AGENDA
COUNTY COUNCIL OF BEAUFORT COUNTY
Monday, December 12, 2011
4:00 p.m.
Council Chambers, Administration Building

1. CALL TO ORDER – 4:00 P.M.

2. PLEDGE OF ALLEGIANCE

3. INVOCATION

4. SANTA’S BLESSED HELPERS

5. PROCLAMATIONS
   A. 100 Best Communities for Youth
      Dr. Valerie Truesdale, Superintendent, Beaufort County School District
   B. Tate / Coursen Memorial Walk / Run
      Mrs. Marie Tate
   C. The Hilton Head Christian Academy Eagles - 2011 SCISAA Class 2-A Football Champions

6. PUBLIC COMMENT

7. RECESS – HOLIDAY TREE LIGHTING – 5:30 P.M.

8. COUNTY ADMINISTRATOR’S REPORT
   Mr. Gary Kubic, County Administrator
   A. The County Channel / Broadcast Update (backup)
   B. Two-Week Progress Report (backup)
   C. Report / Achievements of the Technical College of the Lowcountry
      Dr. Tom Leitzel, President
   D. Update on the Form-Based Code Charrettes
      Mr. Tony Criscitiello, Division Director of Planning and Development
   E. Resolution Authorizing Beaufort County as a Qualified Local Public Agency for the Rails to Trails Program (backup)

Over
9. DEPUTY COUNTY ADMINISTRATOR’S REPORT
   Mr. Bryan Hill, Deputy, County Administrator
   A. Two-Week Progress Report (backup) (actual report) (comparison report)

10. CONSENT AGENDA – ITEM A
   A. SOUTH CAROLINA AERONAUTICS COMMISSION PROJECT NO. 11-015
      GRANT OFFER / HILTON HEAD ISLAND AIRPORT IN THE AMOUNT OF
      $45,372.00 WHICH REPRESENTS THEIR MATCHING 2.5% SHARE FOR
      RUNWAY 21 OFF-AIRPORT TREE OBSTRUCTION REMOVAL, MITIGATION,
      AND EASEMENT ACQUISITION (backup)
      1. Consideration of grant acceptance to occur December 12, 2011
      2. Public Facilities Committee recommendation to accept occurred November 29,
         2011 / Vote 4:0

11. PUBLIC HEARING – ITEM A – 6:00 P.M.
   A. AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN
      EASEMENT ENCUMBERING PROPERTY OWNED JOINTLY BY BEAUFORT
      COUNTY AND THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA
      (backup)
      1. Consideration of third and final reading approval to occur December 12, 2011
      2. Second reading approval occurred November 28, 2011 / Vote 10:0
      3. First reading approval occurred November 14, 2011 / Vote 11:0
      4. Public Facilities Committee discussion and recommendation to approve occurred
         October 25, 2011 / Vote 5:0

12. COMMITTEE REPORTS (backup)

13. PUBLIC COMMENT

14. EXECUTIVE SESSION – Receipt of legal advice relating to pending and potential claims
    covered by the attorney-client privilege

15. MEETING ANNOUNCEMENTS / JANUARY 2012
   A. County Council – January 9 at 4:00 p.m., Executive Conference Room and Council
      Chambers
   B. Transportation Advisory Group (BTAG) – January 18 at 3:00 p.m., Council Chambers
   C. Joint Session Beaufort County and Beaufort City Councils – January 18 at 6:00 p.m.,
      USC-B Performing Arts Center
   D. County Council – January 23 at 4:00 p.m., Executive Conference Room and Council
      Chambers

16. ADJOURNMENT
COUNTY ADMINISTRATOR’S REPORT

Monday, December 12, 2011
4:00 p.m.
County Council Chambers

ACTION / INFORMATION ITEMS:

- The County Channel / Broadcast Update (Enclosure)
- Two-Week Progress Report (Enclosure)
- Report / Achievements / Technical College of the Lowcountry
  Dr. Tom Leitzel, President
- Update on the Form-Based Code Charrettes
  Mr. Tony Criscitiello, Division Director, Planning and Development
- Resolution Appointing Beaufort County as a Qualified Local Public Agency for Rails to Trails Grant (Enclosure)
{Video Plays} The County Channel is getting into the spirit this holiday season, with a couple of festive live events... We covered the Beaufort High School Christmas Concert. The concert featured music by the Beaufort High Voices “Voices” choir group, and the exclusive “Inner Voices.” The concert is available on-demand, and will be replayed on the County Channel throughout the Holiday season.
{Video Plays} The County Channel also covered the 2011 Bluffton Christmas Parade. The parade featured over 100 floats, including as always, the dancing reindeer. This year Best Performance went to the Boys and Girls Club, while the “Bluffton State of Mind” award went to the Mayberry-style Police Car that was broken down, and had to be pushed along the parade route...
DATE: December 9, 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 November 28, 2011 through December 9, 2011:

