council of Beaufort County rejects discrimination on the basis of race, religion, color, sex, national origin, disability, and/or familial status in the sale, rental, or provision of other housing services; and

**WHEREAS**, the County Council of Beaufort County desires that all its citizens be afforded the opportunity to attain decent, safe, and sound living environment.

**NOW, THEREFORE, BE IT RESOLVED**, that County Council of Beaufort County does hereby designate April 2011 as Fair Housing Month and, the County Council of Beaufort County recognize the policy supporting Fair Housing in encouraging all citizens to endorse Fair Housing opportunities for all not only during Fair Housing month but throughout the year.

Adopted this 11<sup>th</sup> day of April, 2011.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: \_\_\_\_\_  
Wm. Weston J. Newton  
Chairman

Attest:

\_\_\_\_\_  
Clerk to Council



## *Memorandum*

DATE: April 8, 2011  
TO: County Council  
FROM: Bryan Hill, Deputy County Administrator  
SUBJECT: Deputy County Administrator's Progress Report

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The following is a summary of activities that took place March 28, 2011 through April 14, 2011:

March 28, 2011 (Monday):

- Prepare and Organize Presentations
- Work on Budget
- County Council

March 29, 2011 (Tuesday):

- Meet with Dave Thomas, Purchasing, Monica Spells, Compliance Officer and Mark Roseneau, Facilities Director re: Facilities Maintenance Service Contract
- Preview Video Documentary / Cypress Tree Reclamation
- Public Safety Committee Meeting
- FY 2012 Budget Workshop

March 30, 2011 (Wednesday):

- Meet with Gary Kubic, County Administrator and Stephanie Coccaro, MIS
- Work on Budget

March 31, 2011 (Thursday)--Bluffton:

- Bluffton Hours
- Attend Tanger Outlet Grand Opening Ribbon Cutting Ceremony



April 1, 2011 (Friday):

- Work on Budget Workshop Presentations

April 4, 2011 (Monday):

- DA Meeting
- Meeting with Gary Kubic, David Starkey and Alan Eisenman re: Hospitality Tax/DOR
- Meeting with Gary Kubic, David Starkey, Alan Eisenman and Sharon Burris re: State DOR/Auditor's Report
- Public Safety Committee Meeting
- FY 2012 Budget Workshop

April 5, 2011 (Tuesday)--Bluffton:

- Bluffton Hours
- Work on Budget Workshop Presentations
- FY 2012 Budget Workshop
- Meeting with Duffie Stone, Solicitor

April 6, 2011 (Wednesday):

- Meet with Jay White, Liollo Architects re: St. Helena Library Design in Charleston
- Meet with Doug Henderson, Treasurer-Elect
- Telephone Conference with Mark Roseneau re: Bluffton Government Offices

April 7, 2011 (Thursday):

- Work on Budget
- Meet with Mark Roseneau re: Various Topics
- Attend ICMA Webconference--"Fiscal Distress: Tools to Diagnose the Cause and Apply the Right Solutions"

April 8, 2011 (Friday):

- Work on Budget

# Earth Month Presentation

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Beaufort County, South Carolina

# Earth Month Activities



## ➤ April 2

- Kidsfest at Cross Creek  
10AM-2PM

## ➤ April 5-20

- Zero Tolerance Campaign  
in Beaufort

## ➤ April 15

- Habersham Market Place  
Earth Day 4PM-7PM

## ➤ April 30

- Beach Sweep at Hunting Island State Park 10AM

## ➤ April 16

- Earth Day at the Port  
Royal Farmer's Market  
8:30AM-12:30PM

## ➤ April 22<sup>nd</sup>

- **EARTH DAY!**

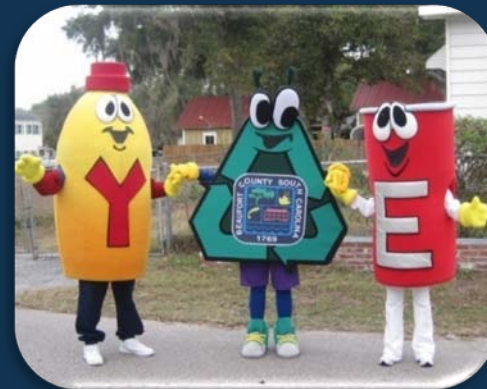
## ➤ April 23

- Soft Shell Crab Festival,  
Town of Port Royal  
12PM-5PM

# ReRun Comes to Beaufort



- The SC DHEC Graphics Department designed a Beaufort County “Recycle Guy” type character, named ReRun
- The Recycle Guys are utilized nationwide in recycling campaigns and educational efforts
- A portion of the Waste Management Education Grant Funds were used to purchase a ReRun costume for promotional and educational events



# ReRun in the Christmas Parade



- ReRun participated in the Beaufort Christmas Parade December 5, 2010. He was accompanied by Bottle Guy and Can Guy.



- Waste Management decorated a recycling truck that followed behind the costumed characters



# ReRun Helps Educate Children



Hobbit Hill Too Preschool's  
Class of 4 & 5 Year Olds  
Learn How to Recycle at  
the Shanklin Convenience  
Center



ReRun joined in the fun at  
this Year's Kidsfest at the  
Cross Creek Shopping  
Center

# 2011 Zero Tolerance Campaign

“Awareness of Zero Tolerance for Litter”

Zero Tolerance Dates: April 5 – 20<sup>th</sup>

In preparation, Sgt. Barr has met with all shifts distributing information and flyers.

Working together, with an attitude of “Zero Tolerance,” we can make South Carolina the most litter-free and visitor friendly area in the nation





# Illegal Dump Sites Under Investigation





# Illegal Loads – Continuing to Educate Our Citizens



# Energy Efficiency and Conservation Block Grant

American Recovery and  
Reinvestment Act  
Progress Report

# United States Department of Energy

- Purpose: Development of energy conservation and efficiency projects
- Award date: 10/13/2009
- Award amount: \$636,000
- Funding must be obligated within 18 months – 3 year project

# Beaufort County Environmental Advisory Team

- Members: Solid Waste & Recycling, Purchasing, Facilities Maintenance, Finance, Planning
- Meet monthly to monitor progress and discuss requirements
- Cooperate to submit quarterly reports on performance and finances

# Projects

- In-house recycling
- Installation of seven compactors at the Bluffton Convenience Center
- Lighting retrofits and installation of occupancy sensors

# In-house Recycling \$231,000

- Recycling staff position – Quinn Fields
- Collection truck
- Supplies (carts and bins)
- Skid steer loader (bobcat)





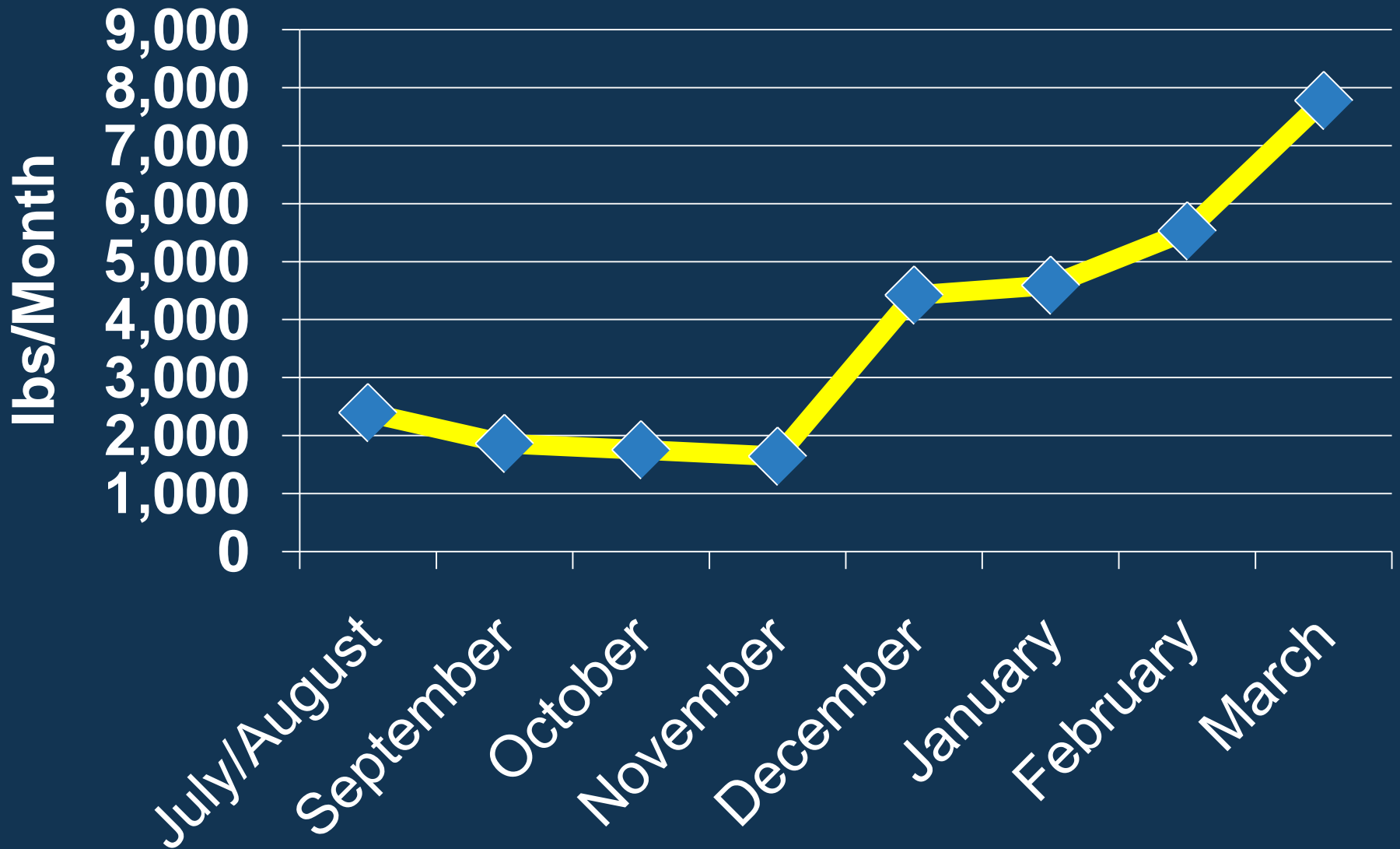
# In-house Recycling Current Collection Sites

- Court House – Jury
- Court House - Vend  
1st Floor
- Administration Areas
- Arthur Horne Building
- LEC
- USCB Downtown
- Magistrates
- Office Records  
Management
- Master of Equity
- Engineering
- Finance/Purchasing
- Clemson Building
- Animal Shelter
- Public Works
- Mosquito Control
- Coroner's Office
- Fuel Pumps
- Beaufort County  
Library
- USCB Library

# In-house Recycling Current Collection Sites Continued

- Hilton Head Library
- Bluffton Library
- Voter Registration
- EMS
- Planning
- Building Codes
- Code Enforcement
- More to follow

# In-house Recycling 2010 - 2011



Note: 5,000lbs Special Collection Library

# In-house Recycling Benefits

- 15 tons of recycling diverted from the landfill in FY 2011
  - \*Reduction in production of greenhouse gases
    - 70 Metric Tons Carbon Dioxide Equivalent
    - Reduction in 19 Metric Tons Carbon Equivalent
    - Reduction in 300 (million BTU) - Units of energy

\*Calculated using USEPA Waste Reduction Model (WARM)

# Compactor Purchases \$168,000

- July 2010 - Installation of seven compactors with receiving bins at the Simmonsville Rd. Convenience center
- Use of Compactors Reduces the Number of Pulls & Saves Fuel



# Compactor Installation - Savings

- Reduction in pulls by ~ 33%
  - Comparing the Same Months for both Fiscal Years 09 & 10
- Cost savings to date = ~ \$36,300
- ~ 346 trips from the Convenience Center to the landfill eliminated
- ~ 1,400 gallons in diesel fuel

# Lighting Retrofit - \$164,000

## Occupancy Sensors - \$11,800

- Installation of energy efficient lighting fixtures in six county facilities:
  - Courthouse
  - Detention Center
  - Law Enforcement Center
  - Human Services Building
  - Library
  - Public Works
- Installation of occupancy sensors in ~40 county facilities and ~133 restrooms



# Overall Cost Savings Lighting Project

- ~10 year life cycle
- ~\$156,000 annual savings
- ~\$1,560,000 life cycle cost savings
- For the initial \$164,000 investment!!!

# AIRPORTS UPDATES

# BEAUFORT COUNTY AIRPORT

- **MASTER PLAN**

- **Consultant finishing ALP, Environmental Overview, and Financial Plan**
- **Presentation to Council**
- **Submission to FAA for Review/Approval**

# **BEAUFORT COUNTY AIRPORT (CONT)**

- **TREE OBSTRUCTIONS**
  - **FAA Resolving SCE&G Power Pole Issues**
  - **Over 600 Tree Obstructions Remain**
  - **Additional FAA Grant Funding Requested**
  - **Property Owner Litigation Ongoing**

# HILTON HEAD ISLAND AIRPORT

- **MASTER PLAN**

- **FAA Review Ongoing**
- **FAA Grant Funding Requested for BCA/EA**

# HILTON HEAD ISLAND AIRPORT (CONT)

- **TREE OBSTRUCTIONS**

- **Runway 21 On-Airport (1,400 Trees)  
Pending Appeals**

- **Runway 21 Off-Airport (1,000 Trees) FAA  
Grant Funding Requested**

**Avigation Easements Still Needed**

- **Runway 03 Off-Airport Tree Removal  
Design to 34:1 Slope to Commence Soon**

# **HILTON HEAD ISLAND AIRPORT (CONT)**

- **Runway 03 Off-Airport Tree Removal FAA Grant Funding Requested**
- **AIRCRAFT RESCUE & FIREFIGHTING FACILITY (ARFF)**
  - **Completing Punchlist Items**
  - **Scheduling Final Approval Inspections**



# **HILTON HEAD ISLAND AIRPORT (CONT)**

- **RUNWAY SAFETY AREA DRAINAGE IMPROVEMENTS**
  - **On Hold Awaiting Town Permit**
  - **FAA Concerns Regarding Plantings Other Than Grass in the Safety Area**

# **HILTON HEAD ISLAND AIRPORT (CONT)**

- **DESIGN PROJECTS**

- **Commercial Terminal Improvements**
- **Runway Lighted Sign Relocation**

- **PASSENGER FACILITY CHARGE (PFC)  
PROGRAM**

- **Application Preparation to Commence  
Shortly**

2011 / \_\_\_\_\_

**AN ORDINANCE**

**AN ORDINANCE AUTHORIZING FUNDS IN AN AMOUNT NOT TO EXCEED \$1,000,000 OF HOSPITALITY TAX FUNDS TO BE AVAILABLE OVER A FIVE-YEAR PERIOD TO HERITAGE CLASSIC FOUNDATION FOR THE PROCUREMENT OF THE PGA HERITAGE GOLF TOURNAMENT TO BE HELD ON HILTON HEAD ISLAND, SOUTH CAROLINA**

**WHEREAS**, the Heritage Golf Tournament is recognized as a tremendous economic benefit each year to the economy of Beaufort County and the State of South Carolina; and

**WHEREAS**, the Heritage Classic Foundation provides economic support to many deserving charities in Beaufort County; and

**WHEREAS**, the County Council of Beaufort County, South Carolina, which is the governing body of Beaufort County, South Carolina (hereinafter called the "County Council"), ordered that a public hearing on the question of the applying Hospitality Tax Funds in the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00) per annum to the Heritage Classic Foundation ("Foundation") for the purpose of procuring the PGA Heritage Golf Tournament ("Tournament") to be held on Hilton Head Island over a period of five (5) years in an amount not to exceed One Million Dollars (\$1,000,000.00), commencing with the year 2011, be held in the \_\_\_\_\_, on \_\_\_\_\_, 2011, and notice of such hearing has been duly published once a week for three successive weeks in The Beaufort Gazette, a newspaper of general circulation in Beaufort County and The Island Packet; and

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

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

**Section 2.** On the basis of the facts adduced at the public hearing held on \_\_\_\_\_, 2011, it is found and determined that Beaufort County should be authorized to appropriate up to Two Hundred Fifty Thousand Dollars (\$250,000.00) per year of Hospitality Tax Funds to the Foundation to procure the Tournament to be held on Hilton Head Island over a period of five (5) years, commencing 2011, for a final sum not to exceed One Million Dollars (\$1,000,000.00).

**Section 3.** This appropriation is also contingent on other governmental entities such as the Town of Hilton Head Island and the State of South Carolina also providing equal or in excess of the financial support given to the Foundation by Beaufort County in such a manner as to show their commitment to the Tournament.

**Section 4.** If in any year, the Foundation is unable to procure the Tournament, the appropriation shall be automatically discontinued.

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

DONE AT BEAUFORT, SOUTH CAROLINA, this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Chairman  
Beaufort County Council

(SEAL)

Attest:

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Clerk  
Beaufort County Council

2011 /

BEAUFORT COUNTY ZONING MAP AMENDMENT FOR R100 015 0000 0051 AND R100 015 0000 015A (KNOWN AS THE VILLAGE AT LADY’S ISLAND PLANNED UNIT DEVELOPMENT (PUD), APPROXIMATELY 35+ ACRES TOTAL, BORDERED BY SAM’S POINT AND OYSTER FACTORY ROADS); FROM PUD TO LADY’S ISLAND COMMUNITY PRESERVATION DISTRICT (LICP) AND LADY’S ISLAND EXPANDED HOME BUSINESS (LIEHB) ZONING DISTRICTS.

BE IT ORDAINED, that County Council of Beaufort County, South Carolina, hereby amends the Zoning Map of Beaufort County, South Carolina. The map is attached hereto and incorporated herein.

Adopted this \_\_\_ day of \_\_\_\_\_, 2011.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: \_\_\_\_\_  
Wm. Weston J. Newton, Chairman

APPROVED AS TO FORM:

\_\_\_\_\_  
Ladson F. Howell, Staff Attorney

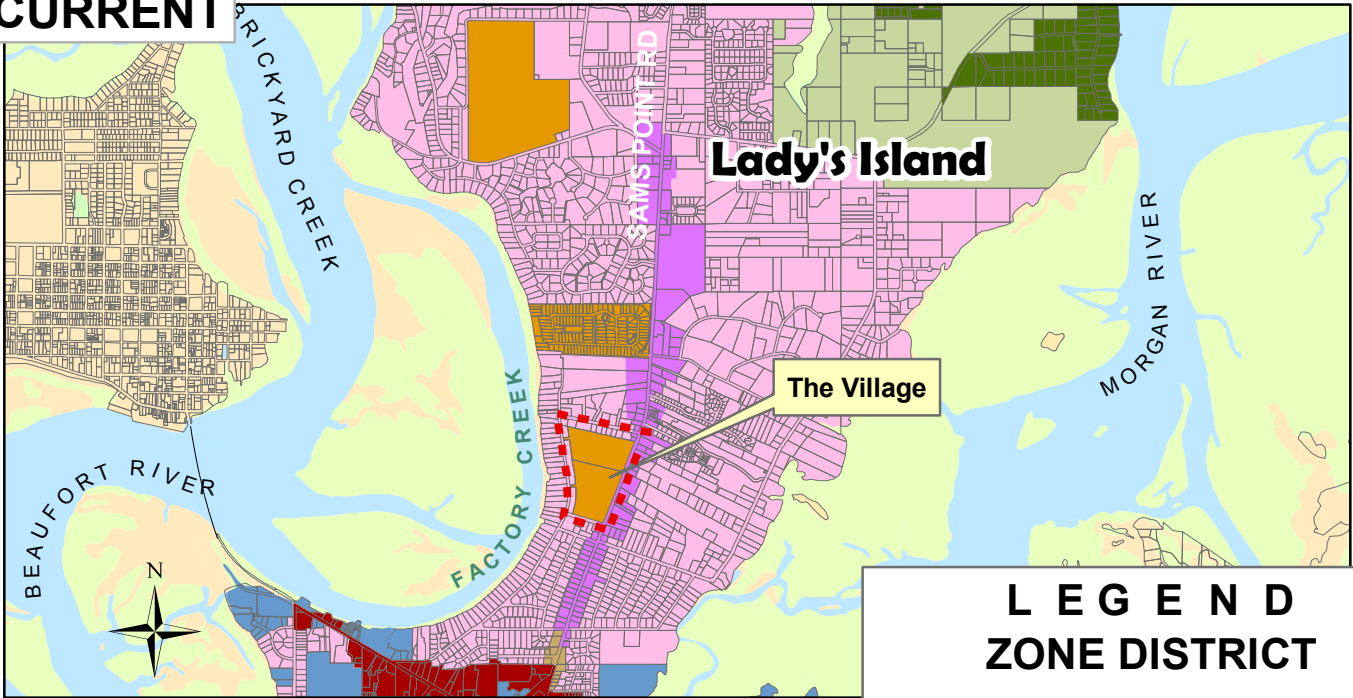
ATTEST:

\_\_\_\_\_  
Suzanne M. Rainey, Clerk to Council

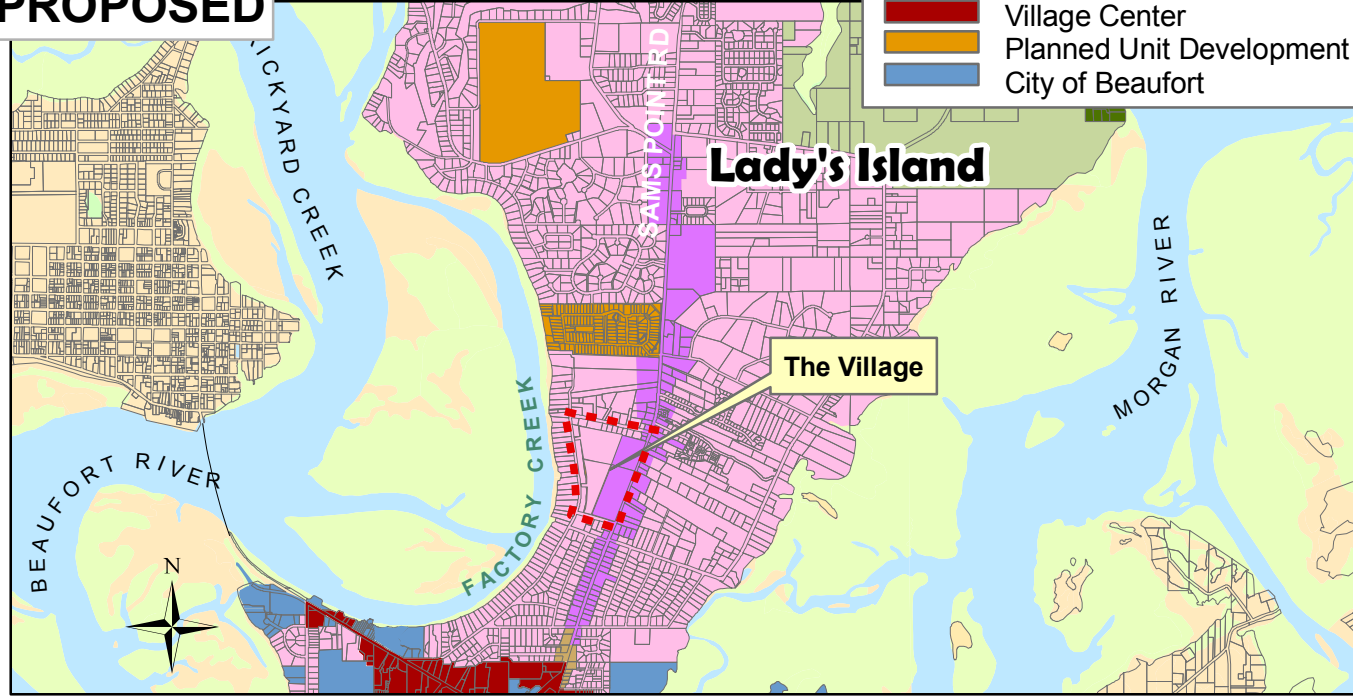
First Reading:  
Second Reading:  
Public Hearing:  
Third and Final Reading:

(Amending 99/12)

**CURRENT**



**PROPOSED**



**REZONING AMENDMENT**

R200 015 000 0051 & 051A The Village  
 FROM Planned Unit Development [PUD] TO  
 Lady's Island Community Preservation [LICP] and  
 Lady's Island Expanded Home Business [LIEHB]



2011 /

AN ORDINANCE OF THE COUNTY OF BEAUFORT, SOUTH CAROLINA, TO AMEND CHAPTER 22, CIVIL EMERGENCIES, ARTICLE IV, DISASTER RECOVERY AND RECONSTRUCTION:

- Sec. 22-104 - Recovery management structure.
- Sec. 22-105 - Recovery plan.
- Sec. 22-106 - General provisions.
- Sec. 22-109 - Disaster and recovery emergency permitting and zoning policy and procedures.
- Sec. 22-111 - Temporary housing.
- Sec. 22-115 - Recovery and reconstruction strategy.

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: \_\_\_\_\_  
Wm. Weston J. Newton, Chairman

APPROVED AS TO FORM:

\_\_\_\_\_  
Ladson F. Howell, Staff Attorney

ATTEST:

\_\_\_\_\_  
Suzanne M. Rainey, Clerk to Council

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

(Amending 2008/28)

**Sec. 22-104. - Recovery management structure.**

(1) *Recovery task force.* A recovery task force is hereby established that is comprised of the following officers and members:

(a) The county administrator who shall be chair;

(b) ~~The director of public services~~ division director of engineering and infrastructure who shall be director and vice-chair;

(c) ~~The deputy county administrator of community services~~ division director of community services who shall be deputy director, and who shall act as vice-chair in the absence of the vice-chair;

**Sec. 22-105. - Recovery plan.**

(1) *Recovery plan content.* The recovery plan addresses policies, implementation actions and designated responsibilities for such subjects as impact assessment (disaster assessment), continuation of government, public information/community relations, human services (short-term), individual assistance, volunteers and donations, debris management, re-entry security, health and human safety, repair and restoration of public infrastructure and buildings, building inspections and permits, rebuilding, construction, repairs, restoration, temporary housing, redevelopment (planning and zoning ordinance enforcement), economic preservation and restoration, mitigation, recovery administration and finance, county employees, mortuary operations, mutual aid protocols, pre-disaster equipment and facilities deployment and such other subjects as may be appropriate to expeditious and wise recovery.

