

COUNTY COUNCIL OF BEAUFORT COUNTY

ADMINISTRATION BUILDING
100 RIBAUT ROAD
POST OFFICE DRAWER 1228
BEAUFORT, SOUTH CAROLINA 29901-1228
TELEPHONE: (843) 255-2180
FAX: (843) 255-9401
www.bcgov.net

WM. WESTON J. NEWTON
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D. PAUL SOMMERVILLE
VICE CHAIRMAN

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LAURA VON HARTEN

GARY KUBIC
COUNTY ADMINISTRATOR

BRYAN J. HILL
DEPUTY COUNTY ADMINISTRATOR

JOSHUA A. GRUBER
COUNTY ATTORNEY

SUZANNE M. RAINEY
CLERK TO COUNCIL

AGENDA COUNTY COUNCIL OF BEAUFORT COUNTY

Monday, September 24, 2012

4:00 p.m.

Council Chambers, Administration Building
Government Center
100 Ribaut Road, Beaufort

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

1. CAUCUS - 4:00 P.M.
Discussion is not limited to agenda items.
Executive Conference Room
2. REGULAR MEETING - 5:00 P.M.
Council Chambers
3. CALL TO ORDER
4. PLEDGE OF ALLEGIANCE
5. INVOCATION
6. REVIEW OF MINUTES
 - A. August 13, 2012 ([backup](#))
 - B. August 27, 2012 ([backup](#))
7. PROCLAMATION
 - A. Archeology Month - Mr. Ian Hill, Historic Preservationist
8. PUBLIC COMMENT
9. COUNTY ADMINISTRATOR'S REPORT
 - Mr. Gary Kubic, County Administrator
 - A. The County Channel / Broadcast Update
 - B. Two-Week Progress Report ([backup](#))
 - C. Resolution / Americans with Disabilities Act Reasonable Accommodation Policy ([backup](#))



10. DEPUTY ADMINISTRATOR'S REPORT

Mr. Bryan Hill, Deputy County Administrator

A. Two-Week Progress Report ([backup](#))

B. Monthly Budget Summary ([backup](#))

C. Construction Project Updates

Mr. Rob McFee, Division-Director Engineering and Infrastructure

One Cent Sales Tax Referendum Projects:

D. U.S. Highway 278 Construction Project

E. S.C. Highway 170 Status

F. Bluffton 5A Bridge Status

Capital Improvement Projects:

G. St. Helena Island Branch Library

H. Courthouse Reskin Project

11. CONSENT AGENDA – ITEMS A THROUGH L

A. AUTHORIZING THE ISSUANCE AND SALE OF NOT EXCEEDING \$5,000,000 OF GENERAL OBLIGATION BOND ANTICIPATION NOTES TO PROVIDE FUNDS FOR COURTHOUSE RENOVATIONS, CORONER'S OFFICE RENOVATIONS AND MYRTLE PARK COUNTY ADMINISTRATION BUILDING RENOVATIONS; FIXING THE FORM AND DETAILS OF THE NOTES; AUTHORIZING THE COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE NOTES; PROVIDING FOR THE PAYMENT OF THE NOTES AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO ([backup](#))

1. Consideration of third and final reading approval to occur September 24, 2012

2. Second reading approval occurred September 10, 2012 / Vote 10:0

3. Public hearing was held September 10, 2012

4. First reading approval occurred August 27, 2012 / Vote 11:0

2. Finance Committee discussion and recommendation to approve occurred August 20, 2012 / Vote 5:0

B. AN ORDINANCE TO AMEND BEAUFORT COUNTY ORDINANCE 93/20 SO AS TO EXPAND THE PERMISSIBLE EXPENDITURES OF FUNDS COLLECTED UNDER SAID ORDINANCE ([backup](#))

1. Consideration of second reading approval to occur September 24, 2012

2. Public hearing announcement – Monday, October 8, 2012, beginning at 6:00 p.m. in Council Chambers of the Administration Building, 100 Ribaut Road, Beaufort

3. First reading approval occurred September 10, 2012 / Vote 10:0

C. AN ORDINANCE TO AMEND AND CLARIFY ORDINANCES 2005/28 AND 2005/42 ENTITLED "AN ORDINANCE TO IMPOSE A TWO AND ONE-HALF PERCENT FEE ON THE PRICE OF ADMISSIONS TO PLACES OF AMUSEMENT WITHIN BEAUFORT COUNTY, EFFECTIVE DATE, SUNSET PROVISION, AND SEVERABILITY ([backup](#))

1. Consideration of first reading approval to occur September 24, 2012

2. Governmental Affairs Committee discussion and recommendation to approve occurred September 4, 2012 / Vote 5:0

- D. MOTOROLA PUBLIC SAFETY COMMUNICATIONS MAINTENANCE SERVICE CONTRACT FOR EMERGENCY MANAGEMENT DEPARTMENT ([backup](#))
1. Consideration of contract renewal to occur September 24, 2012
 2. Contract award: Motorola, Schaumburg, Illinois
 3. Contract amount: \$1,426,234
 4. Funding: Account 23150-51110 Communications, Maintenance Contracts
 5. Finance Committee discussion and recommendation to approve occurred September 17, 2012 / Vote 7:0
- E. MOTOROLA E911 SERVICE AGREEMENT CONTRACT WITH MOTOROLA FOR EMERGENCY MANAGEMENT DEPARTMENT ([backup](#))
1. Consideration of contract renewal to occur September 24, 2012
 2. Contract award: Motorola, Schaumburg, Illinois
 3. Contract amount: \$55,339
 4. Funding: Account 23205-51110 E911 Fund, Maintenance Contracts
 5. Finance Committee discussion and recommendation to approve occurred September 17, 2012 / Vote 7:0
- F. VERIZON WIRELESS CONTRACT FOR BEAUFORT COUNTY ([backup](#))
1. Consideration of contract renewal to occur September 24, 2012
 2. Contract award: Verizon Wireless
 3. Contract amount: \$126,000
 4. Funding: Services paid from each department's telephone account 51050
 5. Finance Committee discussion and recommendation to approve occurred September 17, 2012 / Vote 7:0
- G. HDPE PIPE CONTRACT WITH FERGUSON ENTERPRISES FOR PUBLIC WORKS DEPARTMENT ([backup](#))
1. Consideration of contract renewal to occur September 24, 2012
 2. Contract award: Ferguson Enterprises, Bluffton, South Carolina
 3. Contract amount: \$144,230
 4. Funding: Account 13531-52370, Pipe Supplies
 5. Finance Committee discussion and recommendation to approve occurred September 17, 2012 / Vote 7:0
- H. UNIFORM CONTRACT WITH RENTAL UNIFORM SERVICE OF FLORENCE FOR PUBLIC WORKS DEPARTMENT ([backup](#))
1. Consideration of contract renewal to occur September 24, 2012
 2. Contract award: Rental Uniform Services of Florence, South Carolina
 3. Contract amount: \$64,000
 4. Funding: Account 33020-52050 through 33398-52050 General Revenue; Storm Water Enterprise Fund 13530-52050 through 13531-52050; and Mosquito Control Account 43190-52050 Uniforms
 5. Finance Committee discussion and recommendation to approve occurred September 17, 2012 / Vote 7:0

- I. UNIFORM CONTRACT WITH WRIGHT JOHNSTON FOR SHERIFF'S OFFICE (backup)
 - 1. Consideration of contract renewal to occur September 24, 2012
 - 2. Contract award: Wright –Johnston Uniforms, LLC, Columbia, South Carolina
 - 3. Contract amount: \$50,000
 - 4. Funding: Account 21051-52050 and 21052-52050, Uniforms
 - 5. Finance Committee discussion and recommendation to approve occurred September 17, 2012 / Vote 7:0
 - J. EMPLOYEE INSURANCE BENEFITS 2013 (backup)
 - 1. Consideration of contract renewals to occur September 24, 2012
 - 2. Contract awards:
 - a. Health Insurance & Rx – Blue Cross/Blue Shield of South Carolina
 - b. Dental Insurance – United Concordia Dental
 - c. Vision Insurance – United Healthcare Vision
 - d. Life/Supplement Life/AD&D/Short & Long Term Disability – ING
 - 3. Contract amount: 18-month contracts at no increase from 2012
 - 4. Finance Committee discussion and recommendation to approve occurred September 17, 2012 / Vote 7:0
 - K. 2013 ACCOMMODATIONS TAX BOARD RECOMMENDATIONS (backup)
 - 1. Consideration of approval to occur September 24, 2012
 - 2. Finance Committee discussion and recommendation to approve occurred September 17, 2012 / Vote 7:0
 - L. BLUFFTON HISTORICAL PRESERVATION SOCIETY / REQUEST TO UTILIZE 2006 COUNTY ACCOMMODATIONS TAX FUNDS GRANT FOR ROOF PROJECT (backup)
 - 1. Consideration of approval to occur September 24, 2012
 - 2. Finance Committee discussion and recommendation to approve occurred September 17, 2012 / Vote 7:0
12. COMMITTEE REPORTS (backup)
13. PUBLIC COMMENT
14. EXECUTIVE SESSION
- A. Discussion of negotiations incident to proposed contractual arrangements and proposed purchase of property
 - B. Discussion of matters relating to the proposed location, expansion or the provision of services encouraging location or expansion of industries or other businesses in Beaufort County
 - C. Receipt of legal advice relating to pending and potential claims covered by the attorney-client privilege
15. ADJOURNMENT

Official Proceedings
County Council of Beaufort County
August 13, 2012

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

CAUCUS

A caucus of the County Council of Beaufort County was held at 4:00 p.m. on Monday, August 13, 2012 in the Executive Conference Room of the Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Chairman Weston Newton, Vice Chairman D. Paul Sommerville and Councilmen Rick Caporale, Steven Baer, Brian Flewelling, Herbert Glaze, William McBride, Stu Rodman, Gerald Stewart and Laura Von Harten. Gerald Dawson absent.