November 28, 2011
- County Council Caucus meeting
- County Council meeting

November 29, 2011
- Staff meeting re: Executive Air / Through the Fence Access Agreement

November 30, 2011
- County / School TIF meeting
- Conference call re: Beaufort County Government Complex renovations

December 1, 2011
- Staff meeting re: South Carolina State Infrastructure Bank funding application / Beaufort County
- Moody's rating conference call

December 2, 2011
- Staff meeting re: Big Estate Circle property owners boundary issues
- Tour of Celadon Village, Lady's Island with Gary Horn

December 5, 2011
- Meeting with Deputy County Administrator Bryan Hill
Staff meeting re: New River TIF
Natural Resources Committee meeting
County Council special meeting

December 6, 2011
“Catch-up” meeting with Doug Henderson, Treasurer

December 7, 2011
Agenda review with Chairman, Vice Chairman and Executive Staff
Standard and Poor’s rating conference call

December 8, 2011
Staff meeting re: personnel issue

December 9, 2011
Meeting with Donna Ownby, EMS Director, Ed Hughes, Assessor, and Dan Morgan, GIS Director re: Mobile homes / 911 response
Meeting with staff and Councilman Gerald Dawson re: Property boundary issues / Big Estate Community area (Booker T. Washington Circle)
Meeting with new Building Codes Director Charles Atkinson, Jr.
RESOLUTION NO._____

A RESOLUTION AUTHORIZING BEAUFORT COUNTY TO BE DESIGNATED AS THE QUALIFIED LOCAL PUBLIC AGENCY WITH RESPECT TO THE FEDERAL HIGHWAY ADMINISTRATION'S GRANT AWARD

WHEREAS, Beaufort County holds a 13.6 mile easement on the Federal Rail Banked Yemassee to Port Royal Rail Road Right-of-Way and desires to develop bicycle and pedestrian trails for use by the public and visitors as part of Beaufort County’s Rails to Trails program; and

WHEREAS, Beaufort County applied for and was awarded a grant from the Transportation, Community, and System Preservation Program of the Federal Highway Administration in an amount of $1,043,520.00; and

WHEREAS, as a condition of accepting the grant, Beaufort County agreed to provide local matching funds of $260,880.00; and

WHEREAS, Beaufort County Council desires to be designated as the Qualified Local Public Agency with respect to the administration of the Federal Highway funds; and

WHEREAS, The South Carolina Department of Transportation as a recipient of said Federal funds is charged with oversight of the expenditures of said funds and must approve of Beaufort County being the Qualified Local Public Agency; and

WHEREAS, Beaufort County as a sub-recipient of said Federal-Aid funding will be charged with the responsibility of expending said funds in accordance with Federal and State law and the rules and regulations of the Federal Highway Administration; and

WHEREAS, Beaufort County understands that the failure to meet all requirements for federal funding could lead to the projects being declared ineligible for federal funds, which could result in Beaufort County being required to repay some or all of the federal funds expended for the projects.

NOW, THEREFORE, BE IT RESOLVED: The Beaufort County Council does hereby express its desire to be designated at the Qualified Local Public Agency and does hereby agree to comply with all applicable federal law, including the rules and regulations of the Federal Highway Administration, and all applicable state law and rules and regulations associated therewith.