(8) *Recovery plan validation.* The recovery plan shall be validated annually and/or following a disaster event. In order to facilitate an organized and comprehensive review of the plan, review checklists have been created for each of the recovery functions. The checklists include action items that should be reviewed and completed each year by the agency/department responsible for implementing the recovery function, in conjunction with the support agencies assigned to that recovery function. Once the review checklists have been completed, they should be turned in to the deputy county administrator for public service and land management. The division director of engineering and infrastructure will then make a report to county council regarding the status of recovery operations for the year. (Appendix A)

**Sec. 22-106. - General provisions.**

(1) *Powers and procedures.* Following the disaster declaration and/or determination that a local emergency exists, and while such declaration or determination is in force, the director of the recovery task force (~~the Beaufort County Director of the public services department~~) (the division director of engineering and infrastructure) and the deputy director of the recovery task force (~~the Beaufort County Deputy Administrator of Community Services~~, the division director of community services in the absence of the director) shall have authority to exercise powers and procedures authorized by this article, subject to extension, modification, or replacement of all or portions of these provisions by separate ordinances adopted by the Beaufort County Council. The emergency management director shall have oversight and control of issuing any curfews (section 22-107), coordinating re-entry procedures (section 22-108), and all other short-term emergency matters.

(2) (g) Make recommendations regarding moratoriums on buildings, land use regulations and permits, subject to Beaufort County Council ratification, as provided under subsection 22-109(3) (22).

**Sec. 22-109. - Disaster and recovery emergency permitting and zoning policy and procedures.**

(6) (a) Green card—No restrictions. A green card denotes minor damage to property. Card information will include permission to make these minor repairs without having to obtain a zoning or building permit. Structures with minor damage can be made habitable in a short period of time with minimal repairs. Damage may include doors, windows, floors, furnaces, air conditioners, water heaters and other repairable damages. ~~The baseline indicator of this category of assessment is 11 percent or less of the replacement cost of the structure at the time of damage.~~

(6)(b) Yellow card—Limited entry. A yellow card denotes major damage to the property. Card information will include instructions on how to apply for a zoning and building permit. Owner will not be allowed to occupy the structure, occupancy will be allowed only when structure is classified with a green card with no restrictions. Structures with moderate damage can be made habitable with extensive repairs. This category may include damage to the following portions of a structure: foundation, roof structure, wall sections and any other major components of the property. ~~The baseline indicator of this category of assessment is more than 11 percent but less than 75 percent of the replacement cost of the structure at the time of damage.~~

(6)(c) Red card—Unsafe. A red card denotes that the property has been destroyed. Card information will include that the structure is unsafe and may not be occupied. Buildings posted with this placard shall not be entered under any circumstances except as authorized in writing by the department that posted the building or by authorized members of damage assessment teams. The individual posting this placard shall note

in general terms the type of damage encountered. This placard is not to be considered a demolition order. Structures with major damage are considered destroyed and a total loss, meaning that damage is determined to be of such an extent that repair is not feasible. ~~The baseline indicator for this category of assessment is 75 percent or greater than the replacement cost of the structure at the time of damage.~~

**(13) Issuing emergency zoning and building permits.** When an emergency is officially declared, the following procedures will be implemented when issuing permits:

~~Damage 0—11 percent damage (n No restriction on use or occupancy).~~ No plans are required, no permit is required, and no inspection activity other than damage assessment is required.

~~Damage 11—49 percent (u Use and occupancy restriction).~~ A plan may be required for repairs or a detailed list of work to be done may be required. Development plan review is not required if there is no change in footprint of the building. Emergency building permit(s) is required. An affidavit stating that the owner or his/her authorized agent shall comply with all county codes will be required. Building inspections are required prior to work beginning and during construction.

~~Damage 50—74 percent (u Use and occupancy restriction).~~ Flood regulation standards shall be implemented. This standard is based upon Beaufort County Flood Map standards adopted by the County to qualify for FEMA disaster planning and reconstruction funding. Flood mapping in place at the time of the disaster will be the standard for decisions. County building official, or other designated representative, may review decisions, where information is incomplete, and/or in conflict with reality, or in error. General requirements: Plans may be required for repairs. If pre-existing structure is in compliance with zoning, and structure is not located in a flood zone or it is elevated to the proper base flood elevation, there is no change in the use or occupancy and there will be no expansion, plans will not be required. The building must be brought into full compliance with all applicable codes: zoning, building and flood regulations. Development plan review is not required. Building plan review is not required. An emergency building permit is required. An affidavit stating the owner or his/her agent will comply with all county codes is required. Building inspections are required prior to and during construction.

~~Damage >75 percent (u Unsafe).~~ If structure is not demolished, plans are required. A structural engineer report is required. Zoning and development permits are required. A building permit is required.

General requirements: Plans and structural analysis may be required for repairs. If pre-existing structure is in compliance with zoning, and structure is not located in a flood zone or it is elevated to the proper base flood elevation and there is no change in the use or occupancy and there will be no expansion the building may be repaired after obtaining the building permit; or the building must be brought into full compliance with all

applicable codes: zoning, building and flood regulations. Development plan review may not be required. Building inspections are required prior to and during construction.

**(16)(c)** Field inspectors will judge extent of damage both residential/commercial structures. ~~based upon this scale of values: — Minor ≤ 11 percent; Major > 11 percent, but < 74 percent; Destroyed ≥ 75 percent~~

**(24) (b) 1.** Will not be detrimental not have a long-term detrimental impact to on the immediate neighborhood;

### **PROPOSED TEMPORARY HOUSING REVISIONS (THROUGH (d))**

Temporary use permits may be issued for a period of one year following the declaration of local emergency and may be extended ~~for an additional year, on an annual basis to~~ for to a maximum of five two years from the declaration of emergency, provided such findings are determined to be still applicable by the end of the first year. If, during the first or any of the subsequent four years or the second year, substantial evidence contradicting one or more of the required findings comes to the attention of the director, the temporary use permit shall be revoked.

(c) Single Family Residence Repair or Replacement. A temporary use permit shall also be granted subject to the provisions of Sec. 22-111(4) to allow the property owner of a single family residence that has been deemed as having “no restrictions on use or occupancy” Damaged 0 to 10 percent pursuant to Sec. 22-109(13) to live on his or her property until such time as the damaged house can be repaired or re-built. This temporary housing permit shall be good for one year and may be renewed each year for a maximum of five years.

(d) No Grandfathered or Nonconforming Status Acquired. No use initiated pursuant to the provisions of this section may claim grandfathered or nonconforming use status. Ant use initiated under this section must terminate after five years, if not before.

### **Sec. 22-111. - Temporary housing.**

**(2)** *Pre-disaster site planning.* Each year, as part of the recovery plan update process, ~~the deputy county administrator for community services~~ the division director of community services will be responsible for overseeing a planning process to determine the best sites for the placement of potential temporary housing units. The county will focus on using county-owned property and perhaps existing mobile home parks for locating temporary housing developments. This site identification will take place on an annual basis. This process will be coordinated with the affordable housing, planning, zoning, building codes, GIS and other departments as deemed necessary. The results of this annual planning process will be compiled in a selection report and presented to county council by the county administrator.

**(4) PROPOSED TEMPORARY HOUSING REVISION (4)**

~~Other.~~ The county is also considering adopting an ordinance that will allow homeowners issue temporary use permits to residents to place which will allow for the placement of one (1) temporary housing unit on their property owned by them (that may be occupied by the property owner and his/her family only) in the event that the property owner's house has been damaged but has been deemed as "having no restriction on use or occupancy" or destroyed in an amount greater Damage 0-10 percent as set forth in Sec. 22-109(13) above. This will allow the property owner and his or her family to live on-site until such time that the damaged house can be repaired or rebuilt. This temporary housing unit shall only be occupied by the property owner and his or her family.

**Sec. 22-115. - Recovery and reconstruction strategy.**

At the earliest practicable time following the declaration of local emergency in a major disaster, the director and the recovery task force shall prepare a strategic program for recovery and reconstruction based on the pre-disaster plan and its policies.

**(1) *Functions.*** To be known as the recovery strategy, the proposed strategic program shall identify and prioritize major actions contemplated or under way regarding such essential functions as business resumption, economic reinvestment, industrial recovery, housing replacement, infrastructure restoration, and potential sources of financing to support these functions. ~~These actions shall be tracked in the Beaufort County Recovery Decision Matrix spreadsheet to facilitate ease of tracking the recovery.~~

ORDINANCE 2011 /

AN ORDINANCE TO ESTABLISH, PURSUANT TO SECTION 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, A MULTI-COUNTY INDUSTRIAL/BUSINESS PARK, TO BE KNOWN AS THE CYPRESS RIDGE MULTI-COUNTY PARK, IN CONJUNCTION WITH JASPER COUNTY, SOUTH CAROLINA; TO PROVIDE FOR A WRITTEN AGREEMENT WITH JASPER COUNTY AS TO THE SHARING OF THE REVENUES AND EXPENSES OF THE PARK; TO PROVIDE FOR THE DISTRIBUTION OF REVENUES FROM THE PARK AMONG TAXING ENTITIES HAVING JURISDICTION OVER THE PARK; TO PROVIDE FOR A FEE IN LIEU OF AD VALOREM TAXATION; AND OTHER MATTERS RELATED THERETO.

WHEREAS, Beaufort County, South Carolina (“Beaufort County”) and Jasper County, South Carolina (“Jasper County”) (collectively, the “Counties” and together with any additional counties that become parties to the MCP Agreement described below, the “Member Counties”), as authorized under Article VIII, Section 13(D) of the South Carolina Constitution and Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended (the “Act”), propose to establish jointly a multi-county industrial/business park within the geographical boundaries of one or more of the Member Counties (the “Park”); and

WHEREAS, Article VIII, Section 13(B) of the South Carolina Constitution provides that nothing in the State Constitution may be construed to prohibit any of the counties in South Carolina from agreeing to share the lawful cost, responsibility, and administration of functions with one or more governments, whether within or without the State of South Carolina; and

WHEREAS, in order to promote the economic development of Beaufort County and Jasper County, the Counties have initially agreed to include in the Park properties located in Jasper County and described in Exhibit A hereto (the “Initial Property”) and as more particularly described in Exhibit A to that certain Agreement for the Establishment of Multi-County Industrial/Business Park to be entered into by the Counties as of such date as may be agreed to by the Counties (the “MCP Agreement”); and

WHEREAS, the Park shall be known as the “Cypress Ridge Multi-County Park”; and

WHEREAS, the Counties have agreed to the specific terms and conditions of the arrangement set forth in the MCP Agreement; and

WHEREAS, the Counties now desire to establish the Park to include the Initial Property;

NOW, THEREFORE, BE IT ORDAINED BY THE BEAUFORT COUNTY COUNCIL AS FOLLOWS:



**Section 1. Establishment of Multi-County Park; Approval of MCP Agreement; Location of Park; Change of Park Boundaries.**

(a) There is hereby authorized to be established, initially in conjunction with Jasper County, a multi-county industrial/business park to be known as the “Cypress Ridge Multi-County Park” and to include therein the Initial Property. The form, provisions, terms, and conditions of the MCP Agreement now before this meeting and filed with the Clerk to County Council be and they are hereby approved, and all of the provisions, terms, and conditions thereof are hereby incorporated herein by reference as if the MCP Agreement were set out in this Ordinance in its entirety.

(b) The MCP Agreement is to be in substantially the form now before this meeting and hereby approved, or with such changes therein as shall not materially adversely affect the rights of Beaufort County thereunder and as shall be approved by the officials of Beaufort County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of the MCP Agreement now before this meeting. The Chairman of County Council, for and on behalf of Beaufort County, is hereby authorized, empowered, and directed to do any and all things necessary or proper to effect the establishment of the Park and the execution and delivery of the MCP Agreement and the performance of all obligations of Beaufort County under and pursuant to the MCP Agreement and to carry out the transactions contemplated thereby and by this Ordinance.

(c) As of the date of enactment of this Ordinance, the Park shall consist of the Initial Property located in Jasper County. It is recognized that the Park will from time to time consist of non-contiguous properties within each Member County. The boundaries of the Park may be enlarged or diminished from time to time as authorized by (a) an ordinance of the Member County in which the property to be added or removed from the Park is actually located, and (b) a resolution (or comparable action) of the governing bodies of all other Member Counties.

**Section 2. Payment of Fee-in-lieu of Taxes.** (a) In accordance with Article VIII, Section 13(D) of the South Carolina Constitution, the area comprising the Park and all property having a situs therein is exempt from all *ad valorem* taxation. All owners and lessees of property situated in the Park will pay a fee in lieu of *ad valorem* taxes as provided for in the MCP Agreement. The fee paid in lieu of *ad valorem* taxes shall be paid to the county treasurer of the county in which such property is located. That portion of the fee from the Park property located in a Member County and allocated pursuant to the MCP Agreement to the other Member Counties shall be paid to the respective county treasurer (or other designated official) of the other Member Counties in accordance with the terms of the MCP Agreement [it being intended that the distribution shall be made once annually as near April 15 as is practicable]. Payments of fees in lieu of *ad valorem* taxes will be due on the due date for taxes for a particular year. Penalties for late payment will be at the same rate as late tax payments. Any late payment beyond the due date will accrue interest at the rate of statutory judgment interest. The Member Counties, acting by and through the appropriate official, shall maintain all liens and rights to foreclose upon liens provided for counties in the collection of *ad valorem* taxes.

(b) Nothing herein shall be construed to prohibit any Member County from negotiating and collecting reduced fees in lieu of taxes pursuant to Title 4, Chapter 29 or Chapter

12, or Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as amended, or any similar provision of South Carolina law.

**Section 3. Sharing of Expenses and Revenues.** Sharing of expenses and revenues of the Park by the Member Counties shall be as set forth in the MCP Agreement.

**Section 4. Distribution of Revenues to Taxing Entities.** Revenues from the Park shall be distributed to and within the Member Counties as set forth in the MCP Agreement.

**Section 5. Governing Laws and Regulations.** In order to avoid any conflict of laws or ordinances between the Member Counties, the ordinances of each Member County will be the reference for such regulations or laws in connection with Park premises located within such Member County. Nothing herein shall be taken to supersede any applicable municipal, state, or federal law or regulation. The Member County in which a parcel of Park premises is located is specifically authorized to adopt restrictive covenants and land use requirements for each such parcel at that Member County's sole discretion. The ordinances of a Member County shall in no way apply to Park property not located in such Member County.

**Section 6. Admission of Additional Parties.** The MCP Agreement may be amended from time to time to add additional counties or other political subdivisions located within South Carolina or outside South Carolina, subject to any limitation contained in Article VIII, Section 13 of the Constitution of South Carolina or Title 4, Chapter 1 of the Code, by ordinances or comparable action of the governing body of each Member County. Upon approval of all Member Counties, the MCP Agreement shall be amended to admit such political subdivision as a party thereto, with such rights and obligations as shall be provided in the MCP Agreement as so amended and applicable law.

**Section 7. Savings Clause.** If any portion of this Ordinance shall be held void or otherwise invalid, the validity and binding effect of the remaining portions shall not be affected thereby.

**Section 8. General Repealer.** Any prior ordinance or resolution, the terms of which are in conflict herewith, is, only to the extent of such conflict, hereby repealed.

**Section 9. Effectiveness.** This Ordinance shall be effective after third and final reading

BEAUFORT COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
Chairman of County Council  
Beaufort County, South Carolina

ATTEST:

\_\_\_\_\_  
Clerk to County Council  
Beaufort County, South Carolina

First reading: \_\_\_\_\_, 2011  
Second reading: \_\_\_\_\_, 2011  
Public hearing: \_\_\_\_\_, 2011  
Third reading: \_\_\_\_\_, 2011

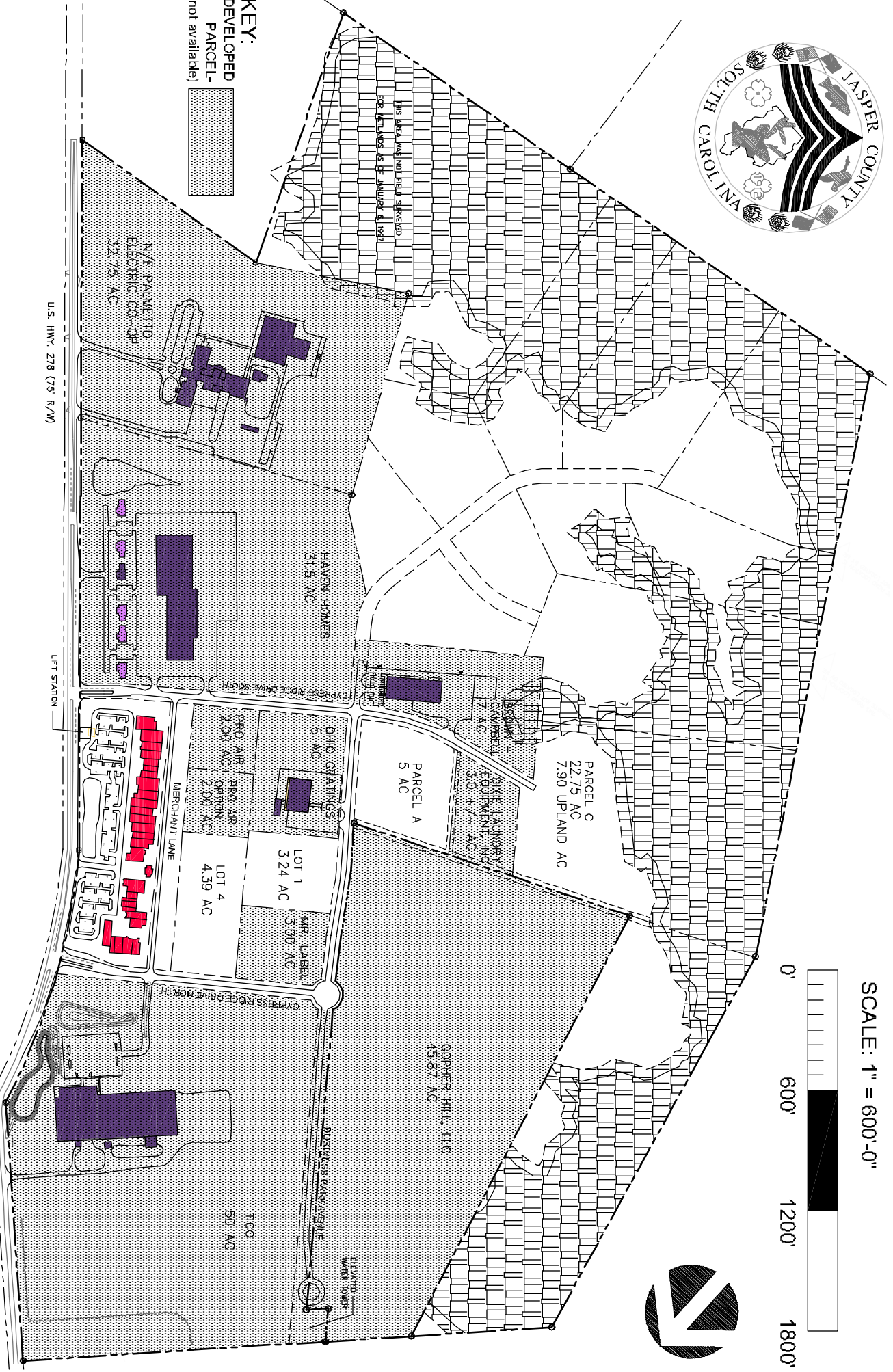
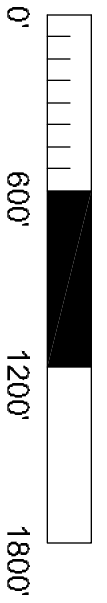
**EXHIBIT A**

Initial Property

[Located in Jasper County]



SCALE: 1" = 600'-0"



# MASTER PLAN of CYPRESS RIDGE BUSINESS PARK

Jasper County, South Carolina

PREPARED BY:

Alan Glassberg

Landscape Architecture, LLC.

743.726.7700 ♦ www.jaspercounty.sc.org

LANDSCAPE ARCHITECTURE / SITE PLANNING / URBAN DESIGN  
PO BOX 315  
RIDGELAND, SC 29936  
P: 843.726.4880 / F: 843.726.8906

April 21, 2008

Cypress Ridge MCIP

	Tax ID #	Acreage	Owner			
1	048-00-01-006	49.83	Gopher Hill Holding LLC	taxed by County \$52.78 Ag use	taxed by DOR \$28,650.69 for School portion only	Exemption will be over for 2011
2	048-00-01-013	0.33	Town of Ridgeland - water tower	exempt		
3	048-00-01-030	5.26	Jasper County - Road	exempt		
4	048-00-01-012	11.26	Jasper County - Road	exempt		
5	048-00-01-007	25.52	Gopher Hill Holding LLC	taxed by County \$55.43 Ag use		
6	048-00-01-005	19.09	Gopher Hill Holding LLC	taxed by County \$40.19 Ag use		
7	048-00-01-008	28	Jasper County	exempt		
8	048-00-01-009	65.16	Jasper County includes road	exempt		
9	048-00-01-039	5	Jasper County	exempt		
10	048-00-01-037	3	Samuel Mock	taxed by County \$467.79 land		
11	048-00-01-010	97	Jasper County	exempt		
12	048-00-01-036	7	Jasper County - Brown Campbell	exempt		
13	048-00-01-026	1.41	Jasper County - Ohio Gratings	manufacturing	taxed by DOR \$6,004.95	Exempt for 3 more years
14	048-00-01-033	2	John & Timothy Roberts	taxed by County \$311.86 land		
15	048-00-01-032	2	Jasper County	exempt		
16	048-00-01-034	3.24	Jasper County	exempt		
17	048-00-01-035	3	Jasper County	taxed by County \$467.79 land		
18	048-00-01-029	1.24	Jasper County	exempt		
19	048-00-01-012	11.26	Jasper County	exempt		
20	048-00-01-028	27.14	Haven Homes	manufacturing	taxed by DOR \$68,706.74 for School & County	100% taxable
21	048-00-01-011	0.06	Town of Ridgeland - sewer lift station	exempt		
		367.8				
				GRAND TOTAL	\$104,758.22	

2011 /

AN ORDINANCE OF THE COUNTY OF BEAUFORT, SOUTH CAROLINA, TO APPROVE THE *FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT* BY AND BETWEEN COROC / HILTON HEAD I, LLC, A DELAWARE LIMITED LIABILITY COMPANY AND THE COUNTY OF BEAUFORT, SOUTH CAROLINA PURSUANT TO SECTION 6-31-30 OF THE *CODE OF LAWS OF SOUTH CAROLINA*, 1976, AS AMENDED.

NOW, THEREFORE, Beaufort County Council adopts this ordinance so to amend the COROC / Hilton Head I, LLC, a Delaware limited liability company all of which is more fully set forth in the document entitled First Amendment to Development Agreement, a copy of which is attached hereto and incorporated by reference herein as if set forth verbatim.

This ordinance shall become effective upon filing of an executed First Amendment to Development Agreement with the Beaufort County Clerk to Council.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2011.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: \_\_\_\_\_  
Wm. Weston J. Newton, Chairman

APPROVED AS TO FORM:

\_\_\_\_\_  
Ladson F. Howell, Staff Attorney

ATTEST:

\_\_\_\_\_  
Suzanne M. Rainey, Clerk to Council

First Reading: March 14, 2011

Second Reading:

Public Hearings:

Third and Final Reading:

(Amending 2009/12)



**RESOLUTION**

**WHEREAS**, the need to address quality of life issues for the County of Beaufort, and addressing the concerns and issues of LMI residents is a priority for the County, and infrastructure has been identified as a priority community need for the County of Beaufort, and

**WHEREAS**, the County of Beaufort wishes to address this need by making application to the South Carolina Department of Commerce, Division of Grant Administration for Community Infrastructure Funds.

**WHEREAS**, the completion of this project would directly benefit approximately 40 houses in the Burton community, a majority of which is low-to-moderate incomes;

**NOW THEREFORE BE IT RESOLVED** by the County Council of Beaufort, South Carolina, that

1. County Council hereby endorses the Burton Water Extension Project because it will greatly improve the quality of life for the residents of Beaufort County.

2. The County Administrator, Gary Kubic shall be and is authorized to prepare and submit a Community Development Block Grant (CDBG) Community Infrastructure Application in the amount of \$500,000 for the Burton Water Extension Project.

Adopted this 11<sup>th</sup> day of April, 2011.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: \_\_\_\_\_  
Wm. Weston J. Newton, Chairman

ATTEST:

\_\_\_\_\_  
Suzanne M. Rainey, Clerk to Council

## Committee Reports April 11, 2011

### A. COMMITTEES REPORTING

#### 1. Community Services

① Minutes are provided from the [March 21](#) meeting. No action is required.

#### 2. Finance

① Minutes are provided from the [March 21](#) meeting. No action is required.

#### 3. Governmental

① Minutes are provided from the [March 22](#) meeting. No action is required.

② Minutes provided April 25 from the April 4 meeting. Action is required. See main agenda items #13.

③ Minutes provided April 25 from the April 5 meeting. Action is required. See main agenda items #14.

④ Bluffton Fire District

<i>Nominate</i>	<i>Name</i>	<i>Position / Area / Expertise</i>	<i>Reappoint / Appoint</i>	<i>Votes Required</i>
04/11/11	John Oram	At-Large	Appoint	6 of 11

#### 4. Natural Resources

① Minutes provided April 25 from the April 4 meeting. Action is required. See main agenda item #12.

② Southern Corridor Review Board

<i>Nominate</i>	<i>Name</i>	<i>Position / Area / Expertise</i>	<i>Reappoint / Appoint</i>	<i>Votes Required</i>
04/11/11	Pearce Scott	Representative Town of Bluffton	Appoint	6/11

\* Joseph Hall is moving from architect seat to representative Town of Hilton Head Island seat in accordance with correspondence dated November 18, 2009 from Tom Peebles and in accordance with County ordinance 2009/29.