DISCUSSION ITEMS

Topics discussed during caucus included: (i) submission of Beaufort County Legislative policy issues to the South Carolina Association of Counties; (ii) a Council workshop regarding economic development issues; (iii) the Daufuskie Island ferry contract proposal; and (iv) a referendum question regarding the creation of the Daufuskie Island Tax District for purposes of providing public ferry.

REGULAR MEETING

The regularly scheduled meeting of the County Council of Beaufort County was held at 5:00 p.m. in Council Chambers of the Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Chairman Weston Newton, Vice Chairman D. Paul Sommerville and Councilmen Rick Caporale, Steven Baer, Brian Flewelling, Herbert Glaze, William McBride, Stu Rodman, Gerald Stewart and Laura Von Harten. Gerald Dawson absent.

PLEDGE OF ALLEGIANCE

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

INVOCATION

Mr. Glaze gave the Invocation.

MOMENT OF SILENCE

The Chairman called for a moment of silence in remembrance of James “Josh” J. Easton, III, 20, who passed away August 6, 2012 at Hospice House, Youngstown, Ohio. He is survived by his mother, Dee Kubic and his stepfather, Gary Kubic, County Administrator.

The Chairman called for a moment of silence in remembrance of Clayton Ellis, 69, who passed away August 6, 2012. He served as Fire Chief of the Lady’s Island/St. Helena Island Fire District for more than 30 years. He is survived by his wife, Melinda Ellis.

REVIEW OF PROCEEDINGS OF THE REGULAR MEETING HELD July 23, 2012

The following corrections were made to the minutes of the July 23, 2012 meeting: Page 13, line 25, replace “\$50,000” with “\$500,000”; page 25, line 26, “delete “It was moved by Mr. Dawson . . . beyond 8:00 p.m.”

It was moved by Mr. Caporale, seconded by Mr. Glaze, that Council approve the minutes of the regular meeting held July 23, 2012. The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. ABSENT – Mr. Dawson. The motion passed.

PUBLIC COMMENT

The Chairman recognized Mr. John Wampler, a 26-year resident of Daufuskie Island and 34 years in the Lowcountry, stated, “During this time I have been a boat captain running large boards across Calibogue Sound. I probably crossed the sound at least 30,000 times. My wife and I used to run the Daufuskie ferry in the early 1980’s when it ran just two days a week. Over the years, various ferry committees have worked hard to improve the ferry system and Morris Campbell can attest to that and it has been a long and hard struggle to get better ferry services. The ferry committee even implemented the current ID/pass and pay plan and yet there is never enough money to move for award with a better system. With the current ferry system, we have regressed and I am here today to state that we need a better ferry system – the Island economy depends on it. There have been numerous bankruptcies on Daufuskie; there are not enough jobs and no one can use the ferry job on Hilton Head with the current schedules; property values are decreasing and the list goes on. The current ferry system is minimal with limited a paid parking in a high crime area; we can only bring two bags of groceries and are charged \$10 a bag after that—who can live on two bags of groceries of a week? A new ferry landing on Hilton Head Island is an absolute necessity. When the new Island Council was formed, they asked what were the problems on Daufuskie and the number on problem was the ferry service. I know that the Special Purpose Tax District will be the solution and the sooner it can get on the ballot and passed, then, hopefully, we can al work together to get a new and improved ferry systems for

Daufuskie Island. The new Ferry District may need some help in the beginning securing ferry land sites with adequate parking. We hope that County Council will continue assisting us in various ways. No one wants their taxes increase, but something must be done now.”

Mr. John Moore, a resident of Daufuskie Island, talked about senior citizens and technology. The County should provide Wi-Fi throughout the County. Other cities and counties have Wi-Fi hot spots. People park at the courthouse, different places, even the administration building to use Wi-Fi. About two months ago, a private community insisted they needed more towers in their community. As a resident of Eddings Point community, he has spent hours arguing with his service provider about slow tower speed and his inability to getting enough data to his iPad to run videos or stream data. After about three months arguing, a representative made an onsite visit and determined the area below average. If he starts buffering on a video, his money is wasted and he does not like it. He read where the stormwater utility fund has about \$50 million. If that is the case, that money needs to go back to the taxpayers or use it to provide services. Does the school system have Wi-Fi in all schools? He hopes the new St. Helena Island branch library will have Wi-Fi. He suggested the Council could provide Wi-Fi service to all their citizens in Beaufort County. Start a project on that. Let us stop being behind on everything and trying to catch up to other counties and cities. Some people say older folks cannot do anything with a computer. I do not know about those older folks, but the people he knows all use computers and iPads. At the conclusion of the reassessment process, hopefully, the County could cut administratively and give us some of that money back.

Rev. James Curtis Hudson, a Daufuskie Island property owner, requested that County Council disapprove the inclusion of the Daufuskie Ferry District referendum on the November ballot. The proposed funding stream of \$500,000 annual is unattainable. The proposal for the special tax district must be declared dead on arrival because: (i) the funding goals for the tax district cannot be reached with the exclusion of Haig Point; (ii) the estimated does not take into consideration the imminent decrease in the assess value of real property – the Daufuskie Island Council failed to coordinated with the County Assessor and other relevant entities prior to bringing the Ferry District proposal forward; and (iii) the Daufuskie Island County’s process for submitting the petition to the County Council was flawed. If it’s going to be based on property tax, then everybody who owns property should be assessed for the funding of this ferry whether you ride it or not. I do not have any kids in school but I still pay school taxes. That does not eliminate me from paying school taxes. Any other funding is county-owned. This is my rationale

Mr. Bill Greenwood is a member at Haig Point, Bloody Point Property Owners Association, the Melrose Property Owners Association, the Melrose Cottage Owners Association and founding member of the community farm on Daufuskie Island. He talks to many people and some of them are 6% property owners, some are 4%, some live here, some live there. Haig Point is not included. Sometimes people need time to figure out that this is a good idea. Haig Point does understand that this tax district is a good idea. It doesn’t politically sell today, but next year, who’s to say. The wisdom in Haig Point is summed up by one board member’s comment, “so goes the Island, goes Haig Point.” Be patient with them. They are part of the solution. They understand their position in the Island, its economy, and its future. Concerning all the other entities, you know this is not a perfect solution but I think I will go back 2½ years ago when this

Council was started and we asked, “What do you guys on the Island want?” “What do you need?” Everybody said we need a ferry, we need a ferry, we need a ferry, we need a ferry, and it just kind of keeps on going. Gary Kubic has said that if you do not have a sustainable ferry to Daufuskie, you do not get past the table of contents in the Daufuskie Island Comprehensive Plan that you all are very aware of what it is. Is this the best solution? It is a workable solution. An entity runs a public ferry for \$1 million a year, operational dollars on the Savannah River. They are able to get many dollars, federal, for their capital expenses. Grants are available. Hopefully, Council understands the wisdom of allowing our Island to vote for this in November. Let the folks, who, when they pull the curtain, decide if this is a good idea or a bad idea. They deserve the opportunity to do that very democratic thing we have been doing for 250 years in this Nation.

Mrs. Jocelyn Staiger, Government Affairs Director of the Hilton Head Area Association of REALTORS, stated, “I am here this evening on behalf of our Board of Directors and the approximately 900 members of our association who are concerned about the millage increase to 6% property owners. We would like to commend the Beaufort County School Board of Education for proposing an amended budget for the 2012/2013 school year. The budget passed by the South Carolina State Senate will bring an additional \$2.2 million to the school district, an increase from the \$600,000 that was allocated last year. Beaufort County will be receiving \$1,326,023 in EFA funding as a result of the imputation formula used in connection with the regular EFA formula. We recognize the Board of Education has already put into motion procuring items and supplies needed for the upcoming school year based on their original budgeted amounts. However, with this increased funding, we request the millage only be increased by the amount absolutely necessary to fund the budget. This increase should amount to only .7 mils. We reiterate, any increase in taxes continues to drive investors, second homebuyers and businesses away from Beaufort County. More importantly, tax revenues for our school district will continue to decrease as property owners choose to designate South Carolina as their primary residence. The increase at this time is hazardous to the housing market. Six percent property owners could react to the increase by selling and purchasing elsewhere. These property owners feel this tax burden is unfair. Again, please consider only increasing the millage to the amount absolutely necessary to fund the amended budget. We appreciate the hard work of the Beaufort County Council and we thank you for your service. We look forward to working together in the future with County Council and the Board of Education to protect the revenue streams that actually fund the school district’s operational budget expenses.

Mr. Aaron Crosby, a Daufuskie Island resident, stated. “Mr. Bill Greenwood said quite eloquently most of what I would like to say so I won’t bore you with that. I will simply say that solving the issue of the ferry system for Daufuskie is something that has been underway for 30+ years and we haven’t figured it out yet. Nobody has yet offered the people of Daufuskie the opportunity to vote on whether or not the creation of a special purpose tax district might just be a solution but we do have a petition; we followed the State law about how to create a special purpose tax district; did exactly what it said to do and we have gotten enough signatures on a petition to present to you all to ask that it be placed on the ballot so that the people of Daufuskie can vote on it. Is it a perfect thing? No. We have less than 10% build-out on that Island so we have 1,500 or so property owners who are non-residents that won’t be voting in that election but the State law doesn’t allow for that to happen and we can only play by the rules that we’re

provided with. We can't make up the rules as we go along. So I hope in your wisdom you'll recognize that we have done all that we can to pursue a particular option and that if its placed on the ballot, it affords for the opportunity for the people of Daufuskie can either vote for it or against it. And if they vote against it, we come back and we try to figure out another way to skin this cat but this is something we haven't tried yet and I hope that you all will see the wisdom in allowing the people of Daufuskie to vote on it and see if maybe, just maybe, this might be the first thing that we've looked at that can help bring a true solution to our ferry needs as opposed to the solution that we've been dealing with year and year and year and year after where we just keep coming back with our hands out. Thank you for your time. I do hope that you will have this be on the ballot for the November election.