BE IT FURTHER RESOLVED: The Beaufort County Council does hereby authorize the Beaufort County Administrator to execute all documents as may be necessary to appoint Beaufort County as a qualified local public agency
DONE THIS _____ DAY OF ____________ 2011, AT A MEETING DULY ASSEMBLED OF BEAUFORT COUNTY COUNCIL.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: ________________________________
   Wm. Weston J. Newton, Chairman

APPROVED AS TO FORM:

Joshua A. Gruber, Staff Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council
DATE: December 9, 2011

TO: County Council

FROM: Bryan Hill, Deputy County Administrator

SUBJECT: Deputy County Administrator's Progress Report

The following is a summary of activities that took place November 28, 2011 through December 9, 2011:

November 28, 2011 (Monday):

- Review and handle various messages, mail and requests from holiday weekend
- Prepare for County Council
- County Council

November 29, 2011 (Tuesday):

- Meet with Mark Roseneau, Facilities Director re: Various Matters
- Meet with Todd Ferguson, Emergency Management Director re: Staff Requirements
- Monitor Public Facilities Committee Meeting via County Channel

November 30, 2011 (Wednesday):

- Meet with Morris Campbell, Community Services Director and Joshua Gruber, Staff Attorney re: DSN Transportation Policies
- Meet with Dan Morgan, MIS/GIS Director re: Various Issues
- Staff Conference Call re: Courthouse Renovation Project

December 1, 2011 (Thursday):

- Staff Meeting re: SCTIB
- Conference call with Gary Kubic, County Administrator, David Starkey, CFO, Laura Foster, Esquire and representative from Moody's
December 2, 2011 (Friday)--Bluffton:

- Telephone conference with Gene Hood, Public Defender re: Budget Concerns
- Bluffton Hours P.M.

December 5, 2011 (Monday):

- DA Meeting
- Attend Callawassie EMS/QRV Demonstration
- Meet with Gary Kubic, County Administrator re: Status Items
- Meet with Gary Kubic, County Administrator and Building Codes Staff
- Meet with Gary Kubic, County Administrator, Joshua Gruber, Staff Attorney and David Starkey, CFO re: New River TIF Calculations
- Attend Natural Resources Committee Meeting
- Attend County Council Meeting

December 6, 2011 (Tuesday):

- Attend Public Safety Director Meeting
- Meet with Suzanne Gregory, Employee Services Director re: Staff Issues
- Attend LPA Application Review with Alicia Holland, Controller and Billie Lindsay, Planning
- Attend Finance Plans and Fund/Org Code Revamp Meeting

December 7, 2011 (Wednesday):

- Agenda Review
- Conference call with David Starkey, CFO and S&P re: Rating
- Meet with Duffie Stone, Solicitor
- Meet with Steve Murphy, Solicitor's Office re: Technology Advances / VOIP enhancements and Grant Partnerships
- Bluffton Hours P.M.

December 8, 2011 (Thursday):

- Meet with Donna Ownby, EMS Director
- Meet with Joshua Gruber, Staff Attorney re: Essential vs. Non-Essential
- Meet with David Starkey, CFO re: General Ledger Account Number Adjustments
- Meet with Alicia Holland, Controller

December 9, 2011 (Friday)--Bluffton:

- Bluffton Hours
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<th>ORG.</th>
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- General: Various city departments and agencies.
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<tr>
<td>July</td>
<td>1,182,794</td>
<td>7,703,582</td>
<td></td>
<td></td>
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<td>August</td>
<td>1,387,487</td>
<td>6,879,170</td>
<td></td>
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<td>September</td>
<td>3,986,487</td>
<td>7,806,504</td>
<td></td>
<td></td>
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<td>1,807,018</td>
<td>7,550,652</td>
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<td>November</td>
<td>8,616,082</td>
<td>12,846,116</td>
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<td>December</td>
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<td>June</td>
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<td>Budget</td>
<td>96,303,492</td>
<td>96,303,492</td>
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<td>Description/Categories:</td>
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<td>% age used</td>
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<tr>
<td>Taxes</td>
<td>(72,130,243)</td>
<td>(9,920,703)</td>
<td>14%</td>
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<td>Licenses/Permits</td>
<td>(2,567,500)</td>
<td>(739,497)</td>
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<td>Intergovernmental</td>
<td>(7,422,875)</td>
<td>(1,464,148)</td>
<td>20%</td>
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<td>Charges for services</td>
<td>(11,226,774)</td>
<td>(3,707,555)</td>
<td>33%</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Fines &amp; Forfeitures</td>
<td>(953,000)</td>
<td>(262,912)</td>
<td>28%</td>
<td></td>
<td></td>
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<tr>
<td>Interest</td>
<td>(141,000)</td>
<td>(46,422)</td>
<td>33%</td>
<td></td>
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<tr>
<td>Miscellaneous</td>
<td>(705,600)</td>
<td>(243,216)</td>
<td>34%</td>
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<td>Other Finance Sources</td>
<td>(1,156,500)</td>
<td>(595,414)</td>
<td>51%</td>
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<td>Projected Revenue Total</td>
<td></td>
<td>(96,303,492)</td>
<td>18%</td>
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<td>Actual FY-12</td>
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<td>49%</td>
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<td>Expenses To date</td>
<td>23,684,486</td>
<td>9,406,057</td>
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<td>Balance</td>
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<td>42%</td>
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<td>% age used</td>
<td>6,653,789</td>
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<td>Fringe</td>
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<td>5,021,934</td>
<td>49%</td>
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<tr>
<td>Education</td>
<td>4,000,000</td>
<td>666,667</td>
<td>17%</td>
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<td>53,517,468</td>
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<td>Elected:</td>
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<tr>
<td>Newton</td>
<td>623,982</td>
<td>192,082</td>
<td>31%</td>
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<td>Burris</td>
<td>623,510</td>
<td>205,105</td>
<td>33%</td>
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<td>Henderson</td>
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<td>376,724</td>
<td>33%</td>
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<td>Roseneau</td>
<td>1,081,242</td>
<td>417,892</td>
<td>39%</td>
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<tr>
<td>Simon</td>
<td>756,659</td>
<td>294,216</td>
<td>39%</td>
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<td>Allen</td>
<td>391,938</td>
<td>160,051</td>
<td>41%</td>
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<td>Smith</td>
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<td>604,681</td>
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<td>Dukes</td>
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<td>117,281</td>
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<tr>
<td>Tanner</td>
<td>19,081,085</td>
<td>7,759,987</td>
<td>41%</td>
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<td>1,714,709</td>
<td>40%</td>
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<td>Delegation</td>
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<td>27,024</td>
<td>40%</td>
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<tr>
<td>Education</td>
<td>4,000,000</td>
<td>666,667</td>
<td>17%</td>
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<tr>
<td>Hood</td>
<td>-</td>
<td>428</td>
<td>(428)</td>
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<td>926,363</td>
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<td>6,007,750</td>
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<td>MIS</td>
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<td>1,723,953</td>
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<td>Employee</td>
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<td>421,262</td>
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<td>Public Safety</td>
<td>19,291,150</td>
<td>9,544,002</td>
<td>9,747,148</td>
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<tr>
<td>Engineering</td>
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<td>8,721,490</td>
<td>6,774,543</td>
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<td>Fringe</td>
<td>7,875,001</td>
<td>3,891,690</td>
<td>3,983,311</td>
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<td>Sub-total</td>
<td>62,594,204</td>
<td>30,249,175</td>
<td>32,345,029</td>
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<td>42,785,595</td>
<td>53,517,897</td>
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</table>
TO: Councilman Herbert Glaze, Chairman, Public Facilities Committee

VIA: Gary Kubic, County Administrator
     Bryan Hill, Deputy County Administrator
     Joshua Gruber, County Attorney
     David Starkey, Chief Financial Officer
     Rob McFee, Director, Engineering and Infrastructure Division

FROM: Paul Andres, Director of Airports

SUBJ: South Carolina Aeronautics Commission Project No. 11-015 Grant Offer

DATE: November 14, 2011

BACKGROUND. The South Carolina Aeronautics Commission (SCAC) has made a grant offer to Beaufort County for the Hilton Head Island Airport in the amount of $45,372.00 which represents their matching 2.5% share for Runway 21 off-airport tree obstruction removal, mitigation, and easement acquisition. This State grant offer corresponds to FAA Grant #31 which was accepted in September 2011. A copy of the State grant offer is attached for your information.

RECOMMENDATION. That the Public Facilities Committee accept the SCAC grant offer on behalf of Beaufort County in the amount of $45,372.00 for the projects listed above at the Hilton Head Island Airport.

PAA/paa

Attachment: SCAC Project No. 11-015 Grant Offer
November 1, 2011

Mr. Gary Kubic
Beaufort County Administrator
Post Office Drawer 1228
Beaufort, SC 29901

Re: South Carolina Aeronautics Commission
Project No. 11-015, Hilton Head Airport

Dear Mr. Kubic:

I am pleased to inform you that the South Carolina Aeronautics Commission (SCAC) has approved your project application and awarded up to $45,372 to Hilton Head Airport for tree obstruction removal, tree mitigation, and easement acquisition off end of Runway 21. This grant was approved based on your representation of local funding availability and since this project is critical to flight safety.