#### 5. Public Facilities

① Minutes are provided from the [March 29](#) meeting. No action is required.

### B. COMMITTEE MEETINGS

#### 1. Community Services

*William McBride, Chairman*

*Gerald Dawson, Vice Chairman*

➔ Next Meeting – Monday, April 18 at 4:00 p.m., BIV #2

#### 2. Executive

*Weston Newton, Chairman*

#### 3. Finance

*Stu Rodman, Chairman*

*Rick Caporale, Vice Chairman*

➔ Next Meeting – Monday, April 11 at 2:30 p.m., ECR

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

➔ Next Meeting – Monday, April 25 at 2:00 p.m., ECR

**4. Governmental**

*Jerry Stewart, Chairman*

*Laura Von Harten, Vice Chairman*

➔ Next Meeting – Wednesday, April 20 at 3:30 p.m. (Tentative)

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

**5. Natural Resources**

*Paul Sommerville, Chairman*

*Brian Flewelling, Vice Chairman*

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

**6. Public Facilities**

*Herbert Glaze, Chairman*

*Steven Baer, Vice Chairman*

➔ Next Meeting – Tuesday, April 26 at 4:30 p.m.

**7. Transportation Advisory Group**

*Weston Newton, Chairman*

*Stu Rodman, Vice Chairman*

➔ Next Meeting – August 2011

## COMMUNITY SERVICES COMMITTEE

March 21, 2011

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

The Community Services Committee met Monday, March 21, 2011 at 4:00 p.m. in the Conference Room, Building 2 of the Beaufort Industrial Village, 102 Industrial Village Road, Beaufort, South Carolina.

### ATTENDANCE

Community Services Committee members: Chairman William McBride, Vice Chairman Gerald Dawson, and members Steven Baer, Rick Caporale, Paul Sommerville and Laura Von Harten. Member Herbert Glaze was absent. Non-committee members Brian Flewelling, Stu Rodman and Jerry Stewart also attended.

County staff: Morris Campbell, Division Director – Community Services; Tony Criscitiello, Division Director - Planning and Development; Ladson Howell – County Attorney; Dave Thomas – Purchasing Director.

Public: Sierra Beale, Beaufort Jasper Economic Opportunity Commission; David Bennett, Bennett and Reindel Companies Affordable Housing; Ed Boyd, Beaufort Housing Authority; Aaron Crosby, Daufuskie Island Council; LeRoy Gilliard, Executive Director Beaufort Jasper Economic Opportunity Commission; Chris Hutton, Lowcountry Regional Transportation Authority Board member; Barbara Johnson, Lowcountry Council of Governments Affordable Housing Manager; Fred Leyda, Alliance for Human Services Facilitator; Sarah Marshall, Beaufort-Jasper Economic Opportunity Commission Director of Community Services; Mark McCain, Lowcountry Regional Transportation Authority Board member; Dick Stewart, Lowcountry Regional Transportation Authority Board member; David Tillman, Daufuskie Island resident; Robin Townsend, Binyah Foundation; Pete Townsend, part-time business owner Daufuskie Island

### ACTION ITEM

#### **1. Discussion – Request LRTA to Provide to Beaufort County a Proposal Relative to Establishing a Marine Division Within LRTA**

**Discussion:** Mr. Hutton said the goal today is to have the Community Services Committee request LRTA formally provide a proposal to describe the needs and requirements of LRTA to establish a marine transit authority within the larger body. He then deferred to Mr. Crosby to give a presentation describing the benefits of such an operation.

Mr. Aaron Crosby gave a presentation to the Community Services Committee proposing a regional marine-based transportation system. Mr. Crosby, a member of the Daufuskie Island Council, said this proposal is not about a Daufuskie Island ferry, but to get away from that and recognize it is a regional system based on the premise that Beaufort County does not sit in a

vacuum. It is adjacent to a large metropolitan area with 10 million tourists annually and the subsequent opportunities to link the major centers. Mr. Crosby explained the regional transportation system would be created using waterways from the City of Beaufort to Tybee Island – touching on River Street, Hilton Head Island, Daufuskie Island, St. Helena Island, etc. Mr. Crosby reviewed the stakeholders he sees in this system.

1. County stakeholders: Beaufort County, Jasper County, Allendale County, Hampton County, Colleton County, Chatham County, Effingham County, Bryan County and Liberty County
2. Local key stakeholder: Savannah, Tybee Island, Coastal Region Metropolitan Planning Organization, Hilton Head Island, Town of Bluffton, City of Beaufort, City of Hardeeville, Ridgeland, Port Royal, Ridgeland, Daufuskie Island, St. Helena Island, Savannah River COG, Savannah Convention and Visitors Bureau, Georgia Department of Transportation, Chatham Area Transit / Lowcountry Regional Transportation Authority, Chambers of Commerce, South Carolina Department of Transportation, Lowcountry Council of Governments, South Carolina Parks, Recreation and Tourism, Gullah-Geechee Corridor

Mr. Crosby explained this marine transportation system builds upon resources already in existences such as key historic sites in the area and landings. The project would not start from scratch. Existing landings could easily be tapped into. Existing landings he mentioned were the City of Savannah – River Street, Chatham County – Hutchinson Island, Tybee Island, Beaufort County – Pinckney Island, Daufuskie Island and St. Helena Island, Hilton Head Island – Harbour Town, City of Beaufort – Downtown Marina, Town of Bluffton and Jasper County – Field’s Cut. Of those, Tybee Island and Field’s Cut need to be built. He then displayed an illustration of a terminal, but said at first passengers may have wait outdoors if that is what it takes to start. Ultimately the terminal would be akin to a full-blown transportation system. The system would not target one particular group such as tourists, residents or workers, but rather it would serve and benefit from a combination of all the groups. This blend of users lends itself to different types of scheduling for workers compared with tourists. In order to cater to a full spectrum it means a pretty full schedule. Visitors would not be the largest users of the ferry system contrary to what is thought based on this being a tourist destination. Worker trips will be the backbone. Mr. Crosby explained this system supports economic development by getting people to and from work, as well as providing transit in order to stimulate the economy by easing accessibility of certain areas. Mr. Crosby provided that early morning runs could accommodate the workforce, while mid-day runs could accommodate tourists, shoppers and locals. A late afternoon run would accommodate returning workforce and a late evening run would be used for tourist-related events. According to the presentation, ridership is anticipated to be about 8% for resident trips, about 29% for visitor trips, about 55% worker trips and about 8% for special events. Based on a 2005 study there were a projected 1.6 million one-way passengers annually for a regional system. Those projections were based on surveys performed during the course of the 2005 study commissioned by the Chatham Area Transit (CAT). Daufuskie Island ferries historically transported more than 600,000 one-way passengers in a year. Mr. Crosby noted when the resort was running and there were jobs on Daufuskie Island, people went back and forth accounting for that 600,000 one-way passenger trips. The benefits of this marine-based system are that it will

create hubs to stimulate economic growth, it creates jobs regionally, it alleviates road congestion, provides for socio-economic development and interconnects existing transit systems, Mr. Crosby explained. He told members of the committee that right now the Lowcountry Regional Transportation Authority (LRTA) main hub is well off U.S. 278. He suggested rather there could be one multi-modal transportation hub on Pinckney Island to seamlessly transition from one mode of transportation to another. Instead of driving all the way through Bluffton to say get to St. Helena, they could hop on a boat instead. This will create new jobs regionally by opening up new areas to development and alleviate road congestion. Obviously jobs would be created for captains and boat mates, but it extends beyond. He then mentioned spinoff industries. For example, he noted the opportunities that arose after a bridge to Hilton Head Island was built.

Mr. Crosby briefly spoke of tourism economics playing into this system. Tourism is a major economic factor in the area. Tourism drives the economy in a way many at the meeting understand deeply, Mr. Crosby said. Assuming people in Savannah will get on a boat to visit Hilton Head but they will stay in Savannah, people will still have a greater economic impact on Savannah. He explained if they did, they would extend their stay in the area and estimates on their spending for a day trip are at about half of the daily expenditure – roughly \$100. The following statistics were cited. Savannah's tourism expenditures are 6,130,000 overnight visitors in 2009, \$1.63 billion in expenditures and an average length of stay at 2.2 days. For Hilton Head Island, the tourism expenditures are 2,016,000 overnight visitors in 2008, \$1.4 billion in expenditures and an average length of stay at 5.2 days. Mr. Crosby spoke about creating an opportunity for those visitors to travel to nearby places via boat, making it an enhanced experience. Mr. Crosby noted with the new Daufuskie Island Plan and Code in place this would have an impact on Daufuskie Island; the plan notes the need for a ferry system. If the ferry system traveling to and from Hilton Head and Savannah just happened to stop in Daufuskie, it could account for about \$2 billion of economic impact regionally based solely on construction, and about \$40 million in additional property tax revenue annually for Beaufort County from Daufuskie Island build out. Beaufort County would not shoulder the burden. The purpose of this meeting is to encourage the development of a regional ferry plan, get it out of the hands of Beaufort County and into LRTA's hands. LRTA is the state-chartered transportation authority with the ability to reach into pockets otherwise out of Beaufort County's grasp. There are myriad opportunities for funding – revenue from ticket sales, tax increment finance districts, grants, etc. He also stated for the Committee's information that the current ferry operator does not want to be the sole provider. He concluded by saying they ask the County to review the idea of a regional marine-based transportation system and then to ask LRTA to review then come up with a proposal.

Ms. Von Harten asked if this explains why there are not many native islanders living on the island. Mr. Crosby answered that elderly people who need medical care are not able to easily access and so they leave and the youth leave because there is no economy. Putting in place a transportation system to facilitate economic development will help youth return, Mr. Crosby said.

Mr. McBride stated there was an informal meeting prior to this presentation for the Chairman of Finance and himself on the subject and this discussion at the Community Services

meeting is as follows. At the first meeting, the group informally asked LRTA to look at the situation and LRTA expressed they wanted a formal request from a Council body. The request is for LRTA to look at the system and determine if it would be feasible.

It was moved by Mr. Sommerville, seconded by Mr. Caporale, that the Community Services Committee asks the Lowcountry Regional Transportation Authority to look at the feasibility of establishing a regional marine subdivision of LRTA, then returns to the Committee with a proposal.

Mr. Rodman spoke in favor of the proposal and gave a brief presentation, of which a description follows. He stated there is a possibility of a public-private partnership. As background, Mr. Rodman offered that he took an interest in Daufuskie Island back in 2009 and said he was intrigued by a regional Savannah study. The study examined regional, multi-mode transportation. Mr. Rodman noted there are several people in Savannah interested in Daufuskie with a thought process that there are a large number of people who stay for a short time, while Hilton Head has a smaller number who stay longer. To the extent that a small number of their visitors would stay an extra day, it would add a tremendous amount of opportunities to their tourism. Having a way for people to get to places such as Daufuskie, our beaches, golfing, etc. would encourage the extra night's stay. Mr. Rodman noted the bankruptcy is coming to a conclusion after two years with no action, he expects other interests will begin looking at the property. For the transportation system, he offered three possible lines – one for Savannah to Daufuskie Island, one for Hilton Head Island to Daufuskie Island and the Haig Point Line. The Savannah Line, from Savannah to Daufuskie Island, would begin in 2012 and be a primary route for visitors, workers and residents, serve a large, untapped tourism opportunity, and the strategy for landings and parking would be fairly straightforward. The Hilton Head Line, from Hilton Head Island to Daufuskie Island, would begin in 2014, be a secondary route for visitors, workers and residents and serve a smaller untapped tourism opportunity. Mr. Rodman noted an opportunity to add a Hilton Head Island – Ft. Fremont connection, but he said it was uncertain how to deal with landings, mainland parking and the competitive landscape. A third line, the Haig Point Line, will connect to Hilton Head Island and remain the primary connection for residents. This would start in 2016 and would be optional, according to Mr. Rodman. Mr. Rodman then reviewed a proposed daily ferry schedule for the three different lines.

<b>Savannah/Daufuskie</b> (County dock) – Savannah Line ('12)	<u>Boat #1</u> – 8 roundtrips (225 passenger boat)		<u>Boat #2</u> (8 months) – 2 (commuter) and 2 (River Street) cruises (225)		
<b>Hilton Head/</b> <b>Daufuskie</b> (Marine Village) – Hilton Head Line ('14)	<u>Boat #3</u> – 8 roundtrips (150 passenger boat)	<u>Boat #4</u> (8 months) – 2 Ft. Fremont roundtrips and 1 Beaufort cruise (with stops)	<u>Boat #5</u> (4 months) – 4 Ft. Fremont roundtrips and crew boat (30 passengers)	<u>Boat #6</u> - connecting County Dock and Marine Village	
<b>Embarkation/Haig</b> <b>Point</b> – Embarkation Line ('16 optional)	<u>Boat #7</u> – 12 roundtrips (50 passenger boat)		<u>Boat #8</u> – Harbortown Water Taxi		



Mr. Rodman then discussed proposed actions for the County in relation to Daufuskie Island. In the short term, the County could develop a County dock for a Savannah ferry and barge, as well as consider tax incentives to encourage development of Daufuskie Island. In the medium term, the County could develop the historical Daufuskie ferry landing on Pinckney Island and provide a ferry dock in the Marine Village. Mr. Rodman observed that Daufuskie is slipping into oblivion, the current County and Beaufort County School District funding to sustain it are excessive for a decreasing number of people, and while a comprehensive marine transportation system will not assure development, development will not occur without comprehensive marine transportation.

Ms. Von Harten asked who would be responsible for paying for a feasibility study, to which Mr. McBride replied that at this time, there is no money attached. He explained the intent for the meeting is to ask LRTA to take a look and see if it would be possible, then to come back with a proposal.

The vote was: FOR – Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. McBride, Mr. Sommerville and Ms. Von Harten. ABSENT – Mr. Glaze. The motion passed.

**Recommendation:** Lowcountry Regional Transportation Authority examines the feasibility of establishing a regional marine subdivision of LRTA and returns to the Community Services Committee with a proposal.

### **INFORMATIONAL ITEM**

#### **3. Discussion – Housing Projects Status Report**

##### **May River Village Apartments**

Mr. Criscitiello explained the May River Village Apartments are a \$5 million affordable housing development, okayed by the Development Review Team in February. He explained Mr. Bennett is the principal involved in the development. Construction is slated to begin in March. This presentation is just for the Community Services Committee's information, Mr. Criscitiello explained in response to a question by Mr. Sommerville. He showed an elevation of the buildings as well as the planting plan to give the Committee members context. According to the presentation this is an affordable, multi-family development located on Bruin Road off Burnt Church Road in Bluffton. There will be 68 apartment homes in five residential buildings. The buildings will be brick exterior and cement board interior (hardy plank). The development will have a clubhouse and ancillary amenities. A variety of floor plans provide 700-800 square-foot, one-bedroom units; 1,000-1,200 square-foot, two-bedroom units and 1,200-1,300 square-foot, three-bedroom units. The apartments will have energy efficient appliances and individual heating and central air-conditioning. 51 of the 68 apartments will be rented to households who earn 60% of the median income, and the remaining 17 of the 68 units will be rented to households earning 50% of the median income in Beaufort County. Rentals will be as noted below. The 2010 Comprehensive Plan quotes Housing and Urban Development (HUD) criteria for affordable

housing as rents that families with incomes of 80% of median incomes can afford. Based on that standard, the range of housing income goes from \$30,750 to \$49,200 depending on family size.

One-bedroom units	\$515 - \$615 per month
Two-bedroom units	\$615 - \$735 per month
Three-bedroom units	\$705 - \$795 per month

The State Housing Finance and Development Authority reserved tax credits for this project amounting to \$850,000 as an annual tax credit. The County laws and State laws that provide relief on the imposition of impact fees through an exemption for Affordable Housing projects, amount to \$161,055. These impact fees were for road and fire impact fees. The County Attorney reviewed the County and State statutes and signed off on the legality of the exemptions from impact fees. In essence, affordable housing developments do not pay impact fees as long as no public infrastructure is required to serve the development, or if the infrastructure is required, payment is funded by the developer directly rather than through impact fees. The DRT met on February 16, 2011 and rendered its approval of the project. Mr. Criscitiello also noted this was part of the Affordable Housing Implementation Council authorized through the Affordable Housing Chapter of the Zoning and Development Standards Ordinance (ZDSO). A traffic impact analysis found that no additional transportation infrastructure is needed to accommodate the development.

Mr. Sommerville said he was confused and asked if the state exempts affordable housing from housing fees why is the Committee voting and Mr. Criscitiello explained there is no vote. The item is for information.

Mr. Baer asked if the impact on school or number of kids in the units have been examined. Mr. Criscitiello said those are not part and parcel, and that there are no school impact fees. Mr. Baer asked what the impact would be on the schools of this development, but Mr. Criscitiello said he could not provide that information at this time.

Ms. Von Harten commended the developer for including one-bedroom units. She said many people have told her there are few in the area for reasonable prices.

Mr. Flewelling asked what guarantees are in place to ensure this development remains in the range of affordable housing. Mr. Bennett explained that in conjunction with the state tax credits, the development is required to sign a land-use restriction agreement, which is recorded against the land associated with the development. The land-use restriction agreement remains in effect for 30 years.

Mr. Caporale asked about the income ranges used to determine rental rates and if they are locked into the agreement or would they flow with the median income at the time. Mr. Bennett explained the median income is adjusted annually by HUD. The land is a 5.99 acre parcel, Mr. Criscitiello said.

Mr. Caporale asked Mr. Bennett for his opinion on why there are not more of the affordable housing projects in Beaufort County. Mr. Bennett explained the process is very difficult. He has been working on this development since early 2008, got \$900,000 in home funds from HUD, obtained state tax credits, conventional financing with Coastal States Bank and these all took a very long time to assemble, he said.

Mr. Caporale asked what the projected rate of return may be for the development. Mr. Bennett said the investor, Boston Capitol Properties, is purchasing the tax credits and their quarterly IRR is measured at about 9% on an after-tax basis.

Mr. Sommerville referenced the County Attorney adding a caveat to the South Carolina Development Impact fee that no publicly funding infrastructure can be required, and he asked if there should be any other caveats. Mr. Howell clarified that was a statutory caveat.

Mr. Baer said he is glad this is being built for residents and he asked if there are requirements to be a County resident or other required documentation. Mr. Bennett explained it is all very compliance oriented, and there is a requirement for a host of documentation from each prospective resident including the first two pages of a tax return, Social Security cards, etc.

Ms. Von Harten asked if there is a limit to how many people can live in a one-bedroom apartment and if the next-door neighbors can get notification when construction begins as a courtesy. Mr. Bennett answered the first by saying there is an implied occupancy rate of 1.5 people per those apartments. Mr. Criscitiello answered the second question by telling Ms. Von Harten meetings are posted and open to the public.

Mr. Dawson commended Mr. Bennett for his hard work to get affordable housing and told him he appreciated his taking the prerogative.

#### Lowcountry Council of Governments

Mr. Campbell explained in addition to the affordable housing project, the County has been working on affordable housing and partnering for about 10 years with several agencies related to housing projects. Lowcountry Council of Governments (LCOG) is the fiscal and administrative agent for home funding. Beaufort County is a part of the Lowcountry Consortium, consisting of the counties in the LCOG region, and as part of that is allocated \$X annually for affordable housing. The other agencies are the Beaufort-Jasper Economic Opportunity Commission (EOC) and Mr. Campbell introduced the Director Mr. Leroy Gilliard, who gave the Committee a status report.

Mrs. Barbara Johnson said Beaufort County spent a good deal of funds to improve affordable housing. The Lowcountry Regional Home Consortium is made of four counties: Beaufort, Colleton, Hampton and Jasper counties. The Consortium's activities benefit low to moderate-income individuals. Beaufort County has the highest median income. To qualify for low-income as one person in Beaufort County one must make \$37,200. For two people in the

household it is no more than \$42,500. A three-person household is \$47,800. When the Consortium began in 2006, affordable housing focused on construction of homeownership unit. Over the years, that objective changed. Now, it is homeowner rehabilitation. HUD changed focus to more rentals and tenant-based rental assistance. Beaufort Housing Authority is the only authority in the region to work with the consortium, and they are administering two years of tenant-based rental assistance. At this time, LCOG is identifying projects for the new year.

Mrs. Johnson reviewed progress in Beaufort County thus far. Habitat for Humanity constructed four new units on Prince and Haymar Streets, spending \$71,200 of home funds. Beaufort-Jasper Economic Opportunity Commission (BJEOC) had an allocation of \$224,000 and did 10 units plus. Lowcountry Habitat has four units under construction at Penn Center. Beaufort Housing Authority has two-years of allocation for tenant-based rental assistance totaling \$150,000, and the authority completed one year for \$50,000. United Methodist Relief Center applied for three Elderly Transportable (ET) units, with one in Jasper County and two in Beaufort County - \$51,000. The United Methodist Relief Center came back to the Consortium for three additional units - \$61,200, but there has been no activity on that project, yet. The Town of Bluffton has six new units and has some neighborhood stabilization money to partner with Consortium funds. The Consortium allocated \$150,000, but construction has not begun. Jasper County Neighbors United will work together with the Consortium for nine homeowner rehab units. \$225,000 has been allocated and is awaiting final approval. The City of Beaufort housing rehab in the Northwest Quadrant allocated \$150,000 and is awaiting final approval. Down payment assistance is a regional activity, but so far in Beaufort County \$110,000 has been spent. Total allocation for Beaufort County has been \$1,292,400, and the other three counties combined account for \$1,183,805. A few projects are in the course of review and a few are on the pipeline. Mrs. Johnson stated the final amount left is a moving target because there are five years to spend funds and two years to allocate money. Right now, there is about \$175,000 and some projects are identified but not at the committees. They are working on the 2012 annual action plan and have projects identified, but they are unsure about the allocation considering the economic environment. Last year, home fund allocation was \$760,773 and the Consortium hopes to get the same allocation.

Mrs. Johnson listed some of the Consortium's activities. The affordable housing activity for new construction - either homeownership, rental, single-family rehab, rental rehab. Emergency repairs are something that cannot be done. Down payment assistance and tenant-based rental assistance.

Mr. Sommerville asked if \$37,000 is for a family of one and if it includes transfer payments. Does that include government payment to that individual or is it just income earned? Mrs. Johnson stated it is gross taxable income; supplemental assistance programs such as food aid are not included.

Ms. Von Harten inquired about the rehab programs. She said she knows about the ones for elderly, but asked if there are programs for others. Mrs. Johnson stated there is no age requirement, it is based on income.

When asked by Ms. Von Harten what she would like to see in 2012, Mrs. Johnson said she would like to see more affordable housing rental developments.

Mr. Dawson reviewed that with the weak economy new homes are less likely so the focus shifted to rental-based assistance. He encouraged those present to notify constituents in their district who qualify for housing rehab or rentals to contact Mrs. Barbara Johnson with LCOG at 843-726-5536.

#### Beaufort-Jasper Economic Opportunity Commission

Mr. Gilliard said BJEOC has had a long partnership with the County. BJEOC's operational philosophy is to target the people who own homes, and this is generally those who are elderly. Challenges in trying to provide repairs for those homes are that many are in a state of disrepair beyond fixing. Mr. Gilliard also gave an example of two people who are on Social Security and have sufficient money to afford the house, but as they age the medical expenses take away from repairing the houses. This is particularly the case after one dies. Mr. Gilliard said mobile homes are the major low-income housing in this area and it has been so for years. The state is the only source of income to aid in repairing mobile homes. If something happened to the house today, there could be up to \$6,000 for repairs, but if it happens over a period of time there is no funding for repairs. He said the County has assisted in the past. Many of the things they do are weatherization type repairs. When doing weatherization repairs, BJEOC has to document how much infiltration occurs before and one year after repairs to document the monetary savings to a family.

Mrs. Marshall began by reviewing housing resource and referral dollars provided to Beaufort County Council to assist homeless and those who are at a threat of becoming homeless. This includes rental, utility, mortgage assistance. The program is designed to stabilize individuals and families in their existing homes, and to prevent homelessness. In situations where people are already homeless, BJEOC assess specific circumstances or barriers. With the County-allocated housing resource and referral funding, \$15,000, BJEOC assisted those who were homeless or at threat, in addition to creating a resource management. More than 168 individuals were assisted with basic needs as pertaining to housing by leveraging with additional funding. She reviewed a wide variety of the services provided from counseling to installing wheelchair ramps. This particular program provided much relief for Beaufort County's most vulnerable residents, Mrs. Marshall said. While BJEOC was able to provide the extraordinary issues of prevention and intervention as it relates to homeless in the county and to do so in a meaningful way. The funds from this group, because they were not tied to aspects such as income or purpose, they were able to meet the needs. These funds allowed flexibility. With the growing economic difficulties, BJEOC is faced with new customers who have new problems, new challenges and new needs. Many have never applied nor received governmental assistance.

Ms. Von Harten asked how Committee members could help when approached by someone who is homeless asking for help. Mrs. Marshall said BJEOC is a resource, but they do not always have the resources to deal with the uniqueness of people who do not have photo



identification, for example. Sometimes, there is a gap in services preventing someone from receiving money from rehab or other place because of certain needs existing. She told members about a client who received a letter from the South Carolina Department of Health and Environmental Control saying he had to vacate her place because her outhouse was inoperable. Because she occupied the home for more than two hours daily, she had to move out, get a port-a-potty and address the deficiency within a specific timeframe or abandon her homestead and be displaced along with her 14-year-old child. These dollars were earmarked to get a port-a-potty in order to proceed, but when calling the vendor he donated the structure when realizing it was for a home and not a construction site. Mrs. Marshall said they were able to provide indoor plumbing for the house last year.

Mrs. Marshall stated often they refer people to shelters in Savannah, Charleston or other nearby areas with better job opportunities, but she noted many people do not want to leave the area.

Mr. Caporale asked if there is a count of homeless people in Beaufort County. Mr. Leyda said there are 206 by the last count, of those 95 fit the HUD definition.