Mr. Ed, a resident of Daufuskie Island, is a 20-year retired veteran from the United States Navy. There are five round trips a day, seven days a week for ferry service on Daufuskie. I need two round trips a day every day of the week that will get me by. I can afford three days a week, two round trips. That will cost us about \$150,000. I am not sure what the problem is but I am going to guess it is the residents' taxes. I asked Aaron Crosby, who is the leader of the Ferry Committee. What are we going to get? What kind of boat are we going to get? What is the schedule going to be? Who is going to collect the money from them and who is going to get how much is it going to cost to insure it, but it, maintain it, and operate it? The answer is the five commissioners appointed besides me. That is not going to happen. The Daufuskie Council is supposed to represent the Island of Daufuskie. You cut out Haig Point you have taken the majority of that place. They are no longer representing Daufuskie Island. They are representing their own personal objectives. If Haig Point does not have to participate in the present, suggested tax district, I do not want to get in either. Count me out of it.

COUNTY AND DEPUTY COUNTY ADMINISTRATORS' REPORT

Three-Week Progress Report / County Administrator

Mr. Bryan Hill, Deputy County Administrator, presented the County Administrator's Three-Week Progress Report in his absence. The report summarized his activities from July 23, 2012 through August 10, 2012.

Three-Week Progress Report / Deputy County Administrator

Mr. Bryan Hill, Deputy County Administrator, presented his Two-Week Progress Report, which summarized his activities from July 23, 2012 through August 10, 2012.

Monthly Budget Summary

Mr. Bryan Hill, Deputy County Administrator, submitted the monthly budget summary of unaudited numbers effective July 30, 2012 through August 10, 2012. Mr. David Starkey, Chief Financial Officer, will present the Comprehensive Annual Financial Report (CAFR) at the November 12, 2012 Council meeting.

Mr. Caporale inquired as to why the Compliance Officer is involved in the Parks and Leisure Services Department (PALS) study.

Mr. Hill replied the County Administrator has tasked staff to conduct a review of consultants/vendors that the County may bring on board to review the Department. Team members are Mr. Morris Campbell, Deputy-Director Community Services; Ms. Monica Spells, Compliance Officer; and Mr. Hill. Staff will receive a status report within the next several months.

Mr. Hill and Mr. Baer have been working toward developing a complete reporting system for enterprise funds going forward, *e.g.*, Airports, First Vehicle Services, etc. Chief Financial Officer David Starkey and Comptroller Alicia Holland will complete the team.

Dixie Boys State Tournament / Update

Mr. Bryan Hill, Deputy County Administrator, announced the County hosted the 2012 Dixie Boys State Tournament at Burton Wells Regional Park and at Oscar Frazier Park in Bluffton. Twenty-four individuals participated in the event the week of July 23, 2012. Special thanks to the more than 250 volunteers, the announcers, Rev. Randy Roberts, Councilman Gerald Dawson, Broadcast Services Department, EMS, Facilities Management, and MIS. We had more than 4,000 website hits. The County bid on the 2014 World Series. Our hope is to get at least 12 teams, if not 24, back to Beaufort County. During tournament week, local motels/hotels were at 99% occupancy in northern Beaufort County.

Mr. Newton remarked that a Council retreat item deals with a feasibility study of a sports complex for the purpose of having these types of sport activities on a more frequent basis as well as supplementing recreational use. What is the status of this study?

Mr. Hill replied staff has franchised with United States Specialty Sports Association (USSSA). The County has held seven tournaments in Bluffton and northern Beaufort County. We are trying to get staff of Hilton Head group, Bluffton Youth Sports, and the County working together. Once everybody is on the same page, you will probably see tournaments once or twice monthly here. Softball is the key tournament to host in Beaufort County to complement the baseball tournament. Once the Department organization study is completed, staff will move forward with the sports complex study. We would be better suited if both Burton Wells Regional Park Phase III and Buckwalter Park Phase II were completed because that would open up to more ball fields. Staff will present a proposal and associated price tag before year's end.

Mr. Newton commented the complex study is independent of any existing County facilities.

World Oceans Month and Clean Marine Project / Presentation

Ms. Amber Von Harten, Fisheries Specialist, with the South Carolina Grant Extension Program (Agency), gave a presentation on World Oceans Month and the Clean Marine Project. Ms. Von Harten works out of the Clemson Extension Office here in Beaufort. The Agency received a

NOAA Marine Debris grant for the disposal of large marine debris items in partnership with Solid Waste/Recycling Department.

In 2008, the United Nations General Assembly designated June 8 as “World Oceans Day”. The designation is coordinated internationally by the Ocean Project & World Ocean Network. Global participation increases each year through grassroots efforts at the local level to address a global problem. Opportunities for leveraging local partnerships include (i) preventing, reducing, disposing and reporting marine debris (Clear Marine projects) and (ii) Ocean stewardship (World Oceans Day Beaufort).

Marine debris is a concern because it has environmental impacts through derelict vessels in our waterways destroying habitat, economic impacts, human health and safety impacts, and navigational hazards.

In the October 2011, the Solid Waste/Recycling Department approached the Agency about the possibility of celebrating World Oceans Day, June 8, 2012. There were some grant opportunities through the University of Georgia as well as the Boat US Foundation to pursue specifically marine debris issues. A partnership was development with multiple organizations throughout the County to focus efforts on ocean stewardship (World Oceans Day celebration) as well as pursue funding for the Clean Marine Project. World Oceans Day was celebrated June with a series of community events, and culminated with a festival on June 16 at the Beaufort Towne Center.

Clean Marine Project was actually a project that grew out of Charleston County in 2011 through support from a NOAA Marine Debris Program grant. The purpose was to help establish a web-based monitoring of reporting forms to allow citizens to report marine debris items. A smart-phone app was developed for use on the Android operating system. A two and a half-day event was held wherein ten locations were set up in Charleston County at area boat landings and marinas for people to dispose of larger marine debris as well as boating- the fishing-related items. Beaufort County Public Works and the Beaufort Conservation District expressed interest in bringing that program to Beaufort County to raise awareness about marine debris, proper dispose, and to provide this community-action opportunity later this fall. Grants received from three organizations totaled approximately \$13,000. The last grant will fund a kayak clean up in Beaufort County. The Beaufort County Clean Marine event will take place November 2 through 5.

Termination of Lease for Public Library at St. Helena Elementary School / Buy Back of Library Space

Mr. Josh Gruber, Staff Attorney, stated Beaufort County has been actively constructing a state-of-the-art public library on St. Helena Island. Through excellent management and the dedicated work of our contractors, the construction schedule has remained on track and the facility is currently nearing substantial completion. Pursuant to paragraph 4 of the lease, entered into between Council and the Board of Education (Board), the Board agreed to buy back the leased space from Council for its \$150,000 initial contribution costs. These funds represent the initial

contribution that Council provided to the Board and used to help construct the St. Helena Elementary School.

It was moved by Mr. Baer, seconded by Mr. Flewelling, that Council authorize staff to send correspondence to the Board of Education notifying them that Beaufort County hereby provides ninety (90) days advance notice that it will be terminating this lease agreement effective November 1, 2012, and, further requesting \$150,000, per the terms of the agreement be provided back to the County to coincide with the opening of the new St. Helena Island Library at Penn Center.

Mr. Baer asked, “If the County gets the money back, which line-item account will receive the funds? Did the County count on receiving these funds when preparing the FY 2013 budget? Is this newfound money? Mr. Gruber replied, “It is not new-found money; but it is money, redirected to the general fund, to be expended by Council, should it feel so inclined.”

Mr. Hill commented the \$150,000 goes back to the general fund. The County budget is \$97,150,130. It is Council prerogative to put the money in the general fund or to supplement the current year budget.

Mr. Caporale inquired if the \$150,000 is the only money that the School District received from the County under the lease. Mr. Hill replied in the affirmative.

Mr. Caporale inquired of square footage. He is not inclined, necessarily, to ask the School District for the money back. We have been at this location for eight years; we paid them \$150,000.

Mr. Hill read from the agreement, “They have selected two kindergarten rooms with office, restroom access, separate entrance, parking to be used exclusively for a branch of the public library at St. Helena Elementary School.”

Mr. Caporale commented it is not a whole lot of room.

Mr. Glaze assumes the Board agrees with the arrangement.

Mr. Hill said both entities signed the contract. The initial \$150,000 helped to build a portion of the library.

Mr. Glaze said the funds should be designated library-to-library for use at the new St. Helena Library at Penn Center

Mr. Newton remarked the agreement/contract is included in today’s data package. It has certain provisions. The language says, “After a minimum of two-year occupancy, by the library, the Board of Education will, at the time the Library leaves, buy back the space from the County Council for the initial construction of \$150,000 with no interest owed.” The lease agreement is self-operative.

Mr. Newton remarked that Mr. Glaze raises a good point. Perhaps we should research the source of where the \$150,000 came from. If you read the agreement, it talks about certain things the library agrees to do. It could be that these were budgeted funds for library services in 2004. If that is the case, that may suggest that those funds could appropriately go back to their source of origin -- the library function within the County. That seems to be a worthwhile research project.