Please execute the enclosed grant agreements and return one original to SCAC at your earliest convenience. The attached Affidavit of Non-Collusion included in the package is to be completed by the contractor and submitted with the contract documents.

This project qualifies for the Federal Aviation Administration grant program where 95 percent of the cost is funded by a federal grant and five percent by state and local government. Project cost and funding are as indicated below:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tr>
<td>Total project cost</td>
<td>$1,814,900</td>
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<tr>
<td>Federal grant</td>
<td>$1,724,155</td>
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<tr>
<td>State grant</td>
<td>$45,372</td>
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<tr>
<td>Local government</td>
<td>$45,373</td>
</tr>
</tbody>
</table>

We are pleased to provide this assistance. If we can be of further assistance, please do not hesitate to call.

Sincerely,

Paul G. Werts
Executive Director

Enclosures: Grant and Affidavit of Non-Collusion
cc: Governor Nikki Haley
Chairman Delphin A. Gantt, Jr.
Representative Bill Herbkersman, Chairman, Beaufort County Delegation
Commissioner Frank W. Young, M.D., District 2
Judy Elder, Project Manager, Talbert & Bright, Inc.
1. The maximum obligation of the State of South Carolina payable under this Offer and Agreement shall be: $45,372, which all parties to this Agreement understand may be subject to the prior and continuing approval of the South Carolina Budget and Control Board and the General Assembly and its component review committees.

2. Aeronautics reserves the right to amend or withdraw this Offer at any time prior to its binding acceptance by the Sponsor.

3. This Offer shall expire and the State of South Carolina shall not be obligated to pay any of the allowable cost of the Project unless this Offer has been accepted by the Sponsor within 60 days from the above date of Offer or such longer time as may be prescribed by Aeronautics in writing.

4. The funds allocated by this Agreement shall be held in escrow for a period of one (1) year after the date of offer. If progress on the described project has not begun at that time, the funds will revert to Aeronautics for reallocation to other worthwhile projects.

The Sponsor's acceptance of this Offer and ratification and adoption of the Project Application shall be evidenced by execution of Part II of this Agreement by the Sponsor. The respective obligations under this Grant Agreement shall become effective upon the Sponsor's acceptance of the Offer and shall remain in full force and effect throughout the useful life of the facilities developed under the project but in any event not to exceed twenty years from the date of said acceptance.

STATE OF SOUTH CAROLINA
SOUTH CAROLINA AERONAUTICS COMMISSION

[Signature]
Executive Director

Sponsor's Signature  Date

Title
PART II - SPONSOR ASSURANCES

1. The Sponsor shall:
   a. begin accomplishment of the Project within a reasonable time after acceptance of this Offer, but no later than one year from award of this Offer;
   b. carry out and complete the project in accordance with the terms of this agreement, applicable policies of Aeronautics, and applicable statutes, regulations and fiscal policies of the State of South Carolina, and any applicable local ordinances;
   c. carry out and complete the project in accordance with the plans and specifications and property map incorporated herein, including any revisions or modifications approved in writing by Aeronautics. Sponsor further agrees to copy Aeronautics as to all construction progress reports, payment applications, and completion documents and related correspondence within ten (10) days of document development or receipt.
   d. submit all planning documents to Aeronautics for review and approval; and
   e. notify Aeronautics, in writing, of any improvements to the airport so that same may be incorporated into the South Carolina Airport System Plan.

2. The Sponsor shall operate and maintain the Airport as provided in the Project Application.

3. Any misrepresentations or omission of a material fact by the Sponsor concerning the Project or the Sponsor’s authority or ability to carry out the obligations assumed by the Sponsor in accepting this Offer shall terminate the obligation of the State of South Carolina and it is understood and agreed by the Sponsor in accepting this Offer that if a material fact has been misrepresented or omitted by the Sponsor, Aeronautics of Aeronautics, on behalf of the State of South Carolina, may demand and recover from Sponsor all grant payments made, plus interest at the legal rate prevailing at date of demand.

4. The Sponsor shall maintain the approaches to the airport in compliance with appropriate guidelines set forth in FAA Part 77 or other guidelines approved in writing by Aeronautics. Failure on the part of the Sponsor to take appropriate action to remove any and all obstructions in the approaches may result in withholding of any payment of the funds established by this agreement for the herein described project until such time as the necessary actions are taken.