Mrs. Sierra Beale briefed the Committee members on the housing rehabilitation program. 12 homes have been rehabilitated using Housing Consortium funding. There are three more homes being reviewed or in the application process. Mrs. Beale noted there is additional assistance, weatherization, etc. accounting for about \$15,000 in addition to the Consortium funds. The application process is quite rigid and time-consuming to get the project started. This is income driven, so applicants must show the year long income for the household. Applicants have to be on the property deed. After the application is submitted, BJEOC conducts a home visit to review the applicant-submitted list of suggested problems. If the home cannot be brought up to HUD standards, BJEOC looks for other funding available to address the issues. If it is more than what can be done, the project is unfortunately abandoned, Mrs. Beale said. Unfortunately, this has happened. BJEOC then distributes letters requesting bids for contractors to provide a proposal based on what BJEOC saw and issues they noticed. Bids are open, then reviewed before the applicant is offered the chance to select a contractor. Toward the end of the process, BJEOC reviews all aspects to ensure nothing changed such as a transfer of deed or income. The report is then submitted to pay the contractor. Mrs. Beale said the people who receive the services are tremendously grateful, often senior citizens or people in their 40's.

Mr. Gilliard added that BJEOC spends approximately \$22,000 per house to rehab. Weatherization runs at about \$9,000 per house. 77 houses were done last year.

## FINANCE COMMITTEE

March 21, 2011

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

The Finance Committee met on Monday, March 21, 2011 at 2:00 p.m. in the conference room of building two, Beaufort Industrial Village.

### ATTENDANCE

Finance Committee members: Chairman Stu Rodman, Vice Chairman Rick Caporale, and members, Steven Baer, Brian Flewelling, William McBride, Paul Sommerville, and Jerry Stewart attended. Non-committee member Gerald Dawson was also present.

County Staff: Milton Boswell, Assessor's Office; Sharron Burris, Auditor; Alan Eisenman, Financial Supervisor; Bryan Hill, Deputy County Administrator; Alicia Holland, Financial Supervisor; Ed Hughes, Assessor; Colin Kinton, Engineer; Gary Kubic, County Administrator; Monica Spells, Compliance Officer; David Starkey, Chief Financial Officer; Dave Thomas, Purchasing Director; William Winn, Director of Public Safety.

Public: Bill Baker, Citizen; Ann Bluntzer, Executive Director, Open Land Trust; Garrett Budds, Director of Land Protection, Open Land Trust; Doug Henderson, Treasurer Elect; Larry Holman, Beaufort Black Chamber of Commerce; Tom McNeish, Elliott Davis, LLC.;

Media: Joe Croley, Hilton Head Association of Realtors; Josh McCain, *Beaufort Gazette/Island Packet*.

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

### INFORMATION ITEM

1. **Consideration of Contract Awards**
  - **GTT Opticom GPS Equipment**

**Discussion:** Mr. Colin Kinton, County Engineer, reviewed this item with the Committee. The Traffic Engineering and Traffic Management Departments propose expanding and improving the Intelligent Transportation System (ITS) components along SC 170 utilizing funds remaining from the 2003 SC 170 widening sales tax collections. The initial project phase includes expansion of the existing emergency vehicle pre-emption system utilized at traffic signals in southern Beaufort County.

A sole source proposal was requested from Temple, Inc. who is the exclusive provider of the GTT Opticom Emergency Pre-Emption equipment utilized by the County. Temple's prices

proposal is for \$115,046.40 and would include the following eight intersections, emergency vehicles and sales tax:

- SC 170 at US 21 (Boundary Street)
- SC 170 at Burton Hill Road
- SC 170 at SC 280
- SC 170 at Castle Rock Road
- SC 170 at Savannah Highway
- SC 170 at Agent Boulevard
- SC 170 at Cherry Point Road
- SC 170 at Riverbend

The equipment provider has agreed to reduce the equipment price to meet our budget and include proprietary control management software that allows networked data collection, review and adjustment of the equipment.

Funding for this project will be from account #13276-54450 – Other Improvements in the amount of \$115,046.40. Available funds in this account total \$210,243.

Mr. Kinton presented to the Committee a map of the area which showed the locations of the proposed addition of intersections.

It was moved by Mr. Caporale, seconded by Mr. Flewelling that the Committee approve and recommend to Council the purchase of the GTT Opticom Equipment from Temple, Inc in the amount of \$115,046.40 to be funded from account #13276-54450 – Other Improvements.

Mr. Baer wanted to know if this is the account the County withdrew funds for the fishing pier at Broad Creek Landing.

Mr. Starkey replied this is the SC Highway 170 fund from 1992-1993. It is the remnants of what was in that fund. The fishing pier and a number of other improvements came out of that fund.

Mr. Stewart believed there were some restrictions as to the use of those funds. Mr. Starkey stated it fits since it is located on SC Highway 170.

The vote was – FOR: Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville and Mr. Stewart. The motion passed.

**Recommendation:** Council approves the purchase of the GTT Opticom Equipment from Temple, Inc in the amount of \$115,046.40 to be funded from account #13276-54450 – Other Improvements.

## 2. Consideration of Contract Awards

- **Auditing and Consulting Services**



**Discussion:** Mr. Dave Thomas, Purchasing Director, reviewed this item with the Committee. Beaufort County issued Request for Proposals (RFP) to firms capable of providing an independent audit and consulting services for five years, beginning with an audit of the financial statements for fiscal year ending June 30, 2011 through June 30, 2015. The evaluation committee consisted of the following three members from the County's Finance Department: David Starkey, Chief Financial Auditor, Alan Eisenman, Finance Supervisor, and Alicia Holland, Finance Supervisor. The evaluation committee interviewed the top three firms and selected Elliott Davis, LLC as the number one ranked firm. The final evaluation ranking is as follows:

1. Elliott Davis, LLC, Columbia, SC
2. Holland, Henry & Bromley LLP, Savannah, GA
3. S. Preston, Douglas & Associates LLP, Whiteville, NC
4. Webster Rogers LLP, Summerville, SC

Funding would come from account #12000-51160 – Professional Services, for fiscal years 2011-2015. Pricing submitted is as follows:

Audit Pricing for each Fiscal Year	Elliott Davis, LLC	Holland, Henry, & Bromley, LLP	S. Preston, Douglas & Associates, LLP	Webster Rogers, LLP
2011	\$49,500	\$55,000	\$48,000	\$85,000
2012	\$50,700	\$57,000	\$49,000	\$86,900
2013	\$52,100	\$60,000	\$50,000	\$88,800
2014	\$53,300	\$62,000	\$51,000	\$91,000
2015	\$54,600	\$65,000	\$52,000	\$93,000
<b>Total</b>	<b>\$260,200</b>	<b>\$299,000</b>	<b>\$250,000</b>	<b>\$444,700</b>

Mr. Stewart inquired as to how long Elliott Davis has been doing the audit for the County. Mr. Starkey replied six years.

Mr. Stewart wanted to know if there is a timeframe on switching firms. Mr. Starkey stated there is a committee that picks the firm. Six years is not outside the realm of ordinary.

Mr. Stewart commented he is pleased with what Elliott Davis performance. He also stated in his past experiences it has been a seven-year timeframe for auditing firms. We need to develop a policy, if we do not currently have one, to set some standards for us to adhere to.

Mr. Dawson pointed out that Elliott Davis was not the lowest bidder and inquired as to why they were the most qualified.

Mr. Starkey's response was that the least expensive bidder was not interviewed due to the packet of information they provided, which made them appear to be the least prepared. The Finance Team looks at other counties and whether they do a single audit and looks at their audit approach. Mr. Starkey, Mr. Eisenman, and Ms. Holland all agree you have to mix it up.

Mr. Kubic stated he had the opportunity to bring in ElliottDavis with the County six years ago. This is a one-year contract. Each year thereafter we will be back in discussion regarding their performance. He e looked at the price differential and thought with the change in the Treasurer's Office and the history and knowledge that ElliottDavis has acquired, over the last six years, that in addition to their auditing services, we have also employed them as a consultant to help us through some of these processes. We are expecting the same type of delivery of services by them for our Treasurer-elect. It is wise to continue with ElliottDavis for this year.

It was moved by Mr. McBride, seconded by Mr. Stewart that the Committee approves and recommends Council award a contract for auditing services to Elliott Davis, LLC, the top ranked firm, with the anticipated cost for the first year of \$49,500. Additionally, recommend four annual renewals subject to approval of Council. Total anticipated cost for five years is \$260,200. Funding would come from account #12000-51160 – Professional Services, for fiscal years 2011-2015. The vote was – FOR: Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville and Mr. Stewart. The motion passed.

**Recommendation:** Council approves a contract award for auditing services to Elliott Davis, LLC, the top ranked firm, with the anticipated cost for the first year of \$49,500. Additionally, recommend four annual renewals subject to approval of Council. Total anticipated cost for five years is \$260,200. Funding would come from account #12000-51160 – Professional Services, for fiscal years 2011-2015.

### **3. Discussion of Bond Issuance in an Amount Not to Exceed \$10 Million for Rural and Critical Lands Program**

**Discussion:** Mr. Rodman stated in speaking with Mr. Starkey, Chief Financial Officer, one thing we want to protect against is having a negative fund balance at the end of this fiscal year.

Mr. Starkey commented the 2006 Rural and Critical Lands bond referendum has a \$4.8 million balance. We do not want to the fund balance to become negative prior to the end of a fiscal year because you do not want to show a negative fund balance in your CAFR. In speaking to the representatives of the Beaufort County Open Land Trust, they said that by the time all of their potential purchases would go through, it would be after the end of the fiscal year.

Mr. Rodman stated the second issue is the timing of taking down the last \$10 million, which is influenced by the expenditure rate. He does not believe that as a Council, given it was voter approved, we have an option to move without their input. But we have a little leeway in looking at the economy and the tax bills to have some weigh in as to when that money is spent and how it impacts the tax bill.

Mr. Starkey presented to the Committee a chart of the associated tax impact. Assuming we borrowed the last \$10 million, we never know what the actual rates are going to be. What happens is we put out a detailed report of all our financial information, then a number of

financial houses will then bid based on our credit rating and a number of other factors. We take the best bank that gives us the cheapest rate of interest, netted with a premium. The chart he has provided is a prediction based on the bond market. Assuming our mill value rate, estimated for tax year 2010 and fiscal year 2011, stays at \$1,742,286 and we borrow \$10 million at 4% and every year pay the bonds, it works so that each layer has its own percentage so we assume it is 4% level, and we pay down the principle at a level rate which does not happen, but for estimation purposes, we come up with this schedule. Essentially, the first year debt service would be about \$900,000 and then would drop in \$20,000 increments. What that does to the value of a \$100,000 home that is owner occupied, would be a .52 mill increase, which would translate to \$2.07 increase on a full year's tax base. That assumes that we borrow the money July 1 and have two debt service payments in that fiscal year. Thereafter, someone who has a vacation home would pay \$3.10. Over the life of the 20 years, it is estimated to be approximately \$32.60 for a \$100,000 owner-occupied property for the entire loan and \$48.91 for non-owner occupied, \$100,000 home. Once we get the particulars of that particular bond, an exact schedule could be provided.

Mr. Rodman stated commercial properties would be at the 10.5% rate and would be roughly twice that of the owner-occupied. Mr. Rodman wanted to know if this would reflect on personal property such as cars, etc. Mr. Starkey stated the actual increase to a small amount.

Mr. Baer stated in weighing this we will have to see what the other millage increases are for all of the other things we are contemplating, such as land purchases for the Commerce Park and other things going on. Mr. Hill stated that information should be provided mid to late April.

Mr. Flewelling wanted to know how long of a process it is to issue the last \$10 million to fund the Rural and Critical Lands Program. How much lag time is there?

Mr. Starkey stated how it typically works Council is required to have three readings and hold a public hearing. During that point in time staff starts preparing the actual reports that are sent out to the rating agencies. Keep in mind that it costs money to go through that process. How the County has done each and every one of the Rural and Critical Lands borrowings is by coupling it with borrowing other monies for other projects. Part of it would have to deal with how quickly it gets through Council, and the other part deals with what else, if anything, Council decides to continue doing going forward. That is what leads to the question of whether we keep going after they get to the end of the \$4.8 million.

Mr. Flewelling wanted to know if there are any other anticipated borrowings. Mr. Starkey stated the only other things that would not play into this would be refinancing of bonds. If the trend continues where the interest rates are much lower than we borrowed ten years ago, we will keep that process going and refinancing the bonds. It saves the taxpayer money in the long run.

Mr. Kubic stated if we were hard pressed we could pursue a bond anticipation note, but that will cost a little extra money. We have about five CIP projects – courthouse renovations, potential purchase of the Myrtle Park property for governmental office south of the Broad River,

additional monies for a coroner's facility, Commerce Park property, and maybe a smaller purchase.

Mr. Rodman stated it behooves us to come to some final determinations as we work through the May timeframe.

Mrs. Ann Bluntzer, Beaufort County Open Land Trust Director, stated of the \$4.8 million left in cash for the Rural and Critical Lands Program, Council has already approved \$3.8 million in projects that will close after the fiscal year. This program takes about a year from start to finish. When we look at future projects, there is a possibility of over \$27 million worth of potential projects, all of which fall in the County's Greenprint Map. Knowing that the real estate prices are at historic lows, it does present a very unique and great opportunity to take advantage of these land conservation purchases. These monies were approved by the voters, 70%. To put it behind too much we are going to lose more and more opportunities. What might be helpful, if Committee and Council approve this, is to time it so it does get lumped with bonding for other projects. It is important for the Open Land Trust, as we are negotiating, that we have something to stand on, not putting everything on hold.

Mr. Rodman wanted to know if it would make sense to start to move the ordinance through, such that its third reading coincides with the timeline of our budgets.

Mr. Kubic asked Mr. McBride for clarification. It is Mr. Kubic thought, however, that if Council started with the \$10 million issue, and as time moved forward and in the movement through the three reading process jumped to \$40 million, it would be considered a substantial difference and would require a do-over. Mr. McBride agreed.

Mr. Kubic stated it is better to be closer to the budget when Council begins discussion at first reading.

Mr. Rodman stated if we were to take it Council for first reading in mid April that might all fit.

Mr. Flewelling added CIP purchases need to be run through the Planning Commission.

Mr. Kubic stated the aspect of funding Rural and Critical Lands as a bond anticipation note is a borrowing mechanism. You borrow the \$10 million as a note. You make that commitment whether the final decision bond market is \$10 million or greater. If it is greater, the note is rolled into the greater value. If no other CIP goes forward then the note can be rolled over five years, then at the sixth year it has to be treated as a bond. He would report out to Council on March 28. He may make the recommendation in his Administrator's Two Week Report.

It was moved by Mr. Sommerville, seconded by Mr. Stewart, that the Committee approve and recommend County Council approves, for first reading, no later than the end of April, the issuance in an amount not to exceed \$10 million for the Rural and Critical Lands Program. The

vote was – FOR: Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville and Mr. Stewart. The motion passed.

Mrs. Bluntzer spoke to the Committee regarding the Rural and Critical Lands Retreat held March 10. Board members discussed how the remaining \$15 million from the 2006 bond referendum should be spent, how to manage the current properties owned, and the program going forward. It was a very efficient four hours. Palmetto Bluff hosted the event. Mr. Tony Criscitiello, Planning Director, and his staff helped facilitate the day.

**Recommendation:** County Council approves on first reading, no later than the end of April, the issuance in an amount not to exceed \$10 million for Rural and Critical Lands Program.

#### **4. Financing Discussion – Heritage Golf Tournament**

**Discussion:** Mr. Rodman presented the Committee a three-page PowerPoint relative to the Heritage Golf Tournament (Tournament). There was a meeting two weeks ago where he, the County Administrator, Council Chairman Newton, Hilton Head Mayor and some folks from the Heritage attended.

Last summer Council approved a \$1 million loan coupled with a contribution from the Town of Hilton Head (Town) and \$4 million use of Heritage reserves in order to fund it for this year. The Governor has made it a priority and has asked the head of PRT (Department of Parks, Recreation and Tourism) and the Secretary of Congress to take leadership in trying to resolve this, which they are doing. As time has gone along, the PGA (Professional Golfers' Association) has identified requirements that they have for protecting the Heritage long term.

- They want to look out five years – whether it has to be 100% for all five years remains to be seen. They want to see a significant amount of that money. Part of that is because they are going into their contract negotiations with CBS (Columbia Broadcasting System) coverage.
- The PGA wants to make sure that it is a quality tournament. The way they judge that is by maintaining the reserves.
- The PGA wants to see the contribution levels maintained. The current contract expires at the end of the Tournament. If they do not have another sponsor, we may have some more time. If there is another sponsor standing in the wings, we could be four-five weeks away from losing the Tournament.

There are a lot of people working on this issue and a lot of people are becoming more and more concerned. We are waking up to the fact that we may be at the end of this journey. The state is taking a heavy lead working with the tournament to try to come up with a multi-year sponsor. There have been some discussions with people, who might want to come in and do it at a deep discount, which may or may not help for the long term. Everyone agrees that we need to have a backup plan. The South Carolina Heritage would be the name of it and it would represent and promote not only our local area but the State in total. Representative Bill Herbkersman has

put forward a shell bill. The thought process is that there should be some degree of underwrite by local folks.

Mr. Rodman presented some numbers he thought to be appropriate. The local underwrite numbers he proposed were \$7 million from the Town of Hilton Head Island, \$3 million Sea Pines Resort, and \$2 million he County, totaling \$12 million over a five-year time period. This would be about one-third of what is needed over five years.

If, in fact, we had local contribution, then it would be fair to say to the state that perhaps they should contribute. The Secretary of Commerce has made a point that he believes the Tournament is underutilized for bringing businesses here and having those businesses bring customers here. Over time that ought to be able to build up. Those companies bringing people here could put in \$.25 million or \$.5 million, etc. to advertise their own products. Secondly, PRT spend \$12 million to \$14 million promoting the state. It would not be unreasonable for them to consider putting some funding forth. Lastly, the Budget Control Board acts as the financial arm of the state and has the ability to provide monies outside of the year-to-year budgets. Given the fact that there is a sizable amount of money at risk to the state, they could, at least, be approached.

Mr. Rodman distributed to the Committee the Clemson Study -- *The Heritage, A summary of the economic impact of the Verizon Heritage Golf Tournament*. They came up with \$82 million as the benefit in 2010 of the Tournament. Their numbers include \$72 million in spending, \$35 million in wages, 1,115 in jobs, \$8 million of state taxes, and \$4 million local taxes. Outside of that is the real estate portion which is divided into two portions – value of the property and the property tax impact. There is some impact. There are also the charitable contributions (1.2 million). A lot of that materializes because of all who volunteer their time.

Mr. Rodman stated there is an opportunity for promoting the State of South Carolina and the Lowcountry. It is our primary economic engine. Most new residents flow here from the fact that they came here as tourists. That, in turn, drives the demand for homes, which drives values and triggers new construction and taxes.

Mr. Rodman stated there is an interesting piece in terms of economic development. In terms of the state and under the current Secretary of Commerce really sees this as an opportunity for promoting the state. He believes, to a lesser extent, that there is an opportunity to do that on the local effort. Some business people in the area are beginning to say they ought to do something on those lines. There was an article in the Savannah newspaper today that talks about the Alliance and how it is important to Savannah as a community. It is not really a gift of monies, but is the purchase of media time. It is us advertising ourselves. One of the issues we may want to deal with in time is whether or not we want to join with the Town of Hilton Head Island in splitting the Golf Channel. 90% of the media guide goes to CBS. There is a lower amount that goes to the Golf Channel which includes Thursday and Friday coverage and summary runs. In talking with the Chamber representing some of the places they could best use money, golfing was one of those. It is a big industry for us and is an industry that has been struggling.



Mr. Rodman stated an approach that Council may want to consider is increasing the \$1 million that we have in the form of a loan, by \$1 million, over five years, conditional on their being a larger package that would fund the entire Tournament for multiple years. It could follow along the same terms that we had in the original ordinance. They pay it back when they get a sponsor in excess of \$4 million. It could be converted into a term loan over five years or the County could use it to buy media. If we were going to take this approach, the logical thing would be for this Committee to send it forward today so that the three readings would end about the time of the PGA contract ending. During that three reading period, there would be a lot of things happening in terms of the PGA getting a sponsor, the Town coming together, the actions of Sea Pines Resort, and see what the state does. It will be a moving target over the next four to five weeks. He two success oriented outcomes: (i) the PGA does find a sponsor in which case the County would incur no costs; or (ii) we end up having the South Carolina Heritage, in which case we protect jobs, wages, and taxes, while also promoting ourselves and could possible see some economic development. If we decide on the Golf Channel piece, it could be looked at \$300,000 a year.

Mr. Caporale commended Mr. Rodman for his great ideas. The opportunities identified are real opportunities. He would put this in context of discussion of economic development. We have not gotten there yet and have not made some decisions that we need to make about how we are going to fund economic development. He not saying he is in favor of anything like this, but certainly is not opposed to it. He would be more inclined to support it if we could have that dialogue of how we are going to support economic development. Are we going to go back and look at our business license fee ordinance? This all has to be put in that context. Where is the money coming from? What are we going to agree to as a body in regard to economic development? Whatever that answer, it is the answer we all will support or reject this kind of a proposal.

Mr. Baer stated it is a nice pitch, but he follows the hard numbers. He had asked many questions on March 9, 2011 and has yet to receive an answer. He would like to see their balance sheet. The last one Council saw was last August, which was in their Accommodations Tax application. He would also like to see exactly how our \$1 million s this year would play. That is all he is prepared to focus on at this point. We have to do something to modify that existing ordinance to be able to give / loan them the \$1 million this year. Amongst other things, his concern is that the County is not receiving a fair share of the expensive TV minutes or the dollars from those. He has yet to see where the other folks, who are making money on this event, are sharing the pain. **In the Clemson Report**, there were \$65 million in hotel and restaurant revenues being made. Is the Marriott or the hotel groups here locally putting in any funding? Until he sees a financial package for this, he is not ready to go any further. Mr. Baer stated he understood their finances as of last year. The sheet he works with is Exhibit A in their tax application and oriented their data in a different arrangement. They spend \$10.6 million. They take in \$4,149,000. They have \$2,240,000 in purses. They have \$623,785 in facility fees. They have TV underpinning in the amount of \$3,723,000. If we make them a loan, do we get our fair share of the revenues they get back from that TV underpinning or do we get the drags which are the Golf Channel minutes.

In looking out for the taxpayer's interests, we want a fair deal on this. We want it to go forward this year, but we have to work the numbers to make sure we are getting a fair deal.

Mr. Rodman stated his thought was that during this period of time while we are going through the readings that we provide an opportunity to sit down with the folks of the PGA to answer some of the questions we may have. In regard to the TV piece, they would be delighted if we were to convert our \$4 million to advertising. He does not know if that is in our best interest or if we have the time to respond beyond the Golf Channel. It generally takes some time to put together a quality national advertisement.

Mr. Baer stated if they are going to sell those minutes that money should be used to pay back our loan not build a stash for future years.

Mr. Rodman stated he does not know what they have sold and does not believe they have sold much of anything. The questions are very valid, but it is something we cannot answer this afternoon. We could make a good shot at answering those as we move through the next couple of weeks.

Mr. Rodman introduced Mr. Bill Baker, a retired Navy Captain and resident of Hilton Head Island, who distributed a handout of his thoughts on the sponsorship solutions and spoke before the Committee. He suggested using sales taxes during the week of the event and escrowing them with the Lowcountry Foundation, a tax exempt organization. If there is \$82 million worth of business done within this week, at 9% sales tax, that should cover the tournament. It might be a simple matter of writing an ordinance for the County and getting the state to agree to that ordinance. Then set the money aside and at the end of the day write a check for the cost of the tournament. Anything in escrow could be set aside by the County, the Town and the State for a rainy day fund, or a pool of money to increase a purse, or could be given to local charities. It is a simple idea and would be one where if you are a sales tax provider to the County and the State, during that week, one's business would increase for the week. The same would be true for all of the restaurants on Island and off Island. Malls will get lots of tourist business during that week. It should be something Council should consider. Sharing the pain is a good idea. If it is set up by a private, nonprofit, like the Lowcountry Foundation and identify and individual, group, or committee to act as auditors for this event, then there will be a way to turn it all around. At the end of the tournament, the Governor, the Mayor and the County executives can present a check. If we do a good marketing job, the additional fund could be used for that purpose. The State could devote monies out of their tourist budget. We would have a building process that would benefit everyone and give the local business community a chance to enjoy and give back revenue. Also if a private citizen does not want the tournament to go away and the County provides them with a private, nonprofit entity, for them to make a donation and receive a tax deduction from it, how much more impact is there for a private citizen to do so.

Mr. Rodman stated some of the sales tax stuff is controlled by the State. The State may be in a position to do something.



Mr. Baer stated it is a good idea. Certainly the increase in sales taxes that week caused by the Tournament is fair game. The foundation is a good idea as well. We should look at what we can do in the Accommodations Tax area. What range we have and how we can petition the State to increase the Accommodations Tax to generate the funds to pay for this. The people, who are coming in are in the hotels for the Tournament, meaning they fall under Accommodations Tax. He stated he is leery using Hospitality Tax dollars for this event. Using Hospitality Tax dollars hurts us, but using sales tax dollars hurts all of us even more.

Mr. Stewart stated that \$.06 out of the sales tax goes to the School District and he is unsure if they will be willing to give up that delta. They would not give it up for Greenline redevelopment. Also, \$.01 goes to roads. If you look at the Hospitality and Accommodations Taxes most of the monies are already going back to the chambers.

It was moved by Mr. Sommerville, seconded by Mr. Caporale that the Committee approves and recommends Council authorize a \$1,00,000 commitment to be made available over a five-year period to Heritage Classic Foundation for the procurement of the Heritage Golf Tournament, contingent upon the South Carolina Heritage option being implemented by the various parties: The South Carolina Heritage option includes a back-up plan of the General Assembly Shell Bill, local underwrite of \$12 million, \$7 million from the Town of Hilton Head Island, \$3 million from Sea Pines Resort, \$2 million from the County, and South Carolina media buys of \$18 million from South Carolina companies, PRT and Budget and Control Board)

Mr. Stewart asked for some insight regarding the private meeting that took place last week, behind closed doors.