Mr. Baer is very glad Mr. Newton made that comment and urged staff to research the issue. The single most important thing that we are hearing from our constituents on the libraries is hours. Hours were reduced 33% from 60 to 40. The single most important thing to all the constituents and people who write him and call him is to raise the number of library hours from 40 to 50. That is ten more hours in at least two branches – Bluffton and Hilton Head Island -- if we have the money three branches, which would include Beaufort. Those branches were reduced in order to find monies to support the operations at the new St. Helena Library at Penn Center. If you do the calculations, it is a remarkable coincidence to increase the hours by ten at the three branches is roughly \$150,000. This may be a golden egg, which saves three branches of libraries.

Mr. Newton stated it is a recurring obligation with one-time money.

Mr. Rodman asked School District representatives, “Which fund would the money come out of and was it anticipated in the budgeting process?”

Mr. Fred Washington, Chairman, Board of Education, said today is the first he has heard of the agreement. It is not budgeted. We have to make a decision whether we want the space. No one notified the School District.

Mr. Newton understands the action the staff attorney is bringing forward to Council tonight is asking for the authorization to do that very thing – notifying the School District, pursuant to the terms of the agreement, of the termination and triggering the buy-back provision within the agreement.

Mr. Gruber agreed in the affirmation. The agreement, itself, has been in existence since 2004. That buy-back provision has been present since that time. It became an item discussed at the staff level a couple of days ago and this is the first time it is being brought forward tonight for discussion. Of course, if it is approved and Council votes to accept the letter and send it as drafted, that would be the notification to the Board that they can then take action, given that there is a 90-day provision before they would have to write any kind of check.

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

RESOLUTION APPROVING THE MUTUAL AID AGREEMENTS AND/OR INTER-JURISDICTIONAL AGREEMENTS ENTERED INTO BY THE SHERIFF OF BEAUFORT COUNTY

This item comes before Council under the Consent Agenda. It was discussed at the August 6, 2012 Governmental Committee meeting.

It was moved by Mr. McBride, seconded by Mr. Flewelling, that Council adopt a resolution approving the Mutual Aid Agreements and/or Inter-Jurisdictional Agreements entered into by the Sheriff of Beaufort County. The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. ABSENT – Mr. Dawson. The motion passed.

RENEWAL OF DISASTER DEBRIS MANAGEMENT & FINANCIAL RECOVERY SERVICES

This item comes before Council under the Consent Agenda. It was discussed at the July 24, 2012 Public Facilities Committee meeting.

It was moved by Mr. McBride, seconded by Mr. Flewelling, that Council renew a contract for Disaster Debris Management and Financial Recovery Services to SAIC of Orlando, Florida. Severity of the event determines the hours billed by the debris-monitoring firm. The County may apply to FEMA for reimbursement up to 75% of charges for a presidential declared disaster. The County is responsible for the other 25%. If debris-monitoring services are required for a disaster that is not a presidential-declared disaster, then the County is responsible for 100%. The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. ABSENT – Mr. Dawson. The motion passed.

PASSENGER FACILITY CHARGE PROGRAM AMENDMENT / HILTON HEAD ISLAND AIRPORT

This item comes before Council under the Consent Agenda. It was discussed at the July 24, 2012 Public Facilities Committee meeting.

It was moved by Mr. McBride, seconded by Mr. Flewelling, that Council amend the existing Passenger Facility Charge Program for the Hilton Head Island Airport to account for the recent reduction in Federal Airport Improvement Program funding from an FAA grant funding level of 95% (\$2,619,447 to be collected over a ten-year period) to a reduced Federal participation level to 90% (to increase the total collection amount by \$1,053,071 and extend the collection period by four more years). This amendment will increase the total revenue to be collected to \$3,672,518, and extend the collection period from July 2012 to August 1, 2026. The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. ABSENT – Mr. Dawson. The motion passed.

RENEWAL OF ANNUAL FOOD SERVICE CONTRACT WITH ABL MANAGEMENT FOR THE DETENTION CENTER

This item comes before Council under the Consent Agenda. It was discussed at the August 6, 2012 Finance Committee meeting.

It was moved by Mr. McBride, seconded by Mr. Flewelling, that Council renew the annual contract with ABL Management to provide food services for the Detention Center in the amount of \$325,000. Funding is from Meals/Contracted Services, Account 23170-51200. The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. ABSENT – Mr. Dawson. The motion passed.

RENEWAL OF ANNUAL MEDICAL AND HEALTH SERVICES CONTRACT WITH SOUTHERN HEALTH PARTNERS FOR THE DETENTION CENTER

This item comes before Council under the Consent Agenda. It was discussed at the August 6, 2012 Finance Committee meeting.

It was moved by Mr. McBride, seconded by Mr. Flewelling, that Council renew the annual contract with Southern Health Partners to provide health/medical care services for the Detention Center in the amount of \$565,000. Funding is from Medical/Dental Services, Account 23170-51190. The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. ABSENT – Mr. Dawson. The motion passed.

GRANT AWARD OF \$15,000 TO LT. DAN WEEKEND 3

This item comes before Council under the Consent Agenda. It was discussed at the August 6, 2012 Finance Committee meeting.

It was moved by Mr. McBride, seconded by Mr. Flewelling, that Council award a \$15,000 grant allocation to the Lt. Dan Weekend 3. Funding is from FY 2012/2013 accommodations tax (2% state) money. The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. ABSENT – Mr. Dawson. The motion passed.

INTERGOVERNMENTAL AGREEMENT FOR STORMWATER UTILITY BETWEEN BEAUFORT COUNTY AND CITY OF BEAUFORT

This item comes before Council under the Consent Agenda. It was discussed at the August 6, 2012 Natural Resources Committee meeting.

It was moved by Mr. McBride, seconded by Mr. Flewelling, that Council enter into a Stormwater Management and Utility Agreement between Beaufort County and the City of Beaufort. The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. ABSENT – Mr. Dawson. The motion passed.

WATER QUALITY LAB MEMORANDUM OF UNDERSTANDING WITH THE UNIVERSITY OF SOUTH CAROLINA BEAUFORT

This item comes before Council under the Consent Agenda. It was discussed at the August 6, 2012 Natural Resources Committee meeting.

It was moved by Mr. McBride, seconded by Mr. Flewelling, that Council enter into a Memorandum of Understanding with the University of South Carolina for utilization of the Water Quality Lab in the amount of \$105,000 per year, renewable annually. Funding is from Stormwater Utility Account 13531-51170. The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. ABSENT – Mr. Dawson. The motion passed.

JOINT MONITORING MEMORANDUM OF UNDERSTANDING FOR SALINITY STUDY

This item comes before Council under the Consent Agenda. It was discussed at the August 6, 2012 Natural Resources Committee meeting.

It was moved by Mr. McBride, seconded by Mr. Flewelling, that Council enter into a Joint Monitoring Memorandum of Understanding for a Salinity Study with the Town of Bluffton, SC Department of Natural Resources, and USC-B to define and implement environmental initiatives related to the protection of Beaufort County Watersheds and other outstanding natural resources. First year funding is SC Department of Natural Resources \$18,808 and USC-B \$8,192. Funding is from Stormwater Utility, Account 13531-51170. The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. ABSENT – Mr. Dawson. The motion passed.

AN ORDINANCE TO AMEND THE FY 2012-2013 SCHOOL DISTRICT BUDGET

Mr. Rodman, as Finance Committee Chairman, explained that when Council approved the FY 2013 School District (District) budget ordinance on June 25, 2012, it included a 2.0 mill increase. The assumption was that the amount of money from the General Assembly would be the House of Representative version. There was discussion at the time that if the Senate version came through, which was about a 1.0 mill difference, that the Board of Education (Board) would adjust accordingly. The Senate version was the one that was incorporated. The Board met August 7, 2012 and recommends that the millage increase be decreased from an increase of 2.0 mills to a increase of 1.0 mill. In other words cutting it by 50%

It was moved by Mr. Rodman, seconded by Mr. McBride, that Council approve on second reading an ordinance to amend the FY 2012-2013 School District budget ordinance (approved June 25, 2012) as follows: School Operations from 92.26 mills to 91.26 mills.

Mr. Newton said when he compares the numbers tonight to the numbers in the budget ordinance effective July 1, 2012 he comes up with some differences that do not necessarily match the discussion members of Finance Committee had August 6, 2012. In looking at Section 3, Item E, \$4,357,254 (August 8, 2012 letter from Mr. Washington) when comparing it to Item E (Budget Ordinance 2012/8) what was approved was \$2,627,200 to be derived from inter-fund transfers. Based on the additional funds from State, the number put forward now is \$4,357,254, which is a difference of \$1,729,754.

Dr. Valerie Truesdale, Superintendent, replied those dollars are what Mr. Rodman was referring to – the difference in the Senate and House of Representative version.

Mr. David Starkey, Chief Financial Officer, stated Mrs. Phyllis White, Chief Operational Services Office, and he agreed on \$1,250,436 on July 31, 2012.

Mr. Newton is trying to compare apples-to-apples. At the point in time when the District budget was approved by Council, there was a projected use of fund balance of \$788,000. Today the projected use of fund balance is only \$568,000. That is an additional \$220,000 or \$220,000 less in fund balance.

Mr. Fred Washington, Board Chairman, agreed in the affirmative.