5. The Sponsor shall maintain property insurance on the project to cover any and all losses. The amount of the coverage shall, at a minimum, be equal to the total cost of the project.

6. The Sponsor’s Request for Final Reimbursement must have been received within ninety (90) calendar days after the Final Inspection has been accomplished in order to close out the project in a timely manner.
PART III - ACCEPTANCE

(Sponsor) does hereby ratify and adopt all statements, representations, warranties, covenants, sponsor assurances and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer and does hereby unconditionally accept said Offer and by such acceptance agrees to all of the terms and conditions thereof.

Executed this ___________ day of ____________, 2011

(Name of Sponsor)

(Signature By)

(Title)

(Seal)

Attest________________________

Title________________________

CERTIFICATE OF SPONSOR'S ATTORNEY

I, ____________________________, acting as attorney for ____________________________, do hereby certify: That I have examined the foregoing Grant Agreement and the proceedings taken by said ____________________________ relating thereto, and find the Acceptance by Sponsor has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the State of South Carolina, and further that, in my opinion, said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated this _____________________ day of ____________, 2011

Signature By________________________

Title________________________
ORDINANCE NO. ________

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN EASEMENT ENCUMBERING PROPERTY OWNED JOINTLY BY BEAUFORT COUNTY AND THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA.

WHEREAS, Beaufort County and the Town of Hilton Head, South Carolina, jointly own real property located on U.S. Highway 278, which is more particularly known and described as:

All that certain piece, parcel or lot of land situate, lying and being located in the Town of Hilton Head Island, South Carolina, containing 3.02 acres, more or less, which is more fully delineated on a plat prepared by Beaufort County Public Works Engineering Department, by Erik H. Freisleben, P.E. & P.L.S., S.C. # 4624, County Engineer/Surveyor for Beaufort County Council, dated November 13, 1991, and revised September 11, 1992, entitled “A 3.02 Acre and 3.73 Acre subdivision of a part of Honey Horn Plantation, Hilton Head Island, South Carolina,” said Plat being recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Plat Book 45 at Page 67.

AND ALSO:

All that certain piece, parcel or lot of land situate, lying and being located in the Town of Hilton Head Island, South Carolina, containing 3.73 acres, more or less, which is more fully delineated on a plat prepared by Beaufort County Public Works Engineering Department, by Erik H. Freisleben, P.E. & P.L.S., S.C. # 4624, County Engineer/Surveyor for Beaufort County Council, dated November 13, 1991, and revised September 11, 1992, entitled “A 3.02 Acre and 3.73 Acre subdivision of a part of Honey Horn Plantation, Hilton Head Island, South Carolina,” said Plat being recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Plat Book 45 at Page 67 (hereinafter collectively referred to as the Town and County Property”); and

WHEREAS, Aurora Loan Services, L.L.C., has become the owner of the below described property:

All that certain piece, parcel or lot of land situate, lying and being on Hilton Head Island, South Carolina, and being more particularly described as 0.27 acres, more or less, on the marshes of Jarvis Creek. Said property is more particularly shown on that certain plat dated September 29, 1988, prepared by Jerry L. Richardson, R.L.S # 4784, titled “A plat of A subdivision of .0543 acres of Sara James property located in the Fairfield/Stoney area, Hilton Head Island, SC,” and being recorded in the Office of the Register of Deeds for
Beaufort County, South Carolina, in Plat Book 36 at page 180 (hereinafter, the “Aurora Property.”)

WHEREAS, access to the Aurora Property is over an unpaved road known as “Adrianna Lane,” which lies on the Town and County Property, but there is no formal easement allowing for access to the Aurora Property over “Adrianna Lane”; and,

WHEREAS, Aurora has requested that the Town and Beaufort County grant an Access Easement for ingress and egress to and from the Aurora Property from U.S. Hwy. 278 over “Adrianna Lane” which lies across the Town and County Property; and

WHEREAS, Beaufort County Council has determined that it is in its best interests to authorize the execution and delivery of the requested Easement attached hereto and incorporated by reference as “Exhibit A”; and

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

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

SECTION 1. Execution of Easement encumbering County Owned Land:

(a) The County Administrator is hereby authorized to execute the Easement which is attached hereto as “Exhibit A”; and,

(b) The County Administrator is authorized to deliver the Easement which is attached hereto as “Exhibit A” at such time as the Town of Hilton Head Island, South Carolina, executes and is prepared to deliver and Easement similar in form and substance to the Easement which is attached hereto as Exhibit “A”; and,

(c) The County Administrator is hereby authorized to take all other and further actions as may be necessary to complete the conveyance of the Easements.