Mr. Rodman stated there was about an hour discussion on where the PGA was and whether there were any sponsors coming forward. There have been a couple of people of interest, but there does not appear to be anyone immediately on the horizon. We then spoke about the backup. The two concepts that came out of that was perhaps the Town, the County, and Sea Pines Resort ought to figure out what each might consider, and then use that and go to the state to show what we are prepared to do locally.

Mr. Stewart stated at that meeting the intent was that Senators Graham and DeMint, Representative Clyburn, and others were to be on a conference call and recommending / suggesting names of potential sponsors they were going to be talking to. Has there been any development from that? Also, the Governor and others at the State level have shown no support for the Tournament.

Mr. Rodman stated all of the discussion about who the sponsor(s) might be falls into the categories of South Carolina and PGA trying to find a sponsor. The only part he has been party to is the backup plan and how the three entities mentioned might come together. That might be the only plan. Also, the Tournament is not in a position to discuss publicly who they are talking to.

Mr. Baer thought the recommendation to be “loosey-goosey”. He is not ready to vote in the affirmative for this. He wished we had an intense task force to figure out how to fix this problem. He is very frustrated.

Mr. Rodman wanted to know if he would walk away from the tournament. Mr. Baer stated no one has presented a rational plan and we are not part of a process to produce a rational plan. We have been talking about this since August 2010. We have known of the problem since last August.

Mr. Flewelling stated he, too, will have to vote against this. He is not completely opposed to the idea of the County’s participation in the financial aspects of the Tournament, but it is too unknown at this point. There are so many variables to this equation that we are really giving a blank check. He is not willing to do that at this point. If we can nail it down and know exactly who the other players are and their levels of commitment to see if we are taking a fair share with a potential return on investment, then he would be willing to sign off on it.

Mr. Sommerville stated we are in critical times in terms of saving or not saving the Tournament. He wants it to be known that Council wants to be a participant in this even though we are struggling to figure out exactly how that might be.

Mr. Stewart agrees with Mr. Sommerville. He is willing to vote for it in order to move it forward for further discussion; but if it were up for final vote tonight, he could not vote for it. To say we are going to fund this through economic development - that does not cut it. We cannot even decide what we are going to do for economic development, but yet we say we are going to use this for economic development purposes. That is a hard thing to swallow.

Mr. Rodman stated it is a tool to devote to improve economic development without taking any monies from economic development.

The vote was – FOR: Mr. Caporale, Mr. McBride, Mr. Rodman, Mr. Sommerville and Mr. Stewart. OPPOSED: Mr. Baer and Mr. Flewelling. The motion passed.

**Recommendation:** Council authorize a \$1,00,000 commitment to be made available over a five-year period to Heritage Classic Foundation for the procurement of the Heritage Golf Tournament, contingent upon the South Carolina Heritage option being implemented by the various parties: The South Carolina Heritage option includes a back-up plan of the General Assembly Shell Bill, local underwrite of \$12 million, \$7 million from the Town of Hilton Head Island, \$3 million from Sea Pines Resort, \$2 million from the County, and South Carolina media buys of \$18 million from South Carolina companies, PRT and Budget and Control Board).

## **INFORMATION ITEM**

### **5. Monthly Financial Report**

**Discussion:** Mr. Bryan Hill, Deputy County Administrator, introduced this item to the Committee. The County Administrator had challenged the Finance Team to develop a process for understanding County numbers. This is a work in progress. He thanked all of the parties involved in getting us to the point where we have one sheet of paper to show all of the impacts of a shift or a change. We are trying to compare last tax year to this year. This document will provide information relative to how we can move forward with our financial model. He introduced Mr. Ed Hughes, Assessor, to speak on the Assessor's portion of the document.

Mr. Hughes stated his portion deals with applications, ATI's and appeals.

- Applications are down for tax year 2010; however, the review percentage of approvals is also down.

- ATI is an issue before the General Assembly to dissolve them and go back to the original ATI, which first took place in tax year 2008. That would have significant impact to not only Beaufort County, but the School District and the municipalities as well. The market values presented on the summary are market values in total. The 2010 value was \$2,083,328,302, while the 2009 value was \$1,141,039,493. Assessed value was \$61,145,273 in 2009 and \$118,432,172 in 2010.

- Appeals are 4,941 in 2010, down from 14,578 in 2009. In a year of reassessment we had a large number. Many appeals are "frequent flyers" (those that appeal yearly). Also, there are a number of property owners, new to Beaufort County, who appeal based on their tax notice. The deadline for appeals every year, except for those we send notifications, is January 15. Average market value changed. We changed approximately 1 in 3 in 2009. We have not dug through the pile for 2010 yet. We still have 800 appeals carried over from 2009. Our Beaufort County Tax Equalization Board has now scheduled a series of nightly hearings, twice a month, from now until late fall. There are approximately 100 cases that will go before the Board. They involve issues of evaluation and assessment administration.

Mr. Sommerville spoke to the 6,12 parcels for ATI's and wanted to know if that number was an increase or decrease over the previous year.

Mr. Hughes stated south of the Board River realized a decrease while an increase occurred north of the Broad River. We did lose a significant tax base as a result of the decline in market values, predominantly, south of the Broad River.

Mr. Sommerville inquired as to the difference between market value and market tax value. Mr. Hughes stated market value is the assessor's appraised value, while market tax value is the cap value.

Mr. Flewelling stated in looking at market value and assessed value he noticed it is a significant increase.

Mr. Hughes stated this is a work in process. That box is misleading because we are only reporting the gross number represented by ATI's for the year. It is not a net amount increase. We

are not adding a billion dollar value to the base. We are reporting the market value of the ATI's and the assessed value of those ATI's.

Mr. Kubic asked that Mr. Hughes provide the Committee with a definition of each.

Mr. Hughes stated the market value is the assessor's opinion of value as of December 31, 2007. That would be a fair market value, not influenced by any duress, foreclosure proceedings, or transactions between relatives. The taxable value is the prior year Assessor's market value from the 2004 reassessment, capped at 15%. Assessed value is either the market value in the case of an ATI or the capped taxable value multiplied by either the 6% or 4% assessment ratio.

Mr. Flewelling stated if he understands correctly the 2010 market value is the total value market price for all of the 6,712 properties that changed hands. Mr. Hughes stated he is correct.

Mr. Flewelling stated a column that might be of value to Council would be what the pre-transfer value of those properties total, were. That would tell us which way the market is going.

Mr. Stewart inquired as to the number of parcels of ATI there were in 2009 and asked that to be added to the spreadsheet. Mr. Hughes stated there is an increase in a number of identified properties as ATI parcels in 2010 for two reasons: We are getting smarter at using Matron and digging out transfers. We have had a lot of transfers as it relates to second transfer out of foreclosure (bank sales and short sales subject to market value appraisal under the current ATI legislation).

Mr. Rodman wanted to know how many parcels would have been raised, rather than decreased. Mr. Hughes stated when you do a comprehensive county-wide reappraisal it is virtually impractical to get them all right. In starting the appeal process and reviewing other properties that the taxpayer has vetted in defense of their particular fields where we find an appraisal or information on the file that produced an inaccurate appraisal. A majority of them are correct, but we do have some. One major problem with the capping legislation revision in market value, as a result of Act 388, is we always started the next reassessment the day after we mailed the notices. At that time we discover the anomalies and inequities we are going to capture during the next cycle. In the case of Act 388, we cannot do that. The only time we can do that is if we have an ATI.

Mr. Rodman stated if they take away ATI, we will lose that ability.

Mr. Hughes stated if we had to undo all of the ATI's that we did in 2008, 2009, 2010 and the ones we have forecasted for 2011, what would that do and what would be the fiscal impact to Beaufort County, the school district, and the other players who levy taxes? In Beaufort County, it is a significant impact. What we are currently doing in relationship to these gross numbers is Mr. Boswell is producing the assessment roll for 2011, predicated on today's snapshot (taken last Friday). That snapshot included all of the appeals we finally closed on the books, all of the approved 4% applications, and the new construction/improvements added to the file as of that date. That has been extended through Manatron to develop the critical assessed value figures.

Those numbers are now being boiled down to each of the respective tax entities/tax districts, including those impacted by tax and increment financing. That information will be presented to Mr. Starkey so he can better forecast for this year the direction we are headed, less any changes to the ATI. As staff completes new construction and finishes up the review of 4% applications, they will go through the same process again, regenerate new numbers out of Manatron and present those to Finance.

Mr. Rodman stated the reason he asked about the ones that may have gone up is because our policy is that if we find one that should have increased, we leave it where it is. Mr. Hughes concurred. What happens is that the capping preserves inequities. It is a preservation of inequities that is discovered if the property is not subject to new construction, change in tax status, or ATI. We preserve the inequity from one cycle assessment year to the next cycle, in the cap.

Mr. Rodman stated it occurs to him that there is an incentive for people to come and make an appeal, making us do a lot of work. If, in fact, we are not going to discover something, perhaps it should be increased. Is that something we should be thinking about? It seems if someone is going to have an appeal and we were to discover a significant error in their favor, we should have a mechanism to go back and fix that.

Mr. Hughes stated we currently do, through our Beaufort County Tax Equalization Board. They would have to take it to the Board, where at which time we would recommend to the Board that we have an evaluation error and the reason. The Board is empowered to increase the Assessor's Office is not.

Mr. Rodman stated if we find out that a particular property was undervalued do we have any mechanism of correcting that? Mr. Hughes replied not currently. Mr. Rodman stated it is not fair to the remaining tax payers if we discover an error and do not fix it.

Mr. Hughes stated if an error is discovered and it is related to an asset that escaped taxation we do have recourse. If it is an admitted tax it is put on the roll. If we identify why it was not put on the prior year rolls we can go back that far.

Mr. Rodman stated it is something we need to think about and look to see if it is an inequity to all taxpayers.

Mr. Hughes stated often times people know there is an error and we never hear from them.

Mr. Caporale stated at the Retreat, Council asked that the Assessor put together some samples of properties to show us where we might be headed when reassessment comes and how a millage rollup might impact homeowners in various price ranges. How is that coming?

Mr. Hughes referred the question to Mr. Boswell who stated they will get it before Council.

Mr. Caporale wanted to know if the Assessor has ever done a workshop to walk Council through the steps in the assessment of a property. Mr. Hughes stated he has not done that with Council, but has done so with the Tax Equalization Board.

Mr. Caporale wanted to know if anyone else is interested in such workshop. He stated he continually receives questions in that regard and feels it would help him to better understand the numbers on the tax bill.

Mr. Baer thought it would be very useful.

Mr. Rodman suggested an hour session on the front end of a Finance Committee meeting.

Mr. Baer stated he currently has some constituents asking about how the appraisal in the community was done because some parcels are marsh lots while others are inland, but they all seem to have the same formula and same base value. Mr. Hughes stated he would be happy to enlighten Council on the mass appraisal scope of work.

Mr. Sommerville wanted to know what information on the status report would be different month to month.

Mr. Hughes stated the number of applications will remain static. The number of applications pending review, appeals and market value numbers will change.

Mr. Hughes stated another box needed to be included into the financial standard operating report is an increase in the tax base as it relates to new construction.

Mr. Flewelling stated at some point in time we will need to see the current year information in order to see the trend that is being reported into the system. He would like to get trend data from the deeds signed in 2011.

Mr. Hughes stated it would not come into play until the following year. Mr. Flewelling stated the information lets us know where we are heading.

Mr. Hill clarified that Council would like to see the pre-transfer value and the number of 2009 parcels. Council concurred.

Mr. Hill continued to say this is a start for us. We will change this form as we move forward. Staff is trying to get the information to be as accurate as possible to help us in our budgeting process as we move through a single year, to a three year, to a five year budget process. He thanked Mr. Hughes and Mr. Boswell for the information provided.

Mr. Hill introduced Mrs. Sharon Burris, Auditor to review the homestead exemptions portion with the Committee.



Mrs. Burris stated Mr. Starkey has discovered a way to pull numbers from Manatron in regard to all of this information. However, she likes paper. With it she is able to go back and find information that she is unable to retrieve from Manatron. In regard to homestead exemptions, the exact figure for January and February 2010 was 533 applications, amounting to \$1,036,000 in assessed value. Of those, 30 were half homesteads and 503 were full homesteads. Five hundred three was the number of applicants that received the full \$2,000 and \$36,000 is the amount paid in half homesteads.

A person can apply for the homestead exemption up to January 15 of the following year. If the homestead was not carried over to the following year, it has to be taken on a case-by-case basis. Often we give the homestead to the person if it were a County error. State law prohibits from going back for reimbursement more than one year. At this time, we are accepting 2011 homestead exemptions.

Mr. McBride wanted to know how an individual qualifies for half homestead.

Mrs. Burris replied one of the qualifications for receiving the homestead exemption is ownership of the property is fee simple. The deed tells the percentage each owner of a piece of property has in regard to ownership. There are also third homesteads and lower percentages.

Mr. Flewelling wanted to know if the number she provided, \$1,036,000, was an increase in value or a decrease. Mrs. Burris replied it is the amount of total value of the property that qualifies for the homestead exemption. Example: If a property is worth \$100,000 and qualifies for the full homestead, what is in the value column is the \$50,000 qualified for, multiplied by 4%, which is an assessment in value of \$2,000. The \$50,000 is the taxable value allowed to be taken off for a full homestead. It is multiplied by 4%, because they have to be receiving that tax rate, equaling \$2,000.

Mr. Sommerville inquired about the over 65 exemption. Mrs. Burris stated that is the same as the homestead exemption. Homestead exemption is the senior citizen's discount in the State of South Carolina.

Mrs. Burris stated Mr. Starkey reports 47,563 automobiles were billed January and February 2010 according to figures pulled from Manatron.

Mr. Starkey stated per Manatron data in tax year 2010 there are 47,563 billed for January and February with a total assessed value of \$23,944,176 for automobiles. The personal property piece for 2010 was 52,438 for an assessed value of \$150,860,620. The autos number will change greatly, monthly, because as each month's DMV billings go out, the number will increase and so will the assessed value. The personal property numbers will stay somewhat the same; however, there can be appeals.

Mr. Stewart asked Mr. Starkey to fill in the blanks on the Financial Standard Operating Report for February and send it to Council.

Mr. Stewart reviewed the Treasurer's section of the report. The total real and personal property billed, which includes the 52,438 in billings, as of February is 178,715. That translates to the general fund amount billed, net of TIFs, as \$70,552,416. That number can change based on the fact that as appeals are processed through the system you get more 6% to 4% filled out. Furthermore, the amount of general fund collected, from tax year 2010, is \$64,257,400, net of TIFs. Also, the general fund amount for autos amount billed is \$962,795 of which \$385,524 has been collected as of February 28, 2011. After January 18, 2011 all tax bills have fees attached to them. It is an indicator to the County of how many late payers we are getting. Since January 18, for general fund purposes, net of TIFs, the County has collected \$1,703,915. That leaves us, assuming all appeals have been processed, with about \$6,295,016 to collect. That number will go down either through collected monies or whether through the appeals process.

Mr. Starkey then reviewed the Finance portion of the Financial Standard Operating Report for February. He reviewed the numbers for the ad valorem revenue for operations, debt and personal property and reviewed the net revenues over expenditures (fund balances) for operations, debt and personal property. In regard to general operations, we are approximately \$1,164,518 ahead of where we were last year at this time. However, the million dollars of credit card fees were not corrected by the Treasurer until last June, so in net we are approximately \$100,000 ahead at this time. Debt and personal property have larger millages. The debt section is up by about \$7,174,402 from last year.

Mr. Rodman stated in regard to a workshop for explanation purpose, we may want to consider doing a half hour televised explanation.

Mr. Kubic stated the first steps are always more difficult. It is evaluation. One of the exercises in the process of exchanging information is that the general public has an opportunity to see it. As we repeat ourselves on definition of information, it is his hope that the educational process will get out into the community. As an administrator, it gives him the opportunity to take away the argument that data is not being fully disclosed. It is a collaborative effort of the two elected representatives plus the two administrative representatives, which is very important.

Mr. Rodman stated his observation is that accountants seem to go from new to old in doing spreadsheets, while others go from old to new. He wanted the Finance Team to make that change. Also, it is easier to deal with rounded numbers.

Mr. Baer commented that the fund balance is not the same as cash balance. Our cash balance, which can be used in hurricanes, is considerable lower than our fund balance, by at least \$2 million.

Mr. Hill stated he was instructed by the County Administrator to provide to Council a set of data definitions, which he has yet to do so. The timeline for this report is the 20<sup>th</sup> day of each month and data should be coordinated with Mr. Starkey and he so same data will be provided monthly.

**Status:** No action required. Informational purposes only.



**Date:** March 9, 2011  
District 2

**From:** Steven Baer - Beaufort County Council,

**Subject:** Thoughts on the Heritage Financing

To: Gary Kubic, Weston Newton, County Council:

Based on the Heritage's request to trigger our \$1 Million loan to them from County Hospitality Tax reserves, we will soon begin discussions regarding our possible actions. Recall from our discussion last fall, that while I felt the Heritage was a good thing, I did have some reservations as to its efficiency and whether its beneficiaries paid their fair share, particularly since the Heritage was now asking for taxpayer funds.

According to our Ordinance 2010/16 (regarding the possible loan) passed on 9/13/10: ***A. These funds shall be used for reserving a 2011 Tournament date with the PGA; B. This loan shall not be subordinate to any other loan the Heritage Classic Foundation may enter into to further facilitate the expediting of the Tournament.***

According to the Ordinance - Section E, Beaufort County does have some options.

In trying to analyze this from the viewpoint of a County taxpayer, in preparation for our discussion, I reviewed some of my old spreadsheet data below (based on Exhibit A of the Heritage Foundation's Tax Application received on 7/29/10, and the Clemson Study). At this point I find that it has so many rapidly moving parts, that it makes our Beaufort Commerce Park discussion look simple.

As we gear up for our analysis and discussion, here are some questions we should be asking:

1. Have any of the numbers in the Exhibit A view below changed substantially? Note that in the past I argued that the admissions charges were too low, and other expenses seemed very high for what should be an austerity budget. It would be very useful to see an update using the latest numbers in this format.
2. How much revenue is expected from admissions fees?
3. Has the facility use fee changed - to what? Is the facility contributing a fair share of the costs?
4. Has there been any contribution from the restaurants and hotels that make much of the money - how much?
5. Has the Chamber of Commerce made any contribution - what?
6. Have any efforts been made to close the accommodations tax collectable gap caused by the short term rental rule?

7. The \$4 million of TV time (actually \$3.723 million on Exhibit A) is a complex item. Our Ordinance appears to give Beaufort County the option of converting the unpaid loan balance to TV time, and selling this TV time, provided that it has not been previously sold. Section E of our Ordinance seems in retrospect to be very imprecisely worded. How much do we get of this time, what is it really worth, and how much will it cost (e.g. production costs) for us to make use of it? Furthermore, if the most valuable parts have been previously used or sold off, are Beaufort County taxpayers getting a residue of low value, and should that impact our decision?
8. For the longer term, is there the ability to increase either the Town or County Accommodations Tax to provide funds for the Heritage? The theory here is that HTaxes include food and other items purchased by our residents, while ATax is more closely derived from visitors. I also note that in traveling in the Northeast I am charged over 15% in taxes on hotel rooms.
9. If any Heritage Foundation action for use of our \$1 Million loan is aimed at the 2012 Heritage, it would seem to violate the terms of Ordinance 2010/16, which clearly states that the scope is 2011. Advance planning for 2012 is an extremely good idea, but it will require a revised or new Ordinance if it is to involve Beaufort County funds. This would be a good opportunity to tighten the wording of Section E to state that Beaufort County will have first call on the proceeds of all TV time to repay any loans. We should also clearly limit our scope to 1 year at a time.

<b>2011 Exhibit A</b>	
<b>Revenues</b>	<b>\$4,149,963</b>
Admissions	\$1,384,602
Pro-Am Fees	\$536,725
Non title Sponsor	\$1,671,740
Concessions	\$321,166
Advertising	\$9,500
Inc, Other, Misc	\$226,230
<b>New Other Revenue</b>	
<b>Total Expenses</b>	<b>\$10,586,588</b>
Marketing	\$265,229
Printing	\$103,940
Prizes	\$241,259
Transportation	\$226,021
Outside Services	\$146,200
Equipment Rental	\$689,212
Lodging	\$132,000
Food and Beverage	\$442,586
Security	\$109,600
Commissary	\$130,194
Travel and Entertainment	\$60,800
Rent	\$110,000
Saleries and Wages	\$715,355
Real estate Operating Costs	\$36,000
Insurance	\$124,150
Other	\$465,257
All Expenses without Fac.Fee, Purse, TV	\$3,997,803
Facilities Use Fees	\$623,785
Tournamnet Purse**	\$2,242,000
<b>TV Underpinning**</b>	<b>\$3,723,000</b>
All Expenses Above	\$10,586,588

<b>Net Total</b>	<b>-\$6,436,625</b>
<b>Short Term Guarantee Items**</b>	<b>\$5,965,000</b>

<b>Supporting Data</b>	
Badges	27,435
Individuals Attending	42,591
Attendance Person Days	143,105
Avg. Adm Revenue/Badge	\$50.47
Avg Adm Revenue/Person Day	\$9.68

- The cost data in the upper part of the spreadsheet is based on Exhibit A of the Heritage Classic Foundation \$1,000,000 Tax Application received from Bonnie Hinnant, The Club Group, Ltd., July 29, 2010.
- The supporting data is from the Clemson Study, and calculations based on it.

## GOVERNMENTAL COMMITTEE

March 22, 2011

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

The Governmental Committee met on Tuesday, March 22, 2011 at 2:00 p.m., in the Council Chambers, Administration Building, 100 Ribaut Road, Beaufort, SC.

### ATTENDANCE

Governmental Members: Chairman Jerry Stewart, Vice Chairman Laura Von Harten and members Rick Caporale, Brian Flewelling, Herbert Glaze and Stu Rodman. Member Gerald Dawson was absent. Non-committee members William McBride and Paul Sommerville also attended.

County Staff: Lt. Col. Neil Baxley, Beaufort County Sheriff's Office; Bryan Hill, Deputy Administrator; Sherry Jones, Public Safety; Donna Ownby, Emergency Medical Services Director; William Winn, Division Director – Public Safety.

Media: Kyle Peterson, *Island Packet / Beaufort Gazette*; Jaime Dailey, WTOC; Brittany Shane, WSAV

Public: Aubrey Cheatham, Project Manager CRA, Inc.; Dave Hunt, Program Manager CRA, Inc.; Tom Margetta, 911 Dispatch subject matter expert CRA, Inc.; Town of Port Royal Mayor Sam Murray; Hal Newman, EMS/Fire subject matter expert CRA, Inc. Representatives from Fire, EMS and Dispatch attended the meeting as well.

Mr. Stewart chaired the meeting.

### INFORMATIONAL ITEM

#### **1. Presentation – Emergency Medical and Fire Support Study CRA, Inc., Consultant**

**Discussion:** Mr. Stewart began the meeting by noting the Committee's name change from the Public Safety Committee to the Governmental Committee. This is a special meeting to deal with the report and findings of the Emergency Medical and Fire Support Study analysis. He then gave those present some background on the evolution of the subject for today's meeting – the Emergency Medical and Fire Support Study by CRA, Inc. The decision for a meeting on this topic goes back a year ago as the result of some incidents involving Beaufort County EMS. Today's report is timely in that it is prior to the budget decisions, Mr. Stewart said. He informed those present there will be a question-answer session at 10:00 a.m. on March 23, 2011.

Mr. Winn said this process has been going on for months and this is the final analysis of the Beaufort County Emergency Medical System and Fire Service. The management team overseeing the study on behalf of the County consisted of EMS Director Donna Ownby, Deputy Director of EMS Hal Youmans, Chief Barry Turner, Bluffton Fire District, Chief Bruce Klien, Lady's Island / St. Helena Fire Department, Sheriff's Office Lt. Col. Neil Baxley and Emergency Management Director Todd Ferguson. The study began by examining a 911 call as it comes into the dispatch center and requests a response for emergency medical service. From the time the telephone rings to the time a unit arrives at the location, provides care to the patient and responds to where they are going then returns to the station are involved. The study examined the Emergency Medical Service (EMS) perspective, as well as the Fire Service and Dispatch Center perspectives. Mr. Winn explained all three play a critical part in the response to emergency medical situation. The emergency medical system involves all three of those services in its response and patient care. All three play a critical role in how fast the response is and the information available on arrival, and how the patient is treated and transported later. This study examines all three facets and makes recommendations on improvement. Staff will take the information provided and begin bringing to the Governmental Committee in installments. Those will be broken down by things to do up-front and decisions to make before proceeding, and it will last over the next several months.

Mr. Dave Hunt introduced each of the members of the evaluation team. He is a director at CRA and the program manager of this project, bringing 25 years in fire/EMS/HazMat/law enforcement and tech assistance to the federal government for catastrophic planning, as well as several state and local governments. Aubrey Cheatham is the project manager with a background in military law enforcement and as director of public safety for a Virginia county. Hal Newman has a background in the United States and Canada in EMS as well as being a former EMS director. Tom Margetta is the director of Public Safety and 911 Center in Boca Raton, Florida and focused on the Dispatch Center portion of the study. Mr. Hunt said during the team's trips to Beaufort County they had great response from the professionals in the community.

CRA's presentation was as follows. CRA initiated the study with a meeting with the County's Emergency Medical Fire Study Analysis Committee. For the main data gathering portion of the study, there was a 10-person team dividing into five teams of two people to examine the different issues CRA was asked to address. CRA visited every fire and EMS station, the headquarters, Beaufort Memorial Hospital, met with private EMS providers, law enforcement, Dispatch Center and met with the medical director. CRA observed operations and analyzed systems, reviewed protocols, interviewed line staff and supervisors, conducted three follow-up site visits, collected and analyzed 10 years of emergency response data then conducted mapping analysis using GIS tools. Communications Center analysis was conducted by the team's observations in comparison with the required procedures and protocols in standard industry practice, as well as reviewing personnel and training records management. Mr. Hunt added that they examined the use of existing dispatching systems, the processing proficiency, application of emergency medical dispatch protocol and use of computer aiding dispatch and mapping systems. The team also reviewed agency staffing, policies and quality assurance and improvement programs, EMS response vehicles, reviewed maintenance records, observed condition of

vehicles, assessed responder satisfaction with vehicles and met with County maintenance provider to review records and analyze replacement plans.