Mr. Newton referred to Section 3, Item B (Tier III monies). Looking at Section 3, Item B, \$55,434,586 (August 8, 2012 letter from Mr. Washington) when comparing it to Item B (Budget Ordinance 2012/8) \$55,602,426 was approved to be derived from State revenues. That is \$167,840 less than what was approved. The District projected ending the year at \$28,161,621. But, it actually ended up being almost \$500,000 higher than that at \$28,633,453. The fund balance went up \$500,000, but we are recommending using \$220,000 less from fund balance than we were when we here June 25, 2012. He understood at that time, based on the additional state revenues lowering the millage rate to match the additional state revenues. The additional state revenues are \$1,729,754; and yet, we are only talking about lowering the tax increase by \$1,250,000. There is another \$500,000 (if the numbers all still track as originally presented) to use to avoid having the full mill increase, but something less than that. The number, it appears, when you actually net it all out, is somewhere between 0.7 mills and 0.82 mills, and comes back to the exact same math that we were looking at in June 2012.

Mr. Washington said it was his hope the District would not have to use fund balance at all to supplement the budget. As we have said to you before, over the past four or five years, we have used fund balance. Our bond-rating agent has taken note of that and they are concerned that we have to use fund balance in order to balance our budget every year. We are trying to maintain a certain level -- 15% that we all agreed upon -- retaining our bond rating and paying less interest. We have a tax anticipation note to fund. You cannot just look at fund balance, but at the

projected fund balance two to three years out. The current fund balance rate of \$28,633,453, the District will slowly slide under the 15% target. In the second year, we are at 10%. We have to look down the road. We are tired of the piece-meal approach.

Mrs. Tonya Crosby, Financial Services Officer, said some of the differences Council mentioned tonight are correct. However, the actual net differences in the House of Representative version versus the Senate version are \$220,000. It is not actually \$500,000. The difference is \$220,000, and fund balance would decrease by that amount. With the current use of fund balance of \$788,000 before the revisions, we would be at 15.58%. Lowering that would take us below 15%. As we progress forward in the next few years, we are already moving into a 10% area. The District went with a decrease of 1.0 mill due to estimates at that time.

Mr. Newton said the \$28,161,621 estimated fund balance, when we started the budget was 15.82% and that did include the Doe Case projected settlement of \$2,650,000. In actuality, the fund balance went up by \$471,000 due to the District's good work. If we ended up with \$500,000 more in the account than we thought we would and we were going to use \$788,000 of it, why would we not let that number stay the same, and because of the additional state monies, lower the impact of the tax increase by the full amount.

Mr. Washington said the District is trying to build a budget using a multi-year approach.

Mr. Newton commented trends show we keep adding money to fund balance every year. The fund balance actually has been trended upward and the budget gets bigger maintaining the 15%.

Mr. Washington replied fund balances goes up because we took some significant actions. Without those kinds of actions, that trend would not be where it is today. We have also hit the wall. If we continue to make those significant cuts, we cannot sustain this budget and we cannot sustain the programs. We have hit the limit.

Mr. Baer urged the District to take the \$1.8 million from the iPads and to use that money to build fund balance to give you the rainy day you need in year 2 and year 3. He appreciates the effort to reduce costs. The District worked very hard on that, but then went out and bought technology trinkets/frills.

Motion to amend by substitution: It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council amend the increase from 1.0 mill to 0.7 mills.

Mr. Newton clarified Council approved a 2.0 mills increase. Mr. Flewelling is proposing a reduction in those 2.0 mills by 1.3 mills to 0.7 mills.

Mr. Stewart remarked it appears several members of Council came to the same kind of number doing their analysis. Mr. Stewart based his analysis on a District document dated June 4, 2012. What we are talking about is 0.5% to 0.6% of the District total budget that could come out of the reserve fund. Mr. Stewart has said all along that he was supporting the budget, which the District requested, \$177,978,690, but was not necessarily going to support funding the full

amount of that budget. That is where he is this evening. He is willing to let the District spend \$177,978,690, the amount budgeted, but will look to the District to find ways – using fund balance, finding other resources, or using good management practice to cut costs or at least stagger costs such that you do not spend more than what you reserve in revenues over the year. Another point is that these budgets are established on 98% collection of taxes. He would also contend that in this year we did better than the 98% we used and we have a very good Assessor, Treasurer and are very good at collecting these funds and have been very successful last year, above that rate projected, if we collect as we did this year, the difference between the 98% and what was really collected that more covers the differential that we talking about as well. There are many ways to handle it without raising taxes / millage on the citizens. He encouraged the District to take that approach to solving its financial issue for the year. Personally, he would like Council to approve a zero millage increase, but will not offer an amendment at this time.

Mr. Flewelling is proposing a 0.7 mill increase. It places him in the peculiar position of being arguably the most conservative member of Council and yet arguing for a 0.7 mills tax increase. The 0.7 mills fully fund the District budget. It is a budget the Board of Education approved 8:3. It includes tax increases, funding the iPad Program, and minimal use of fund balance – arguably still within the range acceptable to District bond counsel.

Mr. Rodman spoke to the fund balance with an approximate \$500,000 increase. Relative to FY 2013 the net improvement is \$220,000 as measured by the change in fund balance, which is the best way to capture anything. Fund balances have puts and takes all the time. Both the County and District are going to be facing some difficult decisions in the next year or so about what ought to be the millage rates as we go through reassessment. District numbers have been quite accurate over the years. We clearly are looking at a big hit to fund balance. He would give the District high marks in this regard. If you look back over last couple of years, it will be the second in six years. Enrollment has increased by a couple of thousand students. Staff has decreased by a couple hundred, a combination of teachers and staff. The District has taken a big hit in the move from 6% to 4%. That number essentially amounts to about 8% decrease in taxes collected because of that particular movement. The District could live with 0.7 mills and could live with 1.0 mill. He does not see any reason to step in and micromanage whether it is 0.7 mill or 1.0 mill. He will vote against the amendment and hopes Council will approve the 1.0 mill, which the District has recommended.

Mr. Sommerville remarked the District would experience a precipitous drop in fund balance in the short-term even with a 1.0 mill increase. We have effectively reduced the millage in 2009 by 3.0 mills, the District has forgone increases for the last three years in spite of the fact that there has been inflation and there has been increased population. They have done an excellent. He is not going to support the amendment to reduce the questioned millage from 1.0 to 0.7. He is going to be very attentive in coming years to that fund balance. This may be, “the calm before the storm” in the actual fund balance.

Mr. Newton is willing to support the motion to amend. Six weeks ago the District came forward and said it wanted to use \$788,000 of fund balance and a 2.0 mill tax increase and whatever additional monies we get from the state will serve to soften the impact on the taxpayer. We

ended up getting more money and some Council members had keyed in on that. Now the suggestion is, “but we don’t want to use a much fund balance.” Mr. Newton’s thought process is what was a rationale advanced at that point in time by the Board of Education as the same rationale today or the only additional information we have is that the fund balance actually went up by \$500,000 between now and then, which sort of suggests, “why not go ahead and use that same amount of fund balance.”

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

Mr. Caporale remarked this is the second time in seven years that Council has increased the District millage.

Mr. Newton clarified Council is voting on a 1.0 mill tax increase.

Vote on the main motion: Council approve on second reading an ordinance to amend the FY 2012-2013 School District budget (approved June 25, 2012) as follows: School Operations from 92.26 mills to 91.26 mills (from \$115,420,449 to \$114,078,285 to be derived from tax collections). The vote was: YEAS - Mr. Caporale, Mr. Glaze, Mr. McBride, Mr. Rodman, Mr. Sommerville and Ms. Von Harten. NAYS – Mr. Baer, Mr. Flewelling, Mr. Newton and Mr. Stewart. ABSENT – Mr. Dawson. The motion passed.

TEXT AMENDMENTS TO AIRPORTS BOARD CHARTER

Main motion: It was moved by Mr. Glaze, as Public Facilities Committee Chairman (no second required), that Council approve on first reading an ordinance to amend the Airports Board Charter, Section 6-28(c), Membership. Section 6-28(d), Election of Officers and Terms of Office; Section 6-30(b)(k)(r) Powers and Duties.

Motion to amend by substitution: It was moved by Mr. Caporale, seconded by Mr. Flewelling, that Council replace “and others” with “All Board members” in Section 6-19(d). The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. ABSENT – Mr. Dawson. The motion passed.

Vote on the amended motion, which is now the main motion and includes the motion to amend by substitution: Council approve on first reading an ordinance to amend the Airports Board Charter, Section 6-28(c), Membership. Section 6-28(d), Election of Officers and Terms of Office; Section 6-30(b)(k)(r) Powers and Duties. The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. ABSENT – Mr. Dawson. The motion passed.

2012 SCDOT ROAD RESURFACING PROJECT

It was moved by Mr. Glaze, as Public Facilities Committee Chairman (no second required), that Council award a construction contract to REA Contracting, Beaufort, South Carolina, in the amount of \$1,369,656.90 for the 2012 SCDOT Road Resurfacing Project. Funding is Beaufort County Transportation Committee (BCTC) funds, Account #3322C-54901. The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Stewart and Ms. Von Harten. ABSENT – Mr. Dawson. RECUSAL - Mr. Sommerville owns a 6% house on one of the roads that is being repaved. The motion passed.

RENEWAL OF DAUFUSKIE ISLAND FERRY SERVICE CONTRACT

It was moved by Mr. Rodman, as Finance Committee Chairman (no second required), that Council approve \$97,100 of a \$268,100 contract renewal with J & W of Greenwood to provide Daufuskie Island ferry service. Funding is from Daufuskie Ferry Transport, Account 54202-55540.