SECTION 2. Severability:

If any section, phrase, sentence or portion of this Ordinance is, for any reason, held or deemed to be invalid or unconstitutional by any court of competent jurisdiction,
then such section, phrase, sentence or portion shall be deemed a separate, distinct and independent provision and shall not affect the remaining portion thereof.

SECTION 3. Effective Date:

This Ordinance shall become effective upon its adoption by Beaufort County Council.

ADOPTED BY BEAUFORT COUNTY COUNCIL, BEAUFORT, SOUTH CAROLINA, ON 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: November 14, 2011
Second Reading: November 28, 2011
Public Hearing:
Third and Final Reading:
A. COMMITTEES REPORTING

1. Natural Resources
   ① Minutes are provided from the December 5 meeting. No action is required.
   ② Zoning Board of Appeals

<table>
<thead>
<tr>
<th>Nominate</th>
<th>Name</th>
<th>Position / Area / Expertise</th>
<th>Reappoint / Appoint</th>
<th>Votes Required</th>
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</thead>
<tbody>
<tr>
<td>12.12.11</td>
<td>Gregory Baisch</td>
<td>Beaufort / Port Royal</td>
<td>Appoint</td>
<td>6 of 11</td>
</tr>
</tbody>
</table>

2. Public Facilities
   ① Minutes are provided from the November 29 meeting. Action is required. See main agenda item 10A.

B. COMMITTEE MEETINGS

1. Community Services
   William McBride, Chairman
   Gerald Dawson, Vice Chairman
   ➞ Next Meeting – Monday, December 19 at 3:00 p.m., ECR

2. Executive
   Weston Newton, Chairman
   ➞ Next Meeting – December 2011 / January 2012

3. Finance
   Stu Rodman, Chairman
   Rick Caporale, Vice Chairman
   ➞ Next Meeting – Tuesday, January 17 at 2:00 p.m., BIV #2

4. Governmental
   Jerry Stewart, Chairman
   Laura Von Harten, Vice Chairman
   ➞ Next Meeting – Tuesday, January 3 at 4:00 p.m., ECR

5. Natural Resources
   Paul Sommerville, Chairman
   Brian Flewelling, Vice Chairman
   ➞ Next Meeting – Tuesday, January 3 at 2:00 p.m., ECR

6. Public Facilities
   Herbert Glaze, Chairman
   Steven Baer, Vice Chairman
   ➞ Next Meeting – Tuesday, January 24 at 4:30 p.m., ECR

7. Redistricting
   Weston Newton, Chairman
   William McBride, Vice Chairman

8. Transportation Advisory Group
   Weston Newton, Chairman
   Stu Rodman, Vice Chairman
   ➞ Next Meeting – Wednesday, January 18 at 3:00 p.m., CC
The Natural Resources Committee met on Monday, December 5, 2011 at 3:30 p.m., in the Executive Conference Room, Administration Building, 100 Ribaut Road, Beaufort, SC.

ATTENDANCE

Natural Resources Members: Chairman Paul Sommerville, Vice Chairman Brian Flewelling, and committee members Steve Baer, Gerald Dawson, William McBride, Jerry Stewart and Laura Von Harten attended the meeting. Non-Committee member Rick Caporale was also present.

County Staff: Tony Criscitiello, Division Director – Planning and Development; Amanda Flake, Natural Resource Planner; Joshua Gruber, County Attorney; Bryan Hill, Deputy County Administrator; Gary Kubic, County Administrator; Billie Lindsay, Special Projects Planner; David Starkey, Chief Financial Officer.

Public: Reid Armstrong, Beaufort Conservation League, and David Tedder, lawyer.

Mr. Sommerville chaired the meeting.

ACTION ITEM

1. Consideration of Reappointments and Appointments
   - Zoning Board of Appeals

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

Motion: It was moved by Ms. Von Harten, seconded by Mr. Flewelling, that Natural Resources Committee approve and forward to County Council the nomination of Mr. Gregory Baisch, representing Beaufort / Port Royal, to serve as a member of the Zoning Board of Appeals. The vote was: FOR – Mr. Baer, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Sommerville, Mr. Stewart, and Ms. Von Harten. The motion passed.