CRA also examined the delivery model of EMS system by looking at: EMS staffing and functions. Mr. Hunt said the strength of the County system is in the dedicated staff that are extremely open. Beaufort County provides a challenging geographic environment, covering a large coverage area and extremely limited road system with all the islands. Despite the challenges the level of service and overall response times in the County are good, Mr. Hunt said. To clarify the scope of the study, no findings cover the Town of Hilton Head Island or the military installations.

In Beaufort County, EMS services are provided on a third-system model. Mr. Hunt explains this means EMS is not part of fire service or law enforcement. The EMS service is managed by Beaufort County's Division of Public Safety. This coverage is supplemented by the various fire service providers who respond to EMS calls within their areas. The fire departments range, in EMS support, from first responder to paramedic response. There is a very challenging and robust capability that prevents a lot of issues. Mr. Hunt explained the purpose of the study was to analyze interagency coordination and cooperation, quality and quantity of EMS services and the overall strength and efficiency of operations; to propose solutions to any challenges; and to provide a roadmap to future EMS delivery. CRA looked at 25 separate areas and for the purpose of the report out, distilled into three overarching areas: 1. Analyze EMS system including response times, coverage, quality, administration and efficiency and recommend how EMS should be provided in the County. 2. Review the operational capabilities of the fire department medical first responder programs. 3. Review the current dispatch procedures for EMS and fire responders, determine if procedures and staffing are adequate in the communications center and review emergency medical dispatch capabilities. CRA's primary findings were: 1. To ensure consistent, quality delivery of EMS, continues management of the system by the County is recommended. 2. Beaufort County is providing a sound level of service, but call processing time and turnout time need improvement to lower the total response time. 3. The County should focus on Dispatch call processing time to reduce overall Fire and EMS response times. They found the 911 system collected all the information from the caller, then processed the call and dispatch the units, Mr. Hunt said. The recommendation is to dispatch a unit as soon as there is a location and nature of call available.

#### EMS Findings

Mr. Cheatham said when talking about the EMS system and response times one of the things used was the National Fire Protection Association (NFPA) 1710 Standard. There are no mandatory national EMS response time standards, but NFPA 1710 is a national consensus standard as a benchmark for non-fire-based EMS. NFPA 1710's EMS response time standard has three components: call processing time plus responder turnout and travel time equal the total response time. Mr. Cheatham said because there is no standard many localities set their own based on topography, population, geography, etc. Response times range from four minutes to 20 minutes. Call processing time is the time from receipt of the call in the E911 center to dispatch of appropriate responders. Responder turnout time is the time from responder notification to the time responders being travel to the emergency scene. Travel time is the time it takes to get from



the station to the scene of the emergency. The items examined by CRA are numbered and presented as they were at the presentation.

1. In regard to population and service in respect to other systems. Strengths were support provided to regional EMS events, special teams, anchor agency for the South Carolina Regional Disaster Team, provide direct tactical medial support to the Sheriff's Office Special Response Team and host training events with Lowcountry EMS Council, and EMS employees serve with compassion, dedication and professionalism. Findings were that Advanced Life Support (ALS) EMS response times of 10 minutes, 53 seconds on average compare favorably to similar EMS systems; present level of service measure by travel time is within acceptable ranges; and call processing time and turnout time need improvement to lower total response time. Mr. Cheatham said the response time is remarkable give the topography and geography of the county. The recommendations for those are to focus overall response time improvement efforts on call processing time and turnout times; good strategies for improving turnout times are responder education and to create incentive programs to encourage responders to meet the standard. The financial impact would be a minimal cost for awards.

2. Review the response times for ambulances and first responders, and determine its efficiency. Findings were that response times to medical calls for service can be improved; call histories of EMS and Fire from 199 through August 2010 were used for analysis; alarm processing time standards for NFPA 1710: 60 seconds to process and dispatch call 90% of the time, and 90 seconds to process and dispatch call 99% of the time; Beaufort County Dispatch consistently falls short of meeting the standards; Average alarm processing time for medical call by agency (see table 1); responder turnout time standard: 60 seconds to being travel to scene of emergency from the time of notification 90% of the time; most fire and EMS medical units are taking more than 60 seconds to coordinate their response and begin travel to the scene of a 911 call half of the time; average turnout time for medical calls within the standard by agency (see table 2); travel time standards – fire first responder or basic life support (BLS) response to a medical call is four minutes 90% of the time and EMS ALS response to a medical call is eight minutes 90% of the time; Beaufort County ALS travel times are quite remarkable given the geography and topography. Mr. Cheatham said some of the strength of Beaufort County's system is that it provides ALS response to every call it runs. In many other localities, BLS shows up first, then may provide ALS depending on the need. In Beaufort County however, Fire serves as the first responder and all receive ALS service. The average response time is about 6 minutes, 2 seconds for an ALS unit to arrive on scene and about 4 minutes, 58 seconds for fire department/first response to arrive on scene. The recommendations were: to reduce call processing time and dramatically reduce turnout time dispatchers should notify responders of a call for service immediately even if not all of the call information is available at the time. Dispatchers can provide supplemental information while responders are en route. Mr. Cheatham said dispatch actually began folding the recommendations into the process last fall.

3. In reviewing the current location, determine if additional station locations are needed and where; and 4. Review the current EMS station locations and determine if they are properly located. CRA found EMS units 1, 6, 8, 9, 25 and 26 have appropriate station locations and do not recommend any additional locations. Mr. Cheatham offered the caveat that there are some other



recommendations for the Bluffton area to be discussed later. There were some problems with the first due response area out of primary response area for agencies. They responded, first due, to calls outside their emergency response zone, or pre-designated area of responsibility. That is not unnecessarily unusual when one area is busy for there to be a call on those nearby for assistance, Mr. Cheatham explained. In 2006, an EMS move-up policy was instituted in Beaufort County. This meant when a call for service occurred an EMS unit was dispatched, then all other units would get up and move locations to spread out and cover. However, data says this does not change response time. The recommendation is to discontinue the move-up policy and monitor the impact of that on response times. There were some other findings CRA presented. In the St. Helena Island EMS #5 has a large area southwest of their current station location that contains hot spots for medical calls for service outside of the 8-minute travel time; average travel time in EMS #5's area of responsibility is 9:03; two areas of hot spots within the response area do not fall in the 8-minute travel distance from the station. Hot spots are areas that statistically receive more calls for service than average. Mr. Cheatham referenced two maps showing the hot spots and area within the 8-minute travel distance, and one with fire department 4-minute travel time response areas but that does not cover a lot of the area. He said the recommendations are to add a new EMS station on St. Helena Island southwest of EMS #5 station as population increases and average overall response times increase to an unacceptable level; current calls for service volumes (661 annually, or about 1.8 per day) do not indicate an urgent need to add service at this time. The financial impact will be the cost of the property if not otherwise owned by the County, construction for a 6,000 square-foot, one-story EMS station estimated between \$541,000 and \$730,000, building operating and maintenance costs, ALS-equipped ambulance estimated at \$150,000 plus operating and maintenance cost, and personnel cost for six medics estimated at \$360,000. CRA found EMS #2 (Burton area) had medical call hot spots outside of the 8-minute zone; response areas for EMS #3 (Burton area) may need to be altered in the future as population growth in Beaufort County increases; current average travel time between January 1, 2010 and August 31, 2010 were 6:44 minutes for EMS#2 and 7:26 for EMS#3. This area between EMS #2 and #3 appears to be in a no-man's land, Mr. Cheatham said. The recommendation is to add an EMS unit to the Burton 894 fire station as population increases and average overall response times increase to an unacceptable level above current overall response time averages. The financial impact will vary. If the fire station can house the apparatus, cost would be an ALS-equipped ambulance plus operating and maintenance, as well as the personnel costs for six additional medics at approximately \$360,000 plus benefits. However, Mr. Cheatham added that if problems are addressed in Dispatch it could shave two minutes off the time. Mr. Newman said he realized talking about call time and travel time that it sounds clinical, but he reminded those present that two minutes when you are waiting on the other end becomes increasingly important.

6. Determine the efficiency of the Quick Response Program as used by EMS, to include determination of additional units and/or turning the program over to fire service. CRA found the Beaufort County EMS Quick Response Program provides a needed service in remote areas of the county and is appropriately managed by Beaufort County. They recommend the Quick Response Program continues under the direction of Beaufort County EMS, and that a fourth quick response vehicle with senior crew chief be stationed north of the Broad River for field supervision when headquarters staff is not available would provide enhanced oversight of service delivery.

9. Review EMS ambulance staffing by shift times and number of personnel in regard to current calls for service. The findings were that EMS staffing is appropriate for the number of calls of service (6,135 calls with an average response time of 10 minutes and 53 seconds); current shift schedule has significant overtime expenses, but other costs would be costly and have secondary negative impacts. The recommendation is to retain the current shift schedule because it is the most cost efficient; to lower overtime costs consider 12-hour shifts for 2-3-2 schedule. This would entail hiring additional personnel. Mr. Cheatham said there were some savings, but by the time benefits, training, care and feeding are included it would be at a revenue neutral situation. He also added it would demoralize current staff who calculate overtime as part of their salary.

21. Determine the efficiency of forecasting EMS calls and locating units based on forecast to include need for special shift ambulance. The consistent “hot spots” are located outside the response zones for EMS units in Bluffton and Lady’s Island; emergency travel times to these areas degrade the average travel time for the entire EMS system. CRA recommended EMS call data from Lady’s Island and Bluffton should be monitored by EMS to determine why they often respond outside of their primary response areas; conduct forecast analysis (regression) by taking the initial visual data along with appropriate economic and topographic data to quantify observations further. Again, stop the move-ups and take a look at it to see what is going on, Mr. Cheatham emphasized. The financial impact is estimated at \$5,000-\$10,000 for unit level regression analysis.

Mr. Caporale said Hilton Head was not included in the study and he asked Mr. Winn to clarify why. Mr. Winn said Hilton Head Island participated by providing information about the response on Jenkins Island and Daufuskie Island as well as taking a look at the EMS system, but did not want to participate financially.

Mr. Caporale also asked to expand on the comment about gathering of data prior to the dispatch of the call. Mr. Margetta said it is a practice called pre-alerting and he explained that once a dispatcher has the address and nature of a call the unit is sent and information is provided as the unit travels. This was not happening in Beaufort County. Mr. Hunt expanded that this is a different staffing model wherein there are two dispatchers, each listening to the call, one has a conversation with the caller while the other dispatches a unit as soon as they have information to get the unit en route.

Mr. Caporale noted many times it was mentioned that travel time on St. Helena and Lady’s Island exceeded the 8-minute standard. He asked if travel time is captured in the average response time, and Mr. Cheatham confirmed. Mr. Caporale said boundaries of response lines were mentioned and wondered about moving them in order to improve response. To this, Mr. Cheatham said changing those boundaries can often be as contentious as changing school boundaries, but it could be considered. Mr. Caporale asked if redrawing the boundary lines is a recommendation, and Mr. Cheatham said it is something to the side but it could be considered. Mr. Newman said the recommendation was to initially implement the other recommendations and then evaluate.

Mr. Stewart asked CRA representatives to explain what a hot spot means. Mr. Cheatham said it is an area with a statistical anomaly, outside of the averages consistently with more calls for service.

Mr. Stewart said there was not much explanation on Bluffton, and that is a great concern for the residents there and many feel they also need to have improved response times along the U.S. 278 and 170 corridors. There are tails sticking out with response time concerns, he explained, and then asked CRA to spend more time discussing. Is that anomaly worthy of repositioning?

Mr. Cheatham explained that obviously there is good coverage with an 8-minute response travel time, but when you have a unit out on a call then next closest person may fall outside. However, the call volumes are not such that it would warrant adding more service there, but it is addressed in terms of using some reserve apparatus located there for service when the system gets busy. Mr. Stewart pointed out it matters to the people calling on the other end.

Mr. Flewelling said response times were discussed at-length as related to the 1710 standard, but said he wonders if the difference between rural and urban areas is considered. Living in a rural area there is a lower level of service than in an urban area. He asked if there is a different standard for those two different areas on the national level. Mr. Newman answered: yes, very clearly and some jurisdictions have rural response times of around one hour. He said it would be great to add more ambulances, but there is a cost associated with doing so and alternatives can be examined in order to also improve service.

Ms. Von Harten said, based on the rural/urban distinction, from what she understands the overarching goal is to get people to move into the cities in order to have high concentrations of people to provide services efficiently and have vibrant cities. Cities are economic engines and we want to discourage too many people from spreading out into the rural areas and expecting the same level of service as they would receive in municipalities. She said she is interesting in, as the end goal, creating a structure through service provision that would recognize that there is a different level of service – suburban, rural, exurban and a rural. The rural one may be an hour; the County has to do what it takes to create the Comprehensive Plan and this is where the hard decision making comes in, Ms. Von Harten said.

Mr. Sommerville said CRA talked about reducing processing time and said he assuming part of the dispatchers' job is to determine what the need is for the call and second to figure out if it is a legitimate call. This all takes time as not all situations are as obvious as a heart attack. As the processing time is reduced, are the chances of sending the wrong response or responding to an illegitimate request increased? Mr. Newman said the judgment is all part of the training and the job, but it is sometimes difficult to determine the nature of the call. Mr. Margetta added that one cannot take the risk of judging a call's truthfulness while taking the call; there are too many horror stories of making the wrong decision when doing that. A unit must be sent, every call must have a response.

Mr. Sommerville noted young people do not call each other but text. He asked what happens if someone texts 911. Mr. Margetta said that is currently not available, but that it is coming in the next generation of 911 systems. The deaf community is pushing very hard for this capability.

Mr. McBride said there is a first responder system and often it is the EMS and Fire arriving at the same time. Was whether this is a waste to send both vehicles considered? Mr. Hunt said it is common and often it is logical and necessary to do so. One recommendation is to reinstitute emergency medical dispatch, which allows the dispatcher to prioritize the calls into advanced life support, basic life support, priority and basic life support non-priority calls. There needs to be an active protocol and dispatchers trained in this, otherwise it would operate at a liability, Mr. Hunt explained. This was implemented in the County, but not maintained so it is in the process of restarting.

Ms. Von Harten said there are many “Cracker Jack” specialty teams like the Lady’s Island/St. Helena department with national awards, but she said she heard over the years that certain departments have certain skill sets lacking in other departments so they rely on the first. There is an informal cooperation going on, and she said she would hate to take that away by being so rigid in protocol. She added that she would like to make use of the talent available and make sure it is distributed across County service areas.

Mr. Hunt said a lot of what she referred to lies within the fire districts, which have many good quality response teams, but it is not within the scope of the study. He did say if addressing the emergency medical dispatch prioritization of calls, then resources will be reserved for calls where they are truly needed.

Mr. Newman said everything brought up in today’s presentation is addressable. He noted the excellent programs at various departments and said an informal linkage already exists between departments, services and agencies and if that is formalized it would just enhance the service.

10. Review and determine ambulance maintenance and determine quality of ambulance maintenance. Mr. Newman took over this portion of the presentation. CRA found that the EMS fleet is rapidly aging; many ambulances passed the maintenance/warranty curve; vehicles have high mileage and increasing down-time for electrical and air conditioning system breakdowns. The recommendation is the enhance current relationship with First Vehicle Services (FVS) by: including FVS in the design of new EMS vehicles, vehicle operations training sessions by FVS, using lessons learned and best practices through FVS national database as the basis to prolong the use of existing vehicles; use engine hour meters on all EMS vehicles; renegotiate agreements with FVS to secure more realistic mileage ceilings (i.e. 150,000); place new chassis under existing box. The financial impact for engine hour meters is \$235 per unit. Mr. McDaniel with FVS is a certified vehicle operator educator and expressed a willingness to become involved with training, Mr. Newman said.

16. Review EMS administrative practices and make recommendations. Mr. Newman broke the findings and recommendations down by subsection. CRA found EMS staff views promotions as subjective and sometimes arbitrary and recommends EMS works with Beaufort County Human Resources to develop a promotional exam system for positions and address Veteran Status and possession or absence of college / associate degrees. Second, it also found some administrative practices contribute to low employee morale, and the recommendation is to put in place a career ladder with incentives and recognition, implement positive EMS activities, hold open houses at Fire and EMS stations and implement a clearly defined progressive disciplinary process. There would be a nominal financial impact for awards. The third finding was that the EMS recovery rate is only about 35% (below the national average of 60%). CRA recommends a change in EMS billing rates; increase BLS rate to exceed 2010 Medicare allowable rate; stop charging for “treatment and non-transport”; solicit EMS billing vendors; use a third party EMS revenue recovery vendor at a cost of 5-8% of net receivables; eliminate fiscal technical position if third party vendor is used; and implement resident subscription program for Beaufort County coordinated by an EMS revenue recovery company. The financial impact for these recommendations would be an increased EMS revenue of \$300,000 or more per year after paying vendor fee, and \$300,000 additional revenue possible from the subscription program.

Mr. Caporale asked if the County went through a third party for this service already and Mr. Winn informed him that it is in the process of coming about.

Mr. McBride asked for clarification on the “stop charging for ‘treatment and non-transport.’” Mr. Cheatham said that means if someone turned it in for insurance payment they would not receive anything, and the idea is if the County shows up on the scene, treats someone and goes back in service no invoice is generated. Insurance companies only treat if there is a transport from the scene to a hospital. It seems like the right thing to do and there is some revenue, but it is the hardest to come by because it is uninsured. The real expenses in that system are on the vehicles and the wear and tear.

Mr. Stewart acknowledged the treatment of “treatment and non-transport” has been a sore point.

Mr. McBride asked for further explanation on the subscription program. Mr. Newman explained he thinks the subscription program is viewed as an additional means of fundraising, not a means of “if you aren’t subscribed, we aren’t responding.” The subscription program essentially would be something along the lines of a household \$50 fee, and if there is a call the EMS will transport and charge insurance so whatever is leftover will be waived. Or if for some reason insurance does not pay the fee, a subscriber would have the fee waived.

19. Review the County EMS training program. The strengths of the EMS training program are innovative training and continuing education programs. More specifically those include: Burton Fire District – Captain Randy Wells’ medico-legal courses and outsourced “finishing school” for EMTs, Lady’s Island – Chief Bruce Kline’s leadership course and modern training facilities, and both extended invitations to EMS and fire partners in the county. CRA found EMS training resources are not sufficient to meet needs and it recommends using EMS



personnel to conduct additional training; computer work stations for Advanced Cardiac Life Support (ACLS), Immediate Trauma Life Support (ITLS) and Pediatric Advanced Life Support (PALS) recertification online courses; assign each EMS Shift Supervisor with one training session a year in collaboration with Training Coordinator; implement a Preceptor Program; align EMT basic, intermediate, paramedic continuing medical education with practice and certification level; continue to develop a cadre of assistant instructors; conduct BLS and ALS training together, but use break-outs for area-specific topics; fund the Training Coordinator's membership in the National EMS Educators Association; create/maintain a master training plan/strategic plan for Training Section; and implement a Field Training Office Program. The financial impact of the above is negligible. Second, CRA found the training facility does not meeting the needs of EMS, and it recommends use of additional space adjacent to current training facility; implement online continuing medical education training to meet CME requirements; and convert space in the apparatus bay at headquarters to allow for skills labs. The financial impact is about \$50,000 for new computers and proper venting.

20. Review EMS organizational structure to determine its efficiency and if it provides the needed administrative and managerial support. CRA broke the findings and recommendations down by subsection. First, CRA found the current organizational structure does not clearly define the roles and responsibilities of key administrative staff and recommended a review and revision of job descriptions for EMS personnel, supervisors and the Deputy Director. Second, it found current EMS structure does not provide adequate administrative and leadership personnel resources. The recommendations were to review/revise job descriptions and title for the Deputy Director, fiscal administrator and EMS supervisor; convert fiscal administrator position to administrative assistant; supervisors should not be routinely considered first line responders or counted as first response vehicle; recommend the following Command staff for EMS: Deputy Director of Administration and Deputy Director of Operations. The financial impact would be the compensation of a second Deputy Director as an added cost, but it can be minimized by increasing the revenue from contracting EMS billing services and transition of fiscal technical position to administrative assistant and not filling the vacant secretary position. The third finding was there is a lack of uniform application of policies or standard operating guidance (SOG). CRA recommended: review policies and procedures, and write directive of SOGs, then EMS leadership and field crew representatives should evaluate and validate each guideline; EMS Administrative staff and representatives of field crews should evaluate directives to ensure they accurately reflect the intent of the policy or Standard Operating Guidance. The financial impact would be the investment of staff time.

Mr. Caporale requested clarification on taking supervisors from first line responder or first response vehicle. Mr. Cheatham explained the supervisor should not routinely be the first person sent to the scene. However, he acknowledged if the system is busy they are available for that but it should not be routine; they need to be supervising.

22. Review current type of ambulance used within the system and determine their efficiency. CRA found Type I transport vehicles are rapidly aging and many passed the maintenance/warranty curve (3-4 ambulances are in queue for replacement). He explained Type I vehicles are cabin in the front with a box behind. He added a replacement program was put in

place, but due to fiscal restraints vehicles have not been replaced. CRA recommends working with First Vehicle Services (FVS) consider leasing other types of ambulances as short-term pilot projects to test their suitability. For example, Mr. Newman discussed the Mirage EX Sprinter as a Type II ambulance on a Mercedes Benz Sprinter chassis. They also recommended considering leasing options to cover the acquisition of new vehicles including biomed/medical and communications equipment aboard. The financial impact of these would depend on the lease and it would be predictable budget expenditure.

Mr. Caporale wanted to know if these costs were compared with what the County already spends on ambulances. Mr. Hunt said the County is in the process of having several brought on-line in the next year, and he cited page 74 of the study as it has an extensive examination of costs and leasing benefits. Mr. Hunt clarified that CRA was not recommending the County switch to leasing, but only that it is worth considering.

25. Determine if EMS should be contracted to a private provider. The finding was that the private sector EMS models are successful in some regions, but there are several inherent challenges. The recommendation is to not contract with a private sector ambulance company, but to establish MOUs with private ambulance providers for mass casualty incident response / system overload. The financial impact would be the provision of mobile/handheld radio equipment for private providers to facilitate emergency communications. Mr. Newman noted the County's long-standing relationship with the military, which have their own EMS system.

Mr. Stewart stated he got the impression the fire districts have a very good training program in comparison to the EMS. Mr. Newman said he found the EMS had an adequate training program, whereas the Fire Department had a robust and innovative training program. He added CRA heard universal praise for the continuing education program provided by Beaufort County EMS.

Mr. Cheatham said there are several challenges EMS faces with space requirements and they have to do the same training program multiple times because they do not have the facilities. It is not that they are not doing the training, but the issue is to have the space for training such as skills drills.

Mr. Stewart clarified he was trying to point out that in some instances that happened prior to this study there were some implications that perhaps EMS was not adequately trained. He said he does not think that is what CRA is saying. Mr. Cheatham confirmed, and added they do a quality job. Mr. Newman interjected that Beaufort County has great medics, and the clinical review from the emergency room confirms this; they just lack resources for training. Mr. Newman suggested increasing the sharing.

Mr. Hunt told the Committee that the best EMS system in the United States can have a bad call, but that does not mean the system is bad or that the medic is bad.

Mr. Glaze asked for elaboration on sharing.



Mr. Newman said the different departments should share their resources. He gave the example of Chief Kline's leadership training program and making it countywide. The recommendation is to leverage the existing resources and talent. Mr. Hunt added that another recommendation is the County EMS trains the fire responders as EMS responders. That is another level of augmentation of space and resources to be able to do that and get a common set of protocols and medical direction.

Mr. Cheatham explained when asked by Mr. Stewart about findings on page 161 of the report that people in EMS have Type-A personalities and have their own expertise and needs. As a result, he gave this example: a fire chief goes to dispatch and tells them to make a change. But the fire chief may not realize this has an effect on the law enforcement officer or EMS units. So having a group of all these folks to deal with operational issues and share what works/does not work would be very valuable.

Mr. Stewart noted a lot was brought out in the report about having a Medical Director. Mr. Hunt said that will be addressed.

Mr. Caporale asked how to get beyond the perceptions that promotions are arbitrary and subjective. Mr. Newman said the entire crew should be involved as job requirements and descriptions are put together. Like any organization, get maximum involvement. CRA representatives emphasized it is important to have set guidelines.

#### Fire Findings

5. Review the use of the First Responder Program as provided by each fire department and determine its efficient and operational capability. CRA found emergency medical response is not consistent among fire departments due to separate response protocols; medical capabilities of first responders vary from limited medical training to advanced life support. Mr. Hunt explained that within Beaufort County there are eight separate fire districts, each of which determines the level of EMS capability they have. Because of the range, it creates some issues. To address those, it was recommended to use medical doctor approved EMD protocol to have dispatchers prioritize medical calls for service (Priority 1, 2, 3); all fire departments should follow the same EMS protocols for dispatching consistency; assign ALS FD personnel to staff an ambulance. Some fire districts provide ALS for their area and CRA commends that and recommends that should it continue things should be realigned so people operate under the same protocol. The financial impact of this would be a minimal training cost to implement call prioritization; minimize cost of fire department ALS personnel performing duties on ALS response unit by hiring them as part-time EMS employees. CRA noted the strength of Beaufort County fire departments is that they provide quality first response service to medical calls for service. CRA also found that fire department first responders are medically trained, appropriately certified and provide effective response to calls for medical service. The recommendations are to continue fire response to all priority 1 and 2 medical calls for response and to priority 3 when EMS requests it; EMS should provide first responder training to fire departments; and training beyond the first responder level for fire departments should remain optional. No financial impacts were discussed for this recommendation.