Mr. Baer remarked what we are doing here is reducing the level of service by about 10% and we are roughly doubling the cost to the taxpayer. The taxpayer is going to be paying \$65.70 per round trip. That is 73.5% of the cost. The passengers are going to be paying less than 3% of the cost, about \$7.00 round trip. Mr. Baer's worry here is that if we look at the libraries, which serve thousands of people a day, we reduced the level of service by 33%. Here we have a service that is serving about seven people per day on average. We just heard that number confirmed at caucus, and we are only reducing the level of service by 10% in order (a minor effort) to keep the cost down. We have gone far enough. We do not have even the money budgeted for it. Mr. Baer would move that we rethink this plan to get the cost from \$197,000 down to about \$140,000. Meet them mid-way. That would mean only three or four trips a week, as someone on the speakerphone just suggested, unless we can find another way of funding this thing or perhaps raising the price to the end user. A \$7.00 ticket cannot even get you into a movie. We are paying too much money for too few people.

Mr. Newton requested clarification of Mr. Baer's comment.

Motion to amend by substitution: It was moved by Mr. Baer, seconded by Mr. Caporale, that Council reduce the County subsidy to \$140,000 per year and adjust the number of trips accordingly.

Mr. Baer replied the new plan would go from \$100,000 County subsidy to \$197,100 County subsidy. He recommends reducing the County subsidy to \$140,000 per year and adjusting the number of trips accordingly. That is still less of a grade of service reduction (seven people a day) than we are doing for other citizens of the County who use the library system -- thousands of people a day. He is also open-minded to providing a subsidy for the \$28.00 boat, which runs a little bit later in the day. As we discovered in caucus, there has to be a cheaper way to do this. The only way we can handle this now is to decrease the increase in the subsidy we are providing.

Mr. Newton commented the motion is to reduce the subsidy of funds by \$57,100.

Mr. Baer replied raising it from \$100,000 to \$140,000 per year, instead of \$197,100 per year.

Mr. Caporale will not support it. When he votes against something, it is usually because he is convinced that it is inherently wrong. That it is bad. That there is a better option or that at least he believes that he can see a better option not yet investigated. As Mr. Crosby said during public comment today, the ferry issue has been going on for years. Mr. Caporale heard about it the 12 years when he served on the Board of Education and now 7 years serving on Council. The service is still inadequate. To have to pay \$28.00 to get there, that is the other end of the scale. Seven dollars may be too low; \$28.00 is too high. This is like the worst of all possible solutions. That has always been the case where Daufuskie Island is concerned. He will vote for it because it is the best those folks are going to get. He is also going to support putting the referendum on the ballot so they vote for what they want. Hopefully, the residents can motivate us to get them something even better because that's clearly what they need and deserve. If you just look at the tax revenues generated from the Island, you are kind of hard pressed to turn this down for the sake of \$97,000 -- \$5.5 million in tax revenue comes off that Island; \$3.5 million roughly if you take Haig Point out of it. Those are stout numbers; you need to get something. The residents do not have a library, so let us give them some ferry service.

Mr. Flewelling can appreciate the sympathy and the ideas behind your motion. At this point, however, he cannot support the motion because we have to have an alternative that gets us through the year. We are a little bit blindsided by this increase. Unfortunately, we do not have an alternative in place that is more cost effective. We just have to really figure it out and maybe think of some alternative like use of water taxis during certain months of the year; something that could limit the expense. The \$197,000 for seven trips a day, actually less than that now that we are altering the schedule, is unsustainable. It is not fair to the rest of the taxpayers. However, we do have an obligation to the residents of Daufuskie Island to get them on and off this Island in the short term during the rest of this fiscal year. He will support the original increase.

Mr. Baer noted that Mr. Caporale said a \$28.00 ticket was too expensive. County taxpayers are buying \$65.70 tickets. That is what Beaufort County taxpayers are going to buy. Three thousand tickets at \$65.70 each. Why don't we buy those tickets at \$28.00 each? Why don't we just stock up on \$28.00 tickets which is what the fare is for the other folks? Why don't we stock up on twice as many \$28.00 tickets, then we can increase the grade of service? Why don't we increase the cost a little bit? We entered this negotiation with a bogey in mind and the bogey was too high. The bogey was continuing the present mode of service and up to \$100,000 increase that could be passed through Council in some way and they should have had a different bogey. Certainly buying tickets at \$28.00 each would be cheaper.

Mr. Newton said all of the members of Council share Mr. Baer's sentiments at this difficult budget time. If there was a way to avoid a \$97,000 additional expenditure, we would all like to do it. Mr. Campbell has been negotiating, for a very long time, these ferry runs. He has a level of confidence that when Mr. Campbell says that he has tried to strike a balance between maintaining the level of service with limited funds, while trying to provide access for the folks

on Daufuskie Island for the necessities of life -- work or groceries or doctor appointments or other things that are there. Mr. Newton is not going to support the motion because waiting 30 days is not going to bring us any closer to a better resolution. Over the course of the next year, we ought to see if there is a way to combine our resources with the School District to provide some additional opportunities and additional resources for a broader service rather than less. He would urge members of Council to approve the contract as recommended by staff.

Mr. Stewart is concerned about the price going up, trying to bring it under control, and finding a better way of doing this. This negotiation has been ongoing with the owner of the ferry, the person who handles it, and staff. We, on Council, have known about this for a long time. We have been informed. We have had several notifications/information sent back to us. As Council members, if we had a problem, we should have brought this forward to staff and had discussions long before now. Coming up at the ninth hour, after a negotiated contract has been brought forward and throwing out numbers and trying to make that negotiation here is not the way to do it. Furthermore, if we were to pass this amended motion, that would negate the negotiations that have been ongoing. This is not just something we are making an arbitrary decision here at the last minute. Mr. Stewart is not going to support the amended motion. Hopefully, over the coming year we will come up with a better solution. We may or we may not but at least we will have a year to talk about it and we can at least talk with the operator and come up with some credible solution perhaps and the people on Daufuskie having a say as well.

Mr. Baer responded Council got the newest final data one week ago on August 6 at a Finance Committee meeting. We discussed it about ten minutes. It was not until he took it home was able to develop the numbers which were immediately emailed to Council.

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

Vote on the main motion: AYES – Mr. Caporale, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. NAYS – Mr. Baer. ABSENT – Mr. Dawson. The motion passed.

PETITION TO CREATE DAUFUSKIE ISLAND SPECIAL TAX DISTRICT

Mr. Josh Gruber, staff attorney, stated that staff was presented with a petition several weeks ago, which he is going to bring forward tonight. The petition calls for the creation of a special purpose tax district. The geographic boundaries of the proposed district encompass all of Daufuskie Island, saving and accepting those properties within the Haig Point community but with the inclusion of those properties on Cedar Cove Lane and Cedar Cove Court. There is a map depicting the geographic boundaries that was circulated with the petition and that map is included and attached to those documents. Staff received that petition, forwarded it to the Beaufort County Board of Elections and Voter Registration (Board). He has a letter here tonight to submit to Council that says of the 23 signatures submitted for consideration the Board has considered valid 21 of those signatures. There were two signatures deemed invalid. The

reasoning for those was that the signatures contained on the petition did not closely resemble the signatures on file with the Board. They attempted to contact those individuals; but, unfortunately, were not able to contact them. At the end of the day, there are 21 confirmed valid signatures. He will forward that letter as well. The Board also provided a full list of all registered voters currently living on Daufuskie Island. We went through that list and identified those property owners who do not reside in Haig Point so otherwise would be within this new proposed district. There are 132 registered voters in the proposed district. The 15% threshold would require 20 valid signatures in order to be met, because there are 21 that have been certified on that petition, it is my opinion that the petition meets the requirements of containing at least 15% in order for it to be brought forward and certified by County Council. Petition also contains the question, which shall appear in the referendum. It calls for the creation of a special purpose tax district for providing ferry service to the Island and calls for a maximum cap on user service fees of 16.5 mils.

Mr. Newton reiterated what was discussed in caucus. Under the statutory framework for which this referendum question petition submitted to County Council, it is authorization for the creation of a special purpose tax district; but it is an advisory, non-binding referendum, on this body. Is that correct?

Mr. Gruber replied in the affirmative. The language of the statute, Section 4930(5)(a)(i), makes it mandatory that Council, upon being presented this petition, forward it to the Board for the conducting of a special election. In this case, it will be added to the General Election ballot for those people voting from within the confines of the proposed district. Assuming that there is a successful referendum in that the majority of the voters do vote in favor of this, this issue would come back for Council, where at that time you have the option to create this special purpose tax district. You are not mandated to create it. It was brought forward the question could a petition and referendum initiative be used to force the legislation. It is his opinion that in reading that statute because that statutory provision states that you cannot mandate the expenditure of funds or mandate the taxing authority of County Council that no, it cannot be forced; it is still within the option of County Council to create it.

Mr. Newton noted this matter comes forward with as a Finance Committee recommendation.

Mr. Rodman is in favor of allowing the residents to have their vote. However, one of the things we seriously ought to look at is re-establishing the area on Pinckney Island and the County boat landing. At this time, we have a County dock on Daufuskie Island; but we really do not have a landing we can count on to use. In order to re-establish that one, we would need to close the median on US Highway 278 because if you increase the amount of traffic trying to cross (getting on and off 278), it would just be an accident waiting to happen. It is dangerous enough now for school buses and people with boat trailers pulling out into high-speed traffic coming around the curve. That has been on the list of projects. It has a high rating and it is gradually moving its way up near the top. The US Fish & Wildlife Service manages Pinckney Island National Wildlife Refuge. Their representatives had the Federal Highway Administration look at the situation and they came up to the same conclusion -- it would be beneficial for them to have the median closed and have a connection from the north to the south side by running a road underneath the bridge

to Hilton Head Island. Mr. Rodman suggested Council ought to keep that as high on the list as possible and complete the project. Until we have a ferry landing, we are not going to be in a position to create some competition there. We look at Daufuskie Island as a problem and, perhaps, we need to look at it as an opportunity. It is the largest under-developed Island on the east coast. A modest increase would go a long way to increasing our tax base. It does need a lot of investment. It lends itself to a TIF district. Even if property values went up by a third, that would create enough increase in value to cover a \$10 million investment supported by the TIF and still have money left over to come back to the County. Until we fix the infrastructure -- the roads, the utilities, perhaps the docks -- it is always going to be hanging out there as a problem. It could generate many tax dollars and solve the other problems we are dealing with.