Recommendation: Council nominates Mr. Gregory Baisch, representing Beaufort / Port Royal, to serve as a member of the Zoning Board of Appeals.
INFORMATION ITEM

2. A Private – Public Venture Policy for Beaufort County for use on Properties Acquired Through the Rural and Critical Land Preservation Program

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

Discussion: Council wishes to find opportunities to utilize lands that represent unique environmental attributes that showcase the best qualities of our county’s natural environment. While some parks in the county should remain in their pristine settings, other parks can be utilized for limited public access and enjoyment. These limited access parks can be categorized as low impact passive parks. The low impact passive parks are those that should be a candidate for the Public-Private Venture Policy.

Mr. Tony Criscitiello, Division Director – Planning and Development, reviewed the draft policy and a map with the Committee, followed by discussions between Committee members, staff, and Reid Armstrong regarding the private-public venture.

Status: The policy will be revised then brought back before the Natural Resources Committee for consideration and before the Finance Committee for implementation of a schedule of fees and costs.
The electronic and print media were duly notified in accordance with the State Freedom of Information Act.

The Public Facilities Committee met on Tuesday, November 29, 2011 at 4:00 p.m., in the Executive Conference Room of the Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Public Facilities Chairman Herbert Glaze and members Gerald Dawson, William McBride and Jerry Stewart. Steve Baer and Brian Flewelling were absent. Non-committee member Paul Sommerville present.

County staff: David Starkey, Chief Financial Officer; Rob McFee, Division Director – Engineering and Infrastructure; and Paul Andres, Airports Director; Bob Klink, County Engineer; Colin Kinton, Traffic / Transportation Engineer.

Public: Nick Russell.

Mr. Glaze chaired the meeting.

ACTION ITEM

1. South Carolina Aeronautics Commission Project No. 11-015 Grant Offer / Hilton Head Island Airport

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

Discussion: Mr. Paul Andres, Airports Director, explained the SC Aeronautics Committee has made a grant offer to Beaufort County for the Hilton Head Island Airport in the amount of $45,372 which represents their matching 2.5% share for Runway 21 off-airport tree obstruction removal, mitigation, and easement acquisition. The State grant offer corresponds to FAA Grant #31 which was accepted in September 2011.

Motion: It was moved by Mr. McBride, seconded by Mr. Stewart, that Public Facilities Committee approve and recommend to Council acceptance of the SC Aeronautics Commission grant offer in the amount of $45,372 which represents their matching 2.5% share for Runway 21 off-airport tree obstruction removal, mitigation, and easement acquisition at Hilton Head Island Airport. The vote was: YEAS - Mr. Dawson, Mr. Glaze, Mr. McBride and Mr. Stewart. ABSENT – Mr. Baer and Mr. Flewelling. The motion passed.
Recommendation: Council accept the SC Aeronautics Commission grant offer in the amount of $45,372 which represents their matching 2.5% share for Runway 21 off-airport tree obstruction removal, mitigation, and easement acquisition at Hilton Head Island Airport.

INFORMATION ITEM

2. Riverwind / Highway 802 Concerns

Discussion: The committee received public comment from Mr. Nick Russell, representing Riverwind Homeowners and Port Royal Landing Marina, regarding SC Highway 802 / McTeer bridge project.

- He likes the revised traffic pattern in and out of the developments.
- He feels the construction was well done.
- He wants SCDOT to look at a lower speed limit on Woods Memorial Bridge.
- He fears the intersection at McTeer bridge will be blocked when the Woods Bridge closes.
- He said a tactical error was made in signage at the intersection as well and wants SCDOT to fix it. There is one sign that should be right turn only.
- He wants SCDOT to conduct a long-range study that would look at traffic patterns and usage during several months and then review the data at the end of the year.

Mr. Rob McFee, Division Director – Engineering and Infrastructure, stated engineers will look at the markings and see if they can be fine tuned. Regarding a noise wall, there is concern about esthetics.

3. Briefing on SC Highway 170 and other Sales Tax Projects

Discussion: Mr. Stewart wants a briefing on SC Highway 170 and other sales tax projects and where we stand on funding. He asked Mr. McFee several questions regarding status and available funds and critical needs. Mr. McFee will prepare a comprehensive list.

4. Briefing on Drainage Project

Discussion: Mr. McBride wants a briefing on drainage projects. Mr. McFee is in the process of preparing a comprehensive list of all projects that have occurred over the past ten years.