8. Determine the impact of changing the medical license of Burton Fire Department and Bluffton Fire District. Provide recommendations on whether this should continue or be consolidated back into the County medical system. The findings follow. First, EMS Medical Director should be active in directing daily EMS operation. The benefits of this are the Medical Director gets to know the medics, they are constantly aware of concerns arising, provide in-service training, etc. Mr. Hunt explained. The recommendations for that are to select on Medical Director to serve all Beaufort County programs (EMS and Fire); Medical Director should be accountable for his/her contract with EMS, and implement a system to validate hours dedicated to that function; Medical Director should have increased direct involvement with EMS management team and field medics; and Medical Director should work with other medical directors of surrounding communities to ensure consistency with Standard Medical Orders, policies and procedures. Mr. Hunt said there would be a minimal cost. He added that right now the Medical Director is Dr. Afolabi Oguntoyinbo and CRA met with him and want to emphasize they are not saying he is not a qualified individual to do this. He is a former emergency room doctor in the county and there are no concerns with the medical protocols within the county; they are appropriate. CRA also found Fire departments and EMS within Beaufort County do not all share common protocols and the recommendations were to create consistent patient care protocol within the County emergency response system; and County EMS and Fire department personnel should train together to foster better working relationships and consistency in care.

15. Determine the feasibility of Fire and EMS operating front-line ambulance or fire service operating back-up ambulances. CRA found opportunities exist for fire and EMS service collaboration in the operation of reserve EMS ALS transport apparatus. The recommendation is for MOU between Beaufort County EMS and Bluffton Fire Department to operate the reserve ambulances at the Bluffton Fire Department stations. Mr. Hunt said this gets back to the Bluffton issue, and added they find there are opportunities for fire and EMS service collaboration through this. CRA also recommended that as ambulances are replaced, one of the units should be moved to reserve status at the Fripp Island Fire Department. There would be a low financial impact for equipping, maintaining and operating the reserve ambulances.

Mr. Stewart said he thought Fire could not transport. Mr. Hunt explained that the Fire Department does not have a transport license, but the County does. Mr. Cheatham explained because they would be operating the County vehicle, they would be operating under the County's license. Mr. Hunt said they could maintain separate licensure but it would be easier if everyone was under the same license.

23. Determine if EMS should be transferred to the fire service. This was an issue that may have been a generating point for this study and there was considerable disagreement in just every corridor on this issue, Mr. Hunt noted. He said most Beaufort County officials did not recommend that the fire district perform the EMS operations in the capacity of a transport ambulance service in the way it's configured. Right now there are eight separate fire departments under eight separate fire districts, some dictated by state, some local and some special purpose tax districts. Each has their own protocol. The recommendation is to have greater County control of EMS. The official recommendation is to continue to use the present third-service emergency medical service model managed by Beaufort County; fire districts should not be license to

perform ambulance transports of inter-facility patient transfers, but should continue to respond to emergency medical calls; Burton and Bluffton Fire Districts may choose to continue ALS services but should do so under a shared County Medical Director. There is no applicable financial impact.

Mr. Rodman asked what the national mix is of separate fire districts.

Mr. Hunt said nationally is a bit different than this scenario and said the trend nationally is for small fire districts to consolidate. However, fire districts such as those in Pennsylvania exist for each town, and the costs are not sustainable for the tax base. He said Beaufort County has a different model. It is not necessarily that a cost crisis will force consolidation. The process is not impossible, but it is certainly not a simple legal process to consolidate. Further, Mr. Hunt explained there is no one model. Mr. Cheatham said because of the cost of a fire-based EMS system many counties are moving away from it to contracted EMS service so it depends on the locality what works. Mr. Hunt said in an ideal world the County would have control of Fire and EMS under one consolidated agency, but he said he is not sure that model would be best for here.

The Committee briefly spoke on Bluffton and the service coverage by Fire of some EMS roles. Mr. Hunt explained that some of the Fire departments in Bluffton area have people trained in ALS so that service is offered, but not every fire truck has ALS on it nor can Fire transport patients. The suggestion is to maybe add an ambulance to one of the Fire stations and therefore be able to transport. Right now, if the first due ambulance is not available it is generally left to other ambulances to determine who is closest and who should respond. This goes on 24 hours a day and they must always have an ear open. This is a constant stressor that should be a responsibility of Dispatch, but Dispatch does not have those tools. Mr. Hunt said the County is in the process of implementing those tools however.

Ms. Von Harten asked about the fire department and salary level saying there has been discussion about holding back on increasing salaries for years for certain departments because the fire commissioners say they do not need the increase even though there is a study to say they need an increase. Mr. McBride said he does not think they said they did not need an increase. Ms. Von Harten said the firefighters need an increase, but the commissioners know it is not politically viable to request one.

#### Dispatch Findings

Mr. Tom Margetta introduced himself and said he has worked in 911 centers for 21 years and considers it a privilege. He started by saying all the problems identified are solvable in the Dispatch Center; they only need time, attention and money. One of the problems CRA came across is that there is no national model in the United States for a 911 center. He cited national trends in high turnover and retention challenges in dispatch centers, and these are reflected in Beaufort County as well.

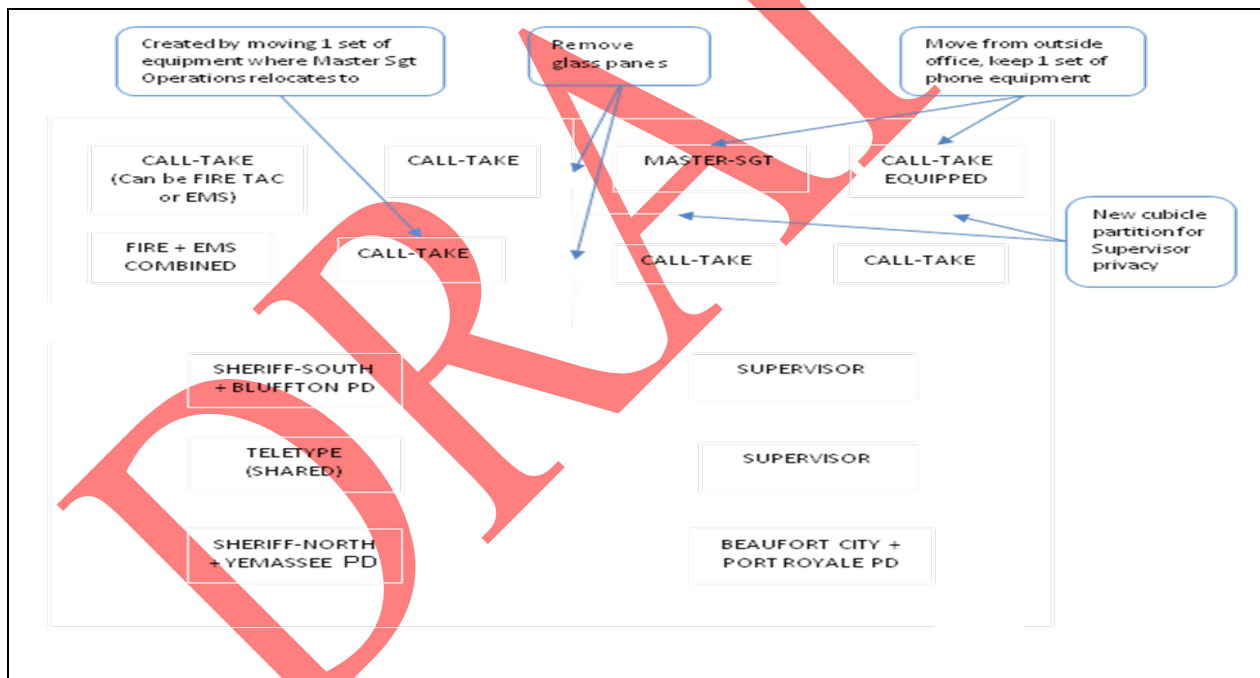
7. Review current dispatch procedures for Fire and EMS. The findings follow. First there is a single dispatch tone for a designated service/department (in both EMS and Fire

Departments). The County basically blasts out one tone across the radio system to wake up all units all of the time, and this is ineffective and puts a great deal of pressure on everyone, Mr. Margetta said. The computer-aided dispatch emergency responder run orders, from the beginning to the turnover for mutual aid is important, and if there is no pre-work done the system is left to having the units decide and dispatch is not doing its job. The recommendation is to provide units assigned to each fire station with a unique radio paging tone to ensure units know when a call is specifically directed for them; implement specific unit radio paging tones for each EMS unit and alert them via their individual tones; build CAD emergency responder run orders from first-due through turnover to mutual aid; and once system upgrades are completed, use AVL to identify the nearest available unit if first-due unit is already on another call. CRA also found that the use of communications codes creates confusion. The recommendations are to eliminate most dispatch codes; use plain language: does not violate HIPAA and improves communication and provides clarity; adopt a common language protocol. The financial impact would be minimal for implementing plain language. The third finding was that the current Dispatch Center procedures for Fire and EMS can be improved. The recommendations are to consistently name all available apparatus to match CAD unit, Radio Alias and verbal radio call sign; procure a Fire station alerting system to replace and/or augment the current paging methods and discontinue the use of the stand-by automatic moving of units, and run-number generation of stand-by incidents; build the unit recommendation files in Computer-Aided Dispatch (CAD) Run Area Orders down through full unit exhaustion or to the point where neighboring jurisdictional mutual aid is required. The financial impact of this is about \$150,000 for total implementation and installation of IP-based Fire Station Alerting.

Mr. Stewart stated he doubted the Sheriff's Office would move away from codes and questioned whether this was a realistic recommendation. Mr. Hunt answered that it is because it is a national standard to use common language for all communications. It is commonly understood, particularly in stressful situations. The model used has a limited use of codes and is based on one from Virginia. There are times when the use of codes is important such as for officer safety.

11. Determine if current system is adequate and if not provide recommendations on dispatch improvements. CRA found the division of labor in the Dispatch Center is not optimal, and shift times do not maximize efficiency. Mr. Margetta said Dispatch is understaffed about 40% of the time when emergency calls come in. He suggested a call-based staffing as more predictable. The recommendations were to combine Fire/EMS to one radio console, and a dedicated teletype console, and combine Sheriff-South and Bluffton Police Department to the same radio console; increase minimum staffing per shift to eight; stagger shift times to better allocate resources to meeting typical demands; ensure shift management is consistent so that every employee understands expectations; ensure standard operating procedures are continually updated. Consultants discussed various scenarios for dispatching to different calls and how radio calls would play out. Mr. Margetta added that the recommendation is from 10 a.m. to 10 p.m. for more staffing because there is a historic call volume increase during these hours. No financial impacts were listed. Mr. Margetta explained the current staffing minimum of six is very low for the call volume coming into dispatch, and that the problem with minimum staffing is that it often becomes the normal staffing and thereby overworking employees.

12. Determine if Fire and EMS should be dispatched on a single channel and provide methods for accomplishing. CRA found the current dispatch of Fire and EMS units on separate radio channels is adversely affecting coordinated response by Fire and EMS units. Recommendations were to consolidate. Recommendations were to consolidate dispatching information to one tone-out of initial information, and one central radio point of contact for supplemental information and unit tracking; combine Fire/EMS to one radio console; if Fire units require operations radio talk-group, the closest call-taker to the console can assist with monitoring the assigned talk-group. A modification on this will be attempted in that the units will be dispatched on one channel and as they arrive on the scene a split will occur. Mr. Margetta added that he would like to see dispatch consolidated to one channel to completion, but how it is being carried out is more of a local decision. He also recommends use of tactical channels when needed. The layout for dispatch, which had many Americans with Disabilities Act concerns, was recommended as follows. Recommendations continued with the need to provide accurate daily roster of available Fire Department and EMS units to the Dispatch Center including the stations to which units are assigned. Mr. Margetta said this is dispatch 101 and people need to know players on the field in order to properly dispatch.



13. Determine if two fire dispatch channels should be operated. CRA found fire dispatch is currently separate from EMS dispatch; Fire Departments are dispatched on a single radio channel; current fire dispatch procedures underutilize the Mobile Digital Computer technology to log or transfer information. The event numbers on the CAD assignments have to stay consistent in order to share information. Once the link is broken, the CAD does not understand the calls are linked and it only adds information into one call instead of both. The recommendation is, based on call volume, there is no need to split the fire dispatch services further or add additional fire dispatch radio channels at this time. No financial impacts were listed.



14. Determine the number of dispatch personnel assigned to each shift to meet current ISO requirements and numbers needed for 450,000; 500,000; and 550,000 calls for service. The consultant found definition of calls for service is not universally agreed upon among departments served by the 911 Communications Dispatch Center. The 450,000-550,000 could not be independently supported as applicable to Beaufort County. Mr. Margetta said by a standard definition of a call for service where a citizen calls for service, the County is nowhere near those numbers. To get the 450,000 and above numbers you would have to be in a city about the size of Seattle, he explained. He added there needs to be a separation of calls such as door checks and traffic stops from real emergency calls for service. Mr. Margetta then referenced data from a graph. Calls coming in were compared for 2009 and the first nine months of 2010. For 2009, incoming were 181,707 and in 2010 that same type increased to 203,281. Outgoing calls increased from 70,150 in 2009 to 80,411 in 2010. Lastly, abandoned calls increased from 6,954 to 22,991 in 2010. Mr. Margetta said he was very concerned about the abandoned phone calls showing on the report. An abandoned call is one not answered before the caller hangs up. It could be caused by a cell phone inadvertently calling then the person hangs up, but he said a fourfold increase in only the first nine months of the next year it is a significant problem of not answering phone calls. The recommendations were to globally define and track calls for service in a manner described in the report; Association of Public-Safety Communications Officials International (APCO)'s Project RETAINS formula would handle Dispatch Center staffing concern; clarify work assignments for each position in order to have valid data. No financial impact was listed.

Mr. Caporale asked if Dispatch can see the numbers dialing and if there are repeated phone calls by the same number some of that could be the cause for such an increase. Mr. Newman answered that a percentage of that could be explained in such a way, but it is still a very large increase. Mr. Caporale also referred back to the recommendation to shift staffing levels from six to eight and questioned why no financial impact was listed. Mr. Margetta said the recommendation is to recommend the Project RETAINS study, a software toolkit as marketed on APCO's website. Mr. Margetta said there are already 44 people budgeted for the dispatch center, but he anticipates the Project RETAINS will recommend a number much higher than 44.

Mr. McBride said he was under the impression if someone called 911 and hang up before the call is answered, 911 calls back.

Mr. Stewart questioned the data on abandoned calls. He said it is so high someone must be wrong, someone did calculations incorrectly. He suggested if one digs into it he bets there really was not that big of an increase but something wrong with the data.

17. Review Emergency Medical Dispatch procedures for accuracy and efficiency. CRA found the current EMD program is not effective due to the lack of trained personnel and program management. Mr. Margetta acknowledged changes are being made to get training up to standards. Recommendations were to appropriately fund the issued directive about EMD certification to complete training of all remaining employees to become APCO EMD certified within a year; Task Master Sergeant of Administration with starting internal quality assurance

program to review calls processed under EMD program; consider early planning for the conversion of flip cards to a computer-based program (APCO MEDS software); fully utilize the Unit Recommendation/ Determinant Descriptor section of the EMD program telephone triage to assign proper level of Fire/EMS response to call for service. Financial impacts for the above recommendations are APCO EMD in-person course at \$379 per person, online EMD six-week course at \$429 per person, discounts for APCO members (\$20) and for in-house instructor (\$79), installation, licensing and one year maintenance of 14 workstations of APCO MED software at \$50,000 would be likely offset by a reduction of unnecessarily dispatched units. Mr. Margetta reiterated that everything in the Dispatch Center was solvable and many of the current technologies exist but proper use of them needs to be carried out. He added there is a great attitude of cooperation and teamwork, and it is remarkable.

18. Review call processing procedures for Fire/EMS calls and make recommendations for improvement. First, CRA found emergency responders in the field and Public Safety staff reported that CAD time stamps and benchmarks are unreliable. The recommendation is to enhance or upgrade the CISCO CAD and prepare for SQL server conversion required for the next released major upgrade (see Appendix H of the study); discontinue Field Unit telephone contact to the Dispatch Center for unit time information; and train personnel on how to obtain correct times for their reports. Mr. Margetta said all the information is already on the computers in the field and calling into Dispatch is unnecessary. Second, CRA found talk group labeling on the Motorola Radio System does not include radio switch position identification or “at-a-glance” distinction for the dispatchers. The recommendation for this finding is to re-label talk group identifiers for at-a-glance identification to the dispatcher and include radio switch position on the display if it is common across users of the talk group. No financial impact was listed for the second finding. Third, the radio ID alias file is not currently programmed for quick identification of the radio user and the recommendation is to program the radio database appropriately. No financial impact was listed. Fourth, CRA found Motorola Instant Radio Replay (IRR) is available only on a single stand alone workstation in the Dispatch Center, Recording by telephone line only results in difficulty reproducing a true “Dispatch’s Ear” sound profile. “Dispatch’s Ear” was explained as the call plus background noise, other dispatchers talking, calls coming in, etc. going on at the time of a call, or otherwise a reproduction of what the dispatcher really heard. Recommendations are to expand IRR capability to all radio consoles for immediate access from a radio dispatcher without leaving his/her console; and purchase four to six additional Last Message Replay licenses. The financial impacts would be \$80-100 per LMR license and \$450 for installation done by NICE, but County IT staff can do it at no charge.

24. Determine the best method of using the three new Fire/EMS Dispatch consoles. CRA found the current use and layout of available Dispatch consoles is not optimal. Recommendations were to combine Fire/EMS to one radio console, with the possibility of future combined Fire/EMS split by North and South jurisdictional boundaries as call volumes increase and radio traffic becomes too heavy. No financial impact was listed.

Mr. Stewart noted there has been some concern in the past, especially in the press, about the time for response and maybe there was a difference of opinion on what time was actually



used. Mr. Cheatham answered that if looking in the right fields in the CAD it has the proper times.

Mr. Margetta said how the Dispatch Center is rearranged is up to the local officials, but he suggested making it consistent so people show up to work at the same place each day. He also noted there is a nationwide push to professionalize the dispatch position by getting licensure, pay and retirement benefits in place.

Mr. Rodman asked if the tone is really the same across the county. Mr. Margetta explained there are two different tones – unit alerting and radio alert toning. The unit alerting is going out to everyone. He added that it is a serious stressor.

Mr. Rodman asked for clarification if the current system is for the dispatcher to throw the information out and whoever wants to respond, does as opposed to the dispatcher assigning, say, unit A. Mr. Margetta said after the first unit, yes. He added that it will take work to set up the system, but it will be in place when needed if groundwork is done prior.

Ms. Von Harten said there needs to be some intensive work done to set out a roadmap for how to upgrade the Dispatch services. She asked about the total cost and how soon it could be implemented. Mr. Margetta answered that depended on the recommendation she referred to, but all are listed in the study. Ms. Von Harten also asked about training programs in conjunction with the Technical College of the Lowcountry.

Mr. Caporale said in his experience there is little Mr. Winn misses. He added that he heard criticism about the cost of this study, but he believes it is a good investment and it establishes Beaufort County has good service and good people. He asked with regard to the changes, there is a series proposed, are they laid out in the most logical order or process of these changes. Mr. Hunt then explained that as they laid out the changes they listed “low-hanging fruit” that would be easily implementable, rapidly implementable, medium term and long term projects.

Mr. Stewart notified those present and watching on television that at the April 4, 2011 meeting they would discuss what has already been implemented and then focus on a new timeline for how to proceed.

**Status:** This matter will appear before the Governmental Committee at its April 4, 2011 meeting.

TABLE 1:

Agency	Average Alarm Processing Time	Alarm Process 60 sec 90% Fractal	Alarm Process 90 sec 99% Fractal
<b>Fire Medical Calls For Service</b>			
Beaufort FD	00:02:32	6%	16%

Bluffton FD	00:02:43	5%	13%
Burton FD	00:02:36	7%	17%
Fripp Island FD	00:02:54	7%	13%
Lady's FD	00:02:39	6%	15%
Sheldon FD	00:02:43	7%	14%
<b>TOTALS</b>	00:02:41	<b>6%</b>	<b>15%</b>
<b>Calls For Service</b>			
Back-up/Reserve Unit	00:02:56	17%	30%
1- Beaufort Unit	00:02:28	9%	20%
EMS 2- Unit	00:02:30	9%	21%
EMS 25- QRV stationed out of	00:02:29	15%	24%
26- QRV Stationed in Sheldon	00:02:30	13%	22%
3- Burton/ Sheldon Unit	00:02:35	8%	18%
EMS 5- Unit	00:02:37	8%	17%
EMS 7- Lady's Unit	00:02:33	10%	20%
8- Bluffton Unit	00:02:39	8%	16%
9- Bluffton Unit	00:02:41	7%	14%
6- Bluffton Unit	00:02:32	9%	20%
Generic Unit used for EMS when run orders are not used (not assigned to a specific EMS unit)	00:04:29	9%	16%
<b>TOTAL</b>	00:02:45	<b>9%</b>	<b>19%</b>

TABLE 2:

Agency	Average Turnout Time	Turnout 60 seconds 90% Fractal
Beaufort FD	00:01:19	37%
Bluffton FD	00:02:43	5%
Burton FD	00:02:36	7%
Fripp Island FD	00:02:54	7%
Lady's FD	00:02:39	6%
Sheldon FD	00:02:43	7%
<b>TOTALS</b>	00:02:41	<b>6%</b>
Back-up/Reserve Unit	00:02:56	17%
1- Beaufort Unit	00:02:28	9%
EMS 2- Unit	00:02:30	9%
EMS 25- QRV stationed out of	00:02:29	15%
26- QRV Stationed in Sheldon	00:02:30	13%
3- Burton/ Sheldon Unit	00:02:35	8%
EMS 5- Unit	00:02:37	8%
EMS 7- Lady's Unit	00:02:33	10%
8- Bluffton Unit	00:02:39	8%
9- Bluffton Unit	00:02:41	7%
6- Bluffton Unit	00:02:32	9%
Generic Unit used for EMS when run orders are not used (not assigned to a specific EMS unit)	00:04:29	9%
<b>TOTAL</b>	00:02:45	<b>9%</b>

## **PUBLIC FACILITIES COMMITTEE**

**March 29, 2011**

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

The Public Facilities Committee met on Tuesday, March 29, 2011 at 4:30 p.m., in the Executive Conference Room of the Administration Building, Beaufort, South Carolina.

### **ATTENDANCE**

Public Facilities Committee Members: Chairman Herbert Glaze, Vice Chairman Steven Baer and members Gerald Dawson, Brian Flewelling, William McBride, Stu Roadman and Jerry Stewart were present. Non Committee Member Rick Caporale was also present.

County staff: Paul Andres, Airports Director; Bryan Hill, Deputy County Administrator; Bob Klink, County Engineer; Gary Kubic, County Administrator; Rob McFee, Division Director – Engineering and Infrastructure; Monica Spells, Compliance Officer; David Starkey, Chief Financial Officer; and Dave Thomas, Purchasing Director.

Public: Anthony Barrett, Town of Bluffton; Pete Buchanan, Chairman Airports Board; Lewis Hammet, representative for Reed Development; Karen Jared, Traffic Engineer, Town of Bluffton; Wes Locker, Florence & Hutchison; Jonathan Mullen, lawyer; John Reed, CEO Reed Development; Doug Robertson, Ports Authority Commissioner and property owner; Richard Titus, Beaufort County Transportation Committee; Gary Wiggin, Vice President of Land Division, Reed Development; and Steve Wilson, Beaufort County Transportation Committee.

### **INFORMATION ITEMS**

- 1. Consideration of Contract Award**
  - **Hilton Head Island Airport Passenger Facility Charge (PFC) Application**

**Discussion:** Mr. Paul Andres, Airports Director, reviewed this item with the Committee. The Airport is coming forward with a request to use Talbert, Bright, and Ellington, Inc. to prepare the appropriate program applications to establish a new passenger facility charge (PFC) program for the Hilton Head Island Airport. This would be a \$4.50 ticket up-charge to all passengers leaving the Airport. It would encompass the entire airway system. The reason of looking at this program is to capture lost revenues that were advanced from the General Fund for previous capital projects which include the control tower land acquisition, the control tower construction costs, some additional costs for the new fire fighting vehicle purchased in 2003 and to cover the cost for the runway overlay and widening project which allows us to bring C130 aircrafts into the Airport. Also, the intent for the future is for this to cover the capital improvements recommended in the recently completed Master Plan Update. The local matching fair would be covered from monies collected from this program. It is anticipated that the program

will last 8-10 years in duration and if the passenger loads remain around 50,000 per year, it will generate approximately \$225,000 worth of revenue annually. The Airports Board endorses establishment of a new PFC program at the Airport. The funding will initially come from previous PFC monies that had been collected under a previous program. The entire cost of this program development is fully reimbursable from revenues generated under the new program. Staff recommends that the Public Facilities Committee approve awarding a contract in the amount of \$49,958 to Talbert, Bright, and Ellington, Inc. to prepare the application needed to establish a new PFC program for the Hilton Head Island Airport.

Mr. Flewelling inquired as to whether we currently have a program. Mr. Andres replied, "no". We used to have a program, but collection authority expired in 2007.

Mr. Flewelling asked about the money left in the account. Mr. Andres stated there was money left in the account which is now being transferred to apply to other appropriate Airport financial account.

Mr. Flewelling inquired of per passenger change under the previous program. Mr. Andres stated it was \$3 per ticket.

Mr. Baer stated we have a second contractor and wanted to know why they were not offered this. Mr. Andres stated the other contractor we are going to be working with primarily for the Beaufort County (Lady's Island) Airport. A lot of this work applies to the Master Plan Update which was completed by Talbert and Bright.

Mr. Baer stated it seems separable and wanted to know if a second contractor could have executed it. Mr. Andres stated he believes they could.

Mr. Baer wanted to know if a bid was solicited from the second contractor. Mr. Andres stated that could not be done due to it not being permissible under federal law. You have to negotiate with one contractor; and if an acceptable contract is not reached, then you break off negotiations and go to the second contractor.