It was moved by Mr. Rodman, as Finance Committee Chairman (no second required), that Council adopt a resolution requesting the Beaufort County Board of Elections and Registration add the following referendum question to the ballot of those persons voting within the boundaries of the proposed special purpose tax districts during the 2012 General Election: “Shall there be created a Daufuskie Island Tax District for purposes of providing public ferry services and shall there be created a Daufuskie Island Ferry Tax District Commission who shall be authorized to recommend a uniform service charge for all property located within the District which shall at no time exceed 16.5 mils.”

Mr. Newton said folks have been asking if what we were doing tonight was approving a tax increase of 16.5 mills on Daufuskie Island. Council is being asked tonight to allow the democratic process to proceed as contemplated by our State statutes. We want to know what the thoughts of the 132 registered voters are on Daufuskie Island. The only way that we are really going to know that is by asking the question officially. After the results of that, we are in a position to then begin to analyze what these numbers would be, what the amount of revenue could do, how it could be supplemented as part of the discussion for the creation of the Commission and the tax district. He will support allowing the democratic process to proceed and putting this question on the ballot to ask the question of the folks on Daufuskie Island.

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

APPROVAL OF FY 2013 AIRPORTS BUDGETS TOTAL REVENUE OF \$7,213,467 AND TOTAL EXPENDITURES OF \$7,155,067 FOR THE HILTON HEAD ISLAND AIRPORT AND TOTAL REVENUE OF \$748,700 AND TOTAL EXPENDITURES OF \$761,681 FOR THE BEAUFORT COUNTY (LADY’S ISLAND) AIRPORT

Mr. Baer stated for this item came through the Finance Committee, but it came at the end a long meeting that was already running late and there was much too little time to do detailed analysis and ask all the right questions of this budget. It contains some potentially controversial elements, which need much more review and vetting. We certainly would not want to appear to be trying to sneak something through because we did not have enough time to look at it. For example, the revenue shown is incorrect because it includes a shift of \$9,000 of hangar tax

revenues from the general fund to the airport. That has been a very controversial element discussed, extensively, about a year ago in Finance Committee. It did not get much support because it Balkanizes the tax system. It appears to have just popped up in this budget and added to the revenue numbers. The revenue numbers are \$9,000 less than is shown in the handout. There is also a shift of \$21,000 through fund-access agreement dollars from the Munis system. That may be more benign, but we never discussed that at Finance Committee. We never understood what went on there. The budget also appears to defer the repayment of the general fund from the passenger facilities fee by one year. There is no repayment in 2013. Did you all know that? Did you all see that in the budget? We zoomed through it; we never saw it. Both airports are actually continuing to lose money. Hilton Head will lose about \$5,600 in cash this year, not very much compared to previous years. Lady's Island is going to lose \$18,981 in cash, again, not very much compared to previous years. Lady's Island has taken \$420,000 in cash from the general fund over the years and that data comes from an analysis Mr. Baer prepared and happy to share it again with Council. There is a real issue at Lady's Island. We really have to look at how the fees are set up there because people, who have their planes in hangars and buy gas at Lady's Island, are really making recommendations on whether to raise fees or not. That does not seem correct. We really need to look at that. Over the long term, \$25,000 this year is not that much cash taken from the general fund although we do not have any spare. If you look over the long term, the two airports, together, have taken \$1.9 million in cash from the general fund. Mr. Baer is using the word cash, they will say that they are increasing some theoretic value or book value but you cannot spend that. He is talking cash that is coming out of our other programs -- that is serious. If they return that cash and there is an easy way to do that -- simply bonding it out. We can fix our library and Daufuskie ferry problems for the next eight years. For the next eight years we would not be talking increased library funding, we would not be talking about increased Daufuskie ferry funding because that \$1.9 million in cash would pay for it if we would bond out. If you look to FY 14, by the airports own forecast, they are going to need another \$800,000 in cash. Where is that going to come from? Do we have \$800,000 spare cash in the FY 14 general fund? He doubts it. That is going to be the year of reassessment. \$800,000 cash will be taken out for a total of about \$2.7 million. The real problem, and there is a simple fix to this, is that we are trying to finance airport construction out of the general fund annual budget. That is wrong. If you build a road or you build a terminal, you bond it. You build a school, you bond it out and you pay the yearly debt service, which is lower than these huge amounts of money needed for things like the control tower or the expansion of the runway, etc. Mr. Baer is not commenting here on the pros and cons of any of those because that will be decided elsewhere. Engineers and lawyers are going to decide that. Go to the bond market, get the dollars, but do not take it from the yearly annual operating budget. There is one other question in here about the Executive Air purchase. Exactly what is involved in that? We did not discuss that anywhere and that is yet another question. Mr. Baer would vote for deferral of this budget until we have time to answer those questions in Public Facilities or Finance Committees.

Mr. Bear submitted for the record a white paper and charts on the topic, "Unlocking Airport IOU's council Solve Library and Other Funding Problems."

Mr. Rodman remarked when Council was going through the regular budget, the airports budget was not finished at that point in time. The question asked was, "Would there be any significant

impact on the general fund”? The answer was, “No.” Therefore, this is coming back to us. We are talking about roughly a \$19,000 loss at Lady’s Island and a nominal profit at Hilton Head Island. They fall within the range that is “okay.” We should approve this. We have also agreed to look at a five-year plan. We are on track to look at that. Bonding is something that we should seriously consider and we will take that up at Finance Committee. There is some merit to matching revenues to expenditures, which, in that case, would be a debt service.

Mr. Baer inquired of the Executive Air Land purchase in this budget. Is it the fuel farm?

Mr. Paul Andres, Airports Director, replied there is a 1.76-acre parcel that we have been negotiating to acquire. We are in the final process of that negotiation. It is the fuel farm. As far as the hangar property taxes, what is reflected in the budget, that decision was made by the Council that they would impose hangar property taxes on the aircraft hangars at Hilton Head and Lady’s Island Airports. We pay those taxes. The airport pays those taxes up-front as an expense item under other operating expenses, along with our stormwater fees. What Council decided to do was to allow us to recoup as much of that money as we could so we then bill the tenants for their share of those property taxes to try and make ourselves whole. We never do collect 100% of those taxes so we do lose a little bit of money in the process. We are billed under other operating expenses. That is just a generic title in there under expenses and that includes the stormwater fees and the hangar property taxes.

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

PARTICIPATION IN THE LOWCOUNTRY ECONOMIC ALLIANCE

Mr. Baer remarked he is going to vote against this on principle even though the amount is small. Council has not agreed upon an economic strategy despite the fact that that issue scored very high at our retreat. The first time that we actually seemed to be making any progress on it was about two hours ago in caucus. As far as our economic development strategy for the County, we seem to be drifting by default. We have delegated economic development efforts to the same old group. They have an unproven track record. They have a new acronym -- LEA instead of LEN - -but it is the same people. While this is only \$10,000, we ought to be watching County taxpayers’ money the same way we do our own. Mr. Baer would not put his \$10,000 in or a proportionately small share. He is concerned also by not developing a strategy or at least getting in a room together and seeing what our strategy might be. We may be losing opportunities. We are delegating it to other people. We should be thinking of a strategy of our own. There are many good ideas that have come forward. He is not advocating for an Economic Development Department in the County. He is not advocating for a staff. We could be doing many possible things. We could be leveraging off the Waddell Center as Mr. Kubic has suggested. We could be leveraging off many other activities. Those never get discussed

It was moved by Mr. Stewart, as Governmental Committee Chairman (no second required), that Council join the Lowcountry Economic Alliance at a cost of \$10,000. The vote was: YEAS -

Mr. Caporale, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. NAYS – Mr. Baer. ABSENT – Mr. Dawson. The motion passed.

PUBLIC HEARING

AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012C, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, OF BEAUFORT COUNTY, SOUTH CAROLINA, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$30,000,000; FIXING THE FORM AND DETAILS OF THE BONDS; AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS LAWFULLY-AUTHORIZED DESIGNEE TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; ADOPTING WRITTEN PROCEDURES RELATED TO TAX-EXEMPT DEBT; AND OTHER MATTERS RELATING THERETO

The Chairman opened a public hearing at 6:08 p.m. for the purpose of received information from the public on an ordinance authorizing the issuance and sale of General Obligation Refunding Bonds, Series 2012C, or such other appropriate series designation, of Beaufort County, South Carolina, in the principal amount of not exceeding \$30,000,000; fixing the form and details of the bonds; authorizing the county administrator or his lawfully-authorized designee to determine certain matters relating to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; adopting written procedures related to tax-exempt debt; and other matters relating thereto. After calling three times for public comment and receiving none, the Chairman declared the hearing closed at 6:09 p.m.

It was moved by Mr. Rodman, as Finance Committee Chairman, no second required, that Council approve on third and final reading an ordinance authorizing the issuance and sale of General Obligation Refunding Bonds, Series 2012C, or such other appropriate series designation, of Beaufort County, South Carolina, in the principal amount of not exceeding \$30,000,000; fixing the form and details of the bonds; authorizing the county administrator or his lawfully-authorized designee to determine certain matters relating to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; adopting written procedures related to tax-exempt debt; and other matters relating thereto. The vote was: YEAS - Mr. Caporale, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. NAYS – Mr. Baer. ABSENT – Mr. Dawson. The motion passed.