Mr. Baer stated there are some ominous words on page 1 where it says "a county share of the five year capital improvement projects and of the five year capital improvement projects in the new master plan, 47.5% are for general aviation". Does that mean we will continue as we have in the past to have commercial passengers pay the for general aviation expansions.

Mr. Andres stated the actual program has not been developed. He stated when he meets with the consultant they will identify the specific projects that are eligible for PFC reimbursement. It may or may not include anything on the general aviation side.

Mr. Baer stated in the past we did have general aviation projects paid for by PFC. Mr. Andres stated that is correct and stated in this case it requires airline concurrence.

Mr. Baer stated going forward that is something we need to be sensitive to. We want to preserve the Hilton Head Island Airport. One big issue is fee differential. As we tack on these fees, Hilton Head Island Airport becomes more expensive. That will drive commercial passengers away.

Mr. Rodman wanted to know if this is done at a lot of airports. Mr. Andres replied that it is extremely widespread. Almost every airport has a PFC program in place.

Mr. Rodman stated it is not something that US Air is going to object to. Mr. Andres agreed in the affirmative. Congress is trying to eliminate FAA grants at medium to large hub airports in favor of allowing them to increase PFC charges and pay for their improvements that way.

Mr. Rodman stated US Air was interested in the external lights and the upholstery refurbishment and inquired as to where we stand on those. Mr. Andres stated we have quotes. He has to meet with the new US Airways terminal manager to have him articulate exactly the lighting issues he has. He is also meeting with the furniture consultant next week. One thing we might look to for PFC funding is the furniture replacement.

Mr. Rodman inquired as to the length of the process. Mr. Andres replied several months. Part of this process involves a public hearing.

Mr. Rodman inquired as to where we stand in regard to our Environmental Assessment. Mr. Andres stated we are awaiting a decision regarding funding from the FAA.

Mr. Andres informed the Committee that all of the out light bulbs and fogged lenses have been replaced. Also lighting has been re-aimed in an effort to improve the situation.

Mr. Caporale inquired as to the location of the bathrooms. Mr. Kubic stated the request was to consider developing a facility post with TSA so if someone had a child they would have privacy to change them. Typically, there are standby areas, so we will probably put a unisex facility that would satisfy.

Mr. Caporale thanked Mr. Andres, Mr. Buchanan and the Airports Board for the energy they have brought to this project to find new resources of revenues for the Airport. He also spoke of some recent clean up at the Airport, saying it is looking much better.

Mr. Andres commented the signage is well placed for the detour around the highway construction that is occurring. Improvements have been made to the signs which include low illumination lighting.

It was moved by Mr. Rodman, seconded by Mr. McBride, that the Public Facilities Committee award a contract in the amount of \$49,958 to Talbert, Bright, and Ellington, Inc. to prepare the application needed to establish a new PFC program for the Hilton Head Island Airport. The vote

was: APPROVE – Mr. Baer, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Rodman and Mr. Stewart. The motion passed.

**Status:** The Public Facilities Committee awarded a contract in the amount of \$49,958 to Talbert, Bright, and Ellington, Inc. to prepare the application needed to establish a new PFC program for the Hilton Head Island Airport.

## 2. County Transportation Committee (CTC) Presentation

**Discussion:** Mr. Rob McFee, Division Director – Engineering and Infrastructure, presented the Committee with a PowerPoint presentation on Beaufort County’s Dirt Road Paving Program. The County’s C Program began in 1946 with the original intent to pave farm-to-market dirt roads on the state system. Funds come from a 2.66 cent per gallon user fee on gasoline sales that are deposited in the County Transportation Fund and allocated to the counties. C-funds are apportioned as shown below:

- $\frac{1}{3}$  in the ratio of county land area to the total land area in the state.
- $\frac{1}{3}$  in the ratio of county population to the total population of the state.
- $\frac{1}{3}$  in the ratio of rural road mileage in the county to the total rural road mileage in the state.

This Committee discussion serves as an annual update in regard to the County Transportation Committee (CTC). The CTC has done a wonderful job in maintaining the momentum. The CTC was established in 1993 and our members appointed by the Legislative Delegation. It is through their efforts where we come up with the four-year program and rate all of the roads. He provided the Committee with a list of CTC members. There are currently three vacancies.

Since the program started in 1993, 316 dirt roads totaling of 90.41 miles have been paved, and 125 roads totaling 69.72 miles have been resurfaced. That is better than any other CTC in the State. This committee has maintained its focus since 1993.

Mr. McFee presented the Committee with a listing of the County dirt road paving projects which is as follows:

<b>Fiscal Year</b>	<b>Contract #</b>	<b>Number of Roads</b>	<b>Mileage</b>
1993/94 – 1996/97	1-10	53	16.24
1997/98 – 2000/01	11-17	62	16.78
2001/02 – 2004/05	18-30	109	19.89
2005/06 – 2008/09	31-41	67	21.15
2009/10 – 2012/13	42-48	25	16/35
	<b>Totals</b>	<b>316</b>	<b>90.41</b>

Mr. McFee presented the Committee with the State and County Road Resurfacing which was as follows:

<b>Fiscal Year</b>	<b>Number of Roads</b>	<b>Mileage</b>
1993/94 – 1996/97	14	6.54
1997/98 – 2000/01	17	6.21
2001/02 – 2004/05	76	30.54
2005/06 – 2008/09	18	11.52
2009/10 – 2012/13	36	12.35
2009/10 – 2012/13 (approved not resurfaced)	25	15.87
<b>Totals</b>	<b>186</b>	<b>83.03</b>

Mr. McFee also presented the following contracts to the Committee:

<b>Road Paving Program FY 2009/10 – 2012/13 Contract #42</b>		
<b>Name of Road</b>	<b>District</b>	<b>Miles</b>
East River Drive	7	0.4
West River Drive	7	0.7
Central Drive	7	0.5
Rose Island Road	5	0.7
	<b>Totals</b>	<b>2.3</b>

<b>Road Paving Program FY 2009/10 – 2012/13 Contract #43</b>		
<b>Name of Road</b>	<b>District</b>	<b>Miles</b>
Middleford Circle	6	0.9
Jasmine Hall Road	6	0.9
Ballpark Road	6	0.3
Ihley Road	6	0.6
	<b>Totals</b>	<b>5.4</b>

<b>Road Paving Program FY 2009/10 – 2012/13 Contract #44</b>		
<b>Name of Road</b>	<b>District</b>	<b>Miles</b>
Pritchard Street	4	0.1
Fishhaul Road	2	0.8
Jessica Drive	2	0.1
Ned Court	2	0.1
Forman Hill Road	4	0.8
	<b>Totals</b>	<b>1.9</b>



Mr. McFee stated the average cost was \$1.75 million. The C Funds can only be used for a minimum of 50' right-of-way road improvements, other than the 25% proviso previously mentioned. On the facilities that meet the need and objective criteria that the committee has established for paving. If the 50' right-of-way cannot be met, Tag Funds will be used for the method of funding.

Also, the evaluation form consists of three categories which are as follows:

1. What is on the road? How many dwellings? Businesses? Churches? School Bus Route? Are there any minor roads branching out from this road?
2. How much effort does it take to maintain this road? This score is given by Beaufort County Public Works Department?
3. How much does it cost to pave this road?

He presented an example of the evaluation sheet – road improvement rating.

The process for project implementation is as follows:

1. Qualifying roads are grouped for the next four years into several contracts based on location, cost and priority.
2. Right-of-Way Acquisition: Minimum 50' required right-of-way shall be donated to Beaufort County by the homeowners voluntarily.
3. Engineering, Permitting and Construction: The road will be designed, permitted and constructed by a design-build team selected and supervised by Beaufort County.

Mr. McFee stated we are getting to a point in Beaufort County where some roads we will never pave. Some folks do not want them paved. We need to have all our suite of tools up to date with regard to a rocking program for the roads we will never pave and those we cannot justify paving. We began a rocking program last year. Fort Fremont on St. Helena was rocked. That will be another tool that we are developing as we move forward. We have paved 316 roads thus far, but looking into the future we need to make sure we are addressing the other needs as well.

The project acceptance and final inspection will be performed by both Beaufort County's Engineering Department and Public Works Department. The paved road will be accepted and maintained by Beaufort County Public Works thereafter and as-built plans turned in to Beaufort County Engineering Department for records.

Mr. Baer stated we had a road in the north were a lot of people wanted paving but one individual did not. Is that paved? Mr. Glaze replied no.

Mr. Glaze inquired as to the length of time the process is to fill the current vacancies on the committee.

Mr. McFee stated the Legislative Delegation Assistant, Ashley Sanders, is the best person to contact regarding serving on the committee. The vacancies that have recently been filled took

several months.

**Status:** No action required. Information only.

**3. Town of Bluffton Proposal to Realign Intersection of Bluffton Parkway at Buckwalter Parkway / Bluffton Parkway Phase 5B Realignment**

**Discussion:** Mr. Rob McFee, Division Director – Engineering and Infrastructure, spoke before the Committee. He presented the Committee with overview map, realignment map, aerial map, right-of-way plans, and documentation presented to the Transportation Advisory Group (BTAG) July 23, 2007.

Mr. Wes Locker, Florence & Hutchinson, spoke before the Committee. The final right-of-way plans have been completed and turned into the County. There have been a couple of public meetings and a public hearing showing this alignment to the public. The permit status of environmental assessment was approved in 2008. The permit is complete, but has yet to be submitted due to needing direction from the County.

Ms. Karen Jared, Town Transportation Engineer, stated the two intersections will have to stay because there are two developments at those locations. Either scenario will have both intersections staying. What she likes about the alignment is we have the road more centrally located between the two intersections, with roundabouts at both of those intersections to help with signal spacing.

Mr. Stewart stated the portion of the parkway that goes out to SC Hwy 170 is coming out where the roundabout is located. Ms. Jared stated that is correct.

Mr. Stewart stated there is a traffic light at that location. Ms. Jared replied in the affirmative.

Mr. Stewart stated if we go to what is currently approved, that traffic light would remain and the road would be shifted to the south. Ms. Jared agreed with his statement.

Mr. Stewart stated the second roundabout would be where Lake Point Drive is located. Ms. Jared concurred.

Mr. Stewart stated if you go north of Lake Point Drive, there is another stub out. What is it intended to be? Ms. Jared stated she is not certain. Mr. Flewelling pointed out that there is another one to the north of that as well. The Committee concurred that there is also a third stub out.

Mr. Gary Wiggin, Vice President of Land Division for Reed Development, stated they are access points. Mr. Stewart inquired as to the intent for those access points.

Mr. Wiggin stated the whole reason for this proposal was because objections were raised at all of the public meetings. It is falling on deaf ears, nonstop. There were several objections when Reed Development began raising their concerns with how it was laid out verses what Reed Development has insofar as agreements on that property.

Mr. Kubic inquired as to who the parties are for the agreements he is referring to.

Mr. Lewis Hammet, representing Reed Development, stated when the whole Buckwalter Tract was brought into the Town of Bluffton (Town), it was under International Paper's name. Mr. John Reed had about 2/3 of the tract under contract, but International Paper brought forward that development agreement and annexation. Mr. John Reed later closed on the property. The original road was going to run well to the south where the entrance to Hampton Hall exists now. In 2001 they came back looking at development plans.

In meetings with the Town, we amended the Development Agreement, Concept Plan, etc. to choose a specific route that the County ended up building the road on. That process was done with the Town. The Town has exclusive jurisdiction for road planning, comprehensive planning, including traffic planning, as well as permitting and zoning and development agreements in the said area. The road was moved up there and there were specific provisions. The Town wanted one other option for the intersection to study it for 1.5 years, but decided not to do so. Specific provisions in that recorded agreement, in the amendment to the Development Agreement and in the deed covenants when given to the Town, said it would stay there; and if it ever moved, it would be with the consent of the land owner.

He does not believe the traffic engineers ever looked at the underlying legal agreements. He sent to all an update on the legal background. We have deed covenants, agreements, comprehensive planning and zoning that fix it, all subject to input by the property owner. Mr. John Reed and his related entities have always been willing to work towards an agreed upon plan. Mr. Reed gave the whole road, from Hwy 170 back.

On another agreement with the Town, Mr. Reed agreed to donate another right-of-way (1.2 miles), with the only provision being that the location be somewhere acceptable to him. Last year, in talking with County officials, it was suggested that he get this looked at to make sure the Town was on the same page which resulted in a process, last several months, of meetings, discussions, and design exercises of what would happen on both sides of the road, plus going through the requirements for intersection and curve design to make sure it met all needs and came up with this proposal. This is the proposal Bluffton Town Mayor Lisa Sulka sent to be looked at. No response was ever received from the County. The road was pulled down and eliminates a major corner, takes more land and destroys land on the other side.

He pointed out that after the second sales tax vote failed and it looked like this road was not going to be built Mr. Reed sat down with the Town, who was also in communication with the County, to figure out how this road could be built without sales tax. Voluntarily they amended all of the agreements to add about \$1,000 worth of development fees to everything that was going to be built in the future (those that were not permitted) within Buckwalter. Mr. Reed got

other development partners and others who had purchased land to sign up for the extra fee so that the road could be built. It needed to be built. Also, the commercial value was dependent upon it being built and located in the way discussed with the Town. The County is developing under those that own that land, under those covenants, under that development agreement, and under the comprehensive plan. That has been a major issue. To put it anywhere without the consent of Reed Development is breaching the contract, breaching the covenants. It is not a normal County road. It is subject to a whole lot of things that have happened over time.

Millions of dollars have already been spent and it affects millions of dollars in value for what happens in the future. That is why it works better for Reed Development, it works better for the Town, and that is why the Mayor sent the request to have this looked at. These issues have never been fully flushed out. Every time they have been raised, they have been raised to people who were not considering it and, instead, considered it someone else's problem. All of this land has been on hold. Without knowing where the road would be located, it has been very difficult to deal with. The proposed plan has been worked out with the Town and its engineers and Reed Development's engineers as meeting all of the County's requirements, as well as Reed Development's and the Town's. If we do not do this, there are all sorts of problems that nobody has considered. Someone should consider this. Mr. Reed has worked with governments for 30 years and has been pretty successful at it. There is millions and millions of dollars tied up in needing this decision made. This has never been looked at.

Mr. Gary Kubic, County Administrator, stated that is not true. He stated he sat in meetings with Mr. Robertson, Mr. Reed, Attorney Wilson (who was representing Mr. Reed at the time), County consultants, County engineers, and former Town Mayor Johnson where this was discussed three or four times. At least twice was with the two major property owners. You cannot say that the County did not try to vet this, because we did. Mayor Johnson is not Mayor Sulka, but he was present at those meetings and had the same opportunity to indicate what Mayor Sulka did, and did not do it. It was not done in a vacuum. He pointed out that Attorney Lewis Hammet was not present at those meetings.

Mr. Hammet stated a response was never received to the specific issues dealing with the covenants, legal requirements and breach of contract.

Mr. Kubic stated what he is saying is that former Bluffton Town Mayor Hank Johnson, who was representing the Town at that time, may have chosen not to respond to it or to argue the PUD and the covenants, but he was present.

Mr. John Reed stated he did not come asking for any favors. There is a written agreement. The first he heard about this (plan) was at a public meeting. He stated they were not called prior to that public meeting. He stated at the public meeting that it was unacceptable. It has been unacceptable all along. He said Mr. Klink and the engineers of Florence & Hutchinson informed him that they did not know about the agreement that the Town had. He could understand that they were not aware of it when it was done, so to say there was no meeting is incorrect. There was a public meeting where this was objected.

Mr. Kubic stated he is not disputing his right to argue about the contract or attorney Lewis Hammet's right to state the position. All he wants to do is provide clarification that the decision that is presently on the table as to the location of 5B was not made in a vacuum. There were opportunities for both property owners. There is a difference of views between two property owners. The County did try to vet it with the Mayor, at that time. If there was an impression left with Council that we did not respond as a County that is not entirely accurate.

Mr. Stewart, speaking to Mr. Hammet, asked, "If this was built and 5B were done, who would pay for the road"? Is it a County or a Town road? Mr. Hammet stated under their agreements they have always left that up to the Town and the County. When they signed up for the fees to build all of this it was with the County with participation from the Town.

Mr. Stewart stated the way it is perceived right now it is going to be a County road. Mr. Hammet stated he believes that to be true.

Mr. Stewart stated if it is a County road and the County is responsible for it and will have to maintain it and deal with it, who will be building the rotaries / roundabouts. It seems to him that he who pays for it, owns it, and maintains it, gets some say. If they are not going to, then he suggests the Town build it. If it is a Town's road, they build it, and pay for it, and then the Town can do what they want. If the County is going to build it and it is County money being used, then the County has the say. Whatever those contracts were, unfortunately, they were done and if the Town cannot live up to it, then so be it. Right now all he sees is major costs, major changes with the lighting configuration, rotaries, the changes to the road and decisions being made requires the County to pay.

Mr. Reed stated they only recommended one rotary. The other was a decision of the County. The main reason for this whole thing has to do with the current configuration.

Mr. Stewart stated we do have a design configuration and it has been approved. It has been vetting with the public, the state, the County, everybody involved. The process has been put to the point where we are going to buy already acquired land for rights-of-way. It seems that we are down to the end hour and are making some significant changes.

Mr. Hammet stated we think that we have a road that meets the design and the covenants. If you buy a house in Sea Pines that has covenants on it, your contractual obligations change because you are buying and developing there. They run to successors and assigns. They are binding on anyone in that corridor. Those were all done at public meetings. The County had representatives at the major Town meetings while these development agreements were done, when the road was moved up, and when the deal was worked out. They did not vote, but were there to give input. This was passed by everybody, at the time.

Mr. Stewart stated if he is buying a house in Sea Pines, but does not like the covenants or the conditions change, he has the right to withdraw from buying the house. The County has the right here to say we do not like the covenants and withdraw and not build the road.



Mr. Hammet says this would end up saving millions of dollars over what the County is about to do. The Town has always been in agreement with this. They are here to make sure people know the background.

Mr. Stewart stated he went to many of the public meetings and never saw this presented. Where was the discussion?

Mr. Hammet said there was an alternate plan that brought the road to the presented location. It was sent with the April 2007 package that went out to the County, explaining the legal backgrounds and offering an alternative that met design requirements.

Mr. Kubic commented if you ask, "How did the alignment get before, Council, that it approved, it was from a call he had placed with Florence & Hutchinson and Mr. Starkey." He told Mr. Starkey that if the County were going to build a road the first and foremost concept we would look at, besides location, would be to make sure it was designed to SCDOT regulations. The placement of the road, distances, and curves was commensurate with the safety standards, imposed by law that we, as a County, have to follow. The reason for that was to make sure where that line was, was defensible if and when an accident were to occur and someone would ask if the roadway or engineering was deficient and led to the injury of the general public. He tried to protect the deep pocket. That was the instructions he gave to the engineer and never talked to them thereafter. Once that process was vetted, he asked the engineer if based on the "dot" (intersection) and for purposes of economic development and interests of adjoining property owners could the "dot" be moved north or south to accommodate the interest of any individual that had a property right along that alignment. It does not do any good for the County to arbitrarily pick a "dot" when it could elsewhere and satisfy all of the safety consideration and enhance property owner's ability to market their land. The margins of wherever that was he would have recommended to Council that they could accommodate the interest of the two primary property owners if it could be made within certain margins. The engineers said there was not enough wiggle room. We then took the debate to the property owners in a series of meetings to take the area and decide whether or not post intersection of there was the ability to move the road a little bit to accommodate the property owners and enhance those opportunities. Insofar as Attorney Hammet making recommendations as to the covenants and requirements of the law, he stated he is not qualified to speak for Council. The County Attorney can have those conversations to see if they are of like mind as to the significance of that legal agreement and how it may carry over to successors. That clarification needs to be made. The second clarification that needs to be made is between dueling engineers. We always talk about dueling attorneys, but there are also dueling engineers. Dueling engineers can agree to disagree. He stated he took the letter the County received from the Town, commissioned by Mr. Reed, and gave it to Florence & Hutchinson and said, based on these conclusions ,could you compare it with the analysis that you performed. We will supply that analysis because like dueling attorneys there are dueling engineers. There are differences of opinion. Mr. Kubic spoke about what he did originally and subsequently with the letter.

Mr. Barrett read into the record the letter dated March 7, 2011 from Town Mayor Sulka to Chairman Newton after being asked several times to state the Town's position. The letter follows:

As discussed at previous meetings this letter is our formal request to reconsider the alignment of the Bluffton Parkway. We feel strongly the alignment presented by Thomas & Hutchinson on behalf of redevelopment is the better alignment. There is several readings we feel this is the appropriate alignment for this road. This alignment will center the intersection of Bluffton Parkway and Buckwalter Parkway more evenly between the existing intersection of Bluffton Parkway, Buckwalter and Lake Point Drive, Buckwalter Parkway intersection. The revised alignment will minimize intersections and major horizontal curves. Utilization of the power line easement provides more commercial development opportunities. The revised alignment minimizes right-of-way acquisition costs. The developer may be interested in developing a portion of the realigned roadway. The realignment minimizes potential for litigation from the property owner. While we agree some of the costs incurred in the redesign will be lost. The savings achieved through the right-of-way donation will outweigh the design costs already incurred. In fact we believe the savings realized with redesign factored in will be in excess of \$1 million. To clarify the ninth amendment to the Buckwalter development agreement, section 14-B, provides that upon final determination of the Bluffton phase 5B route, university investments will enter into a good faith of no negotiations with the Town and Beaufort County regarding compensation for the phase 5B right-of-way. It is understood and agreed that if the final right into the Bluffton Parkway 5B is acceptable to the Town, Beaufort County and affected property owners, specifically University Investments, the right-of-way will be donated. Given physical constraints alone these revisions would be pursued. In addition, the reduced right-of-way costs for the revised alignment improves the roadway geometry and may improve the potential additional costs savings through development construction. We feel strongly these arguments regarding realignment of Bluffton Parkway are compelling there should be fact and decision made by the County as well as considered by staff. We look forward to working with you on these revisions to benefit the citizens of Bluffton and Beaufort County. We look forward to having the opportunity to present this matter to the appropriate council committee, followed by a presentation to full Council.

He also stated times have changed. The County is going through a Code revision. The Town is going through a Code revision. This particular area is a major growth center for the Town. The Town is trying to determine where we do and do not want growth. This is an area where the Town wants commercial growth. We have to figure out how we are going to service that growth with roads, etc. Secondly, he stated the alignment is straighter and safer. Apparently there is some disagreement about access. He does not see why that cannot be worked out. If this were approved, then if a project came forward, the Town would require them to have access with the appropriate transportation the facility put there. The Town wants to work to get this done.



The Town knows the County has no money to do it. The Town has no money to do it. This is a future thing that we need to plan for. This County has done so much in terms of transportation. It was not done from money from County residents, but because we have the pleasure of being both County and Town residents. We all have a stake in finding out where the future of this road should be placed.

Mr. Doug Robertson, adjacent property owner, spoke before the Committee. The PUD was approved in 1998. He stated they were asked to leave access to the Bluffton Parkway. At that time it was called, the east-west corridor. To be able to annex into the Town, International Paper had to agree to give land for the east-west parkway. It was supposed to be an alternate route to US 278. It was all part of the overall Buckwalter Plan. When Mr. Reed bought it, it all of a sudden moved around. Later on, when that did not work, it was moved upward and slightly off of the property line. These 600 homes that helped pay for the road with the impact fees, paid taxes, paid gas taxes, paid sales taxes, paid impact fees, and paid County taxes, have not been able to connect. According to County Engineer Bob Klink and County Transportation Engineer Colin Kinton, they cannot force anyone to go across someone's land and connect. This is 200 acres zoned commercial. This configuration is silly. It was designed by Mr. Reed and his group. That was to improve his commercial in the public center. Basically, if this alignment does not come down where it was originally planned and where it was during public review, then there will not be a connection. The land will be valueless. This has been going on five to six years.

Mr. Rodman asked him what would be the ideal connection. Mr. Robertson stated there are three ideal connections and he demonstrated them on the map. Since 1955, when we first owned this property, there has always been a dedicated easement. It does not even connect to the Bluffton Parkway. There is currently a complaint in to open that easement back up.

Mr. Stewart asked if the exit he is showing onto Buckwalter is the only entrance and exit. Mr. Robertson agreed.

Mr. Stewart stated it is inappropriate to have all those homes funneled out of one entrance / exit. He thinks that is bad. There should at least be more access points to all of those homes. Whatever the County does, there has to be more access points as part of an overall plan.

Mr. Reed agreed that there needs to be more access points. When he worked with Mayor Johnston, there was an agreement to give three accesses. He stated they do not mind them having access points. The agreement with Mayor Johnson was to honor where the road went. He stated they have worked on it ever since they found out and agreed to the three right-of-ways. There is an agreement between Mayor Johnson and the County about right-of-ways. All he is asking is that the current agreement be honored. He stated they will not give up and cannot afford to give up.

Mr. Caporale stated Mr. Barrett is here representing Mayor Sulka. Mr. Barrett said clearly that he believes an amicable agreement could be reached between Mr. Reed and Mr. Robertson. He suggests Mr. Barrett to try to expedite that and then bring it back before the

Committee. It sounds as if Mr. Reed is willing to negotiate something. Mr. Robertson also appears to be in a negotiable mood.

Mr. Stewart stated it seems to him that when we were going through the original development process there was some concern with respect to using the right-of-way under the utility lines. The utilities had balked at that. Are the utilities in agreement? Mr. Wiggin replied that Mr. Reed owns the property. It is an easement.

Mr. Kubic stated they had reservations of what can go underneath the power lines. We adhered to them and we look at what could be done with private parties and a public road with utilities.

Mr. Stewart believes we need to hear from the utilities.

Mr. Kubic stated he would like Attorney Howell to discuss with Attorney Hammet the agreements referred to in today's session as to what his opinion may be. At the same time, we will instruct our consultant to meet with Thomas & Hutton to vet the engineering specifications as to compliance with legal requirements of SCDOT and allow those comments to come before this Committee as well.

**Status:** This item will be brought forth at the next Public Facilities meeting.

DRAFT