COMMITTEE REPORTS

There were no committee reports.

PUBLIC COMMENT

There were no requests to speak during public comment.

CALL FOR EXECUTIVE SESSION

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

MOTION TO EXTEND BEYOND 8:00 P.M.

It was moved by Mr. Glaze, seconded by Mr. Stewart, that Council extend beyond 8:00 p.m. The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. ABSENT – Mr. Dawson. The motion passed.

EXECUTIVE SESSION

RECONVENE OF REGULAR SESSION

It was moved by Mr. Flewelling, seconded by Mr. Sommerville, that Council purchase the first of a two-parcel piece (R610 021 000 0287 0000 and R610 021 000 0203 0000) of land on the headwaters of the Okatie River in Bluffton. The first phase consists of 45 acres for \$1.8 million. The County has an option to purchase the remaining 20 acres in two phases after the November bond referendum for \$1.5 million and \$1.4 million respectively. The vote was: YEAS - Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. ABSENT – Mr. Dawson. The motion passed.

ADJOURNMENT

Council adjourned at 8:30 p.m.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Wm. Weston J. Newton, Chairman

ATTEST _____
Suzanne M. Rainey, Clerk to Council

Ratified:

Official Proceedings
County Council of Beaufort County
August 27, 2012

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

CAUCUS

A caucus of the County Council of Beaufort County was held at 4:00 p.m. on Monday, August 27, 2012 in the Executive Conference Room of the Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Chairman Weston Newton, Vice Chairman D. Paul Sommerville and Councilmen Rick Caporale, Gerald Dawson, Steven Baer, Brian Flewelling, Herbert Glaze, William McBride, Stu Rodman, Gerald Stewart and Laura Von Harten.

DISCUSSION ITEMS

Topics discussed during caucus included: (i) other revenue sources the Military Enhancement Committee has received; (ii) why the library issues discussed at Community Services Committee are for information purposes only; (iii) the purpose for the budget resolutions; (iv) the three SC Transportation Commissioners who will serve on the Policy Board Metropolitan Planning Organization – known as the Lowcountry Area Transportation Study. (iv) a meeting the County Administrator had regarding library hours; (v) the approximate \$500,000 puts and takes – library hours, Solicitor's request, cost-of-living wages; (vi) an update on reassessment; (vii) update on accommodations tax monies; (viii) square footage of Bluffton, Hilton Head Island and Beaufort branch libraries; (ix) status of reserve policy; (x) status of Town of Bluffton request of Bluffton Phase 5B alignment to be re-reviewed at their expense; and (xi) status of the stormwater water quality component.

REGULAR MEETING

The regularly scheduled meeting of the County Council of Beaufort County was held at 5:00 p.m. in Council Chambers of the Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Chairman Weston Newton, Vice Chairman D. Paul Sommerville and Councilmen Rick Caporale, Gerald Dawson, Steven Baer, Brian Flewelling, Herbert Glaze, William McBride, Stu Rodman, Gerald Stewart and Laura Von Harten.

PLEDGE OF ALLEGIANCE

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

INVOCATION

Mr. Dawson gave the Invocation.

PUBLIC COMMENT

The Chairman recognized Mr. Norman Morrall, who lives off Middle Road on Lady's Island, said there is a road that says "share the road" with a picture of a bicycle. There is a lot of traffic on that road and, on occasion, he has seen traffic following a bicycle. He does want to wait until there is an accident or some child is hurt riding a bicycle on that road before we do something. The answer is either removing that sign or installing a path for bicycles on the side of the road. Middle Road is a narrow road. The other concern is, as you go south on Sam's Point Road and you approach the Lady's Island Parkway, if you are in the right lane, you have to turn right at that stop sign. If the light turns green, you cannot go straight across because the arrow painted on the ground, on the roadway, says you have to turn right. Is it possible to change that so you can use the two lanes southbound on Sam's Point Road? It crosses 21 when the light changes to continue on that road. Otherwise, traffic in the left lane builds up, and it is a long line of traffic on that left lane during the busy times.

Mr. Joe MacDermant, a resident of Lady's Island, commented on the proposed tennis center discussed some years back. This is not an easy topic because there are some forces at play that sabotaged this project. It is not due to lack of participation. You have to be spot-on with this tennis center. In 2006, tennis folks were asking for a \$2 million facility with something like 15 courts, both surfaces. There is a demand, just like the rails to trail. If you build the rails to trail, there will be more bicyclists biking around town. If you build it, they will come for the tennis, but you have to be spot-on. His recommendation is a ten-court facility, consisting of all hard courts, and hiring a tennis director. These courts are sorely needed.

COUNTY ADMINISTRATORS' REPORT

The County Channel / Broadcast Update

Mr. Gary Kubic, County Administrator, stated that The County Channel continues to produce its Beaufort History Moments. This latest episode focuses on Spanish Moss, which is a big part of the Lowcountry. It appears everywhere, even on the branches of the Live Oak on our County Seal.

The latest episode of Coastal Kingdom premieres August 30 at 8:00 p.m. This episode, "A Day at the Beach", looks at some of the hidden creatures on and around our beaches. The entire series has been made available to teachers across the School District.

Two-Week Progress Report

Mr. Kubic, County Administrator, presented his Two-Week Progress Report, which summarized his activities from August 13, 2012 through August 24, 2012.

Status Report / Military Enhancement Committee Efforts and Expenditures of Funds

Colonel Jack Snyder and Mr. Jon Rembold, members of the Military Enhancement Committee (MEC) report to Council on the various efforts, movements that are going on with MEC in the effort to offset the proposed sequestration cuts.

Colonel Snyder reported on July 24 a group of MEC representatives, along with Representative Erickson and Representative Patrick, took a State aircraft to Washington, DC. We spent two very packed days and one night there. We met with Major General Kessler, who is in charge of the installation command for the Marine Corps, two hours. We talked about our community support for the base, our preparations for future BRACs, and our preparation for sequestration. From there we went to the Lockheed Martin facility where we meet with their executives and talked about the community support for our military installations and the F-35. The group met with representatives from AIA that night at dinner, who explained a little bit more about sequestration and possible impacts it could have for a small community like Beaufort. Congressman Scott met us that night. The next day we spent on the Capitol Hill. We met with Congressmen Duncan, Mulvaney, Gotti, and Wilson. We met with Congressman Scott again. We met with the Chief of Staff for Senator Graham's office. We met with Senator DeMint. We met with Congressman Jack Kingston to talk about Townsend bombing range. It was an extremely busy day but our message was consistent throughout -- community support, MCRD Parris Island, US Naval Hospital, the future of our air base, F-35, and Townsend bombing range expansion.

Mr. Rembold reported the week of August 20, some Congressional staffers from South Carolina delegation met with MEC members in Beaufort to learn more about our base and how the base interacts with the community and how important it is to the community. We had the South Carolina Military Base Task Force led by retired Major General Dutch Holland. Task Force members received a briefing on how we inter-relate with the military here. The following day they had a detailed command brief and toured each of our three installations.

Col. Snider commented that without the County's financial support this summer's activities would not have occurred. Thus far, advertisements have been placed in *The Beaufort Gazette*, a D.C. consulting firm has been supporting MEC three full months, and we have local help working with the media and helping draft briefs. None of that would have been possible without the County's financial support these past three months, which we think were critical as we move toward the 2012 election.

Sequestration 101 briefing follows. The 2011 Budget Control Act requires the Pentagon's budget reduced by \$54.7 billion starting January 2, 2013, using a process known as sequestration. On June 2, the President must issue an order cancelling funding authority for the sequestered amounts. If sequestration is never stopped, the law requires Department of Defense

(DOD) to cut \$54.7 billion annually over the next 10 years. This is in addition to the \$500 billion DOD already plans to cut over the ten 10 years. Total cut equals \$1 trillion and Beaufort's three military installations are gone. Defense contractors predict the \$54.7 billion cut will force plant closures and trigger large layoffs. Congressional leaders and the President have said they want to stop the cuts, yet Congress has yet to pass a bill that would reverse the reductions. President Obama has vowed to veto any proposal that increases the federal deficit and does not include additional revenues (increased taxes).

Sequestration impacts on the economy: (i) reduce the national GDP by \$215 billion, (ii) decrease personal workforce earnings by \$109.4 billion, (iii) cost the U.S. economy 2.4 million jobs, (iv) GDP growth in 2013 could be reduced by two-thirds, (v) unemployment will increase by as much as 1.5 percentage points raising the current national above 9%.

Undoing sequestration: The President and Congress could reach a deal and enact a law before Election Day. The President and Legislators may reach a deal during the lame-duck session of Congress after Election Day and before January 2, 2013. Before January 2, 2013, Congress may pass and the President may sign a law to postpone sequestration to allow more time to negotiate a solution. The President and Congress may work out a deal after sequestration kicks in that would retroactively restore some or all of the budget cuts. Congress may pass a bill undoing sequestration and, with a two-thirds vote in both houses, override a Presidential veto, should one occur. According to our consulting firm, Congress is most likely to consider #3, Reach an agreement to delay sequestration for a specified number of months. A six-month delay until June 2013 is currently the prevailing thoughts. Ultimately, Congress and the President will have to adopt a long-term solution and enact into law.

Continuing Resolution: Sequestration will take place on January 2 whether or not a Fiscal 2013-Defense Appropriations Bill has passed. Before adjourning for the August recess, the House and Senate agreed to a Continuing Resolution (CR) to fund the government for six months after FY 12 ends October 1. Funds provided by a CR are subject to the fiscal 2013 sequester in the same way as funds provided by a full appropriations law.

Implementing Sequestration: The reduction will lead to “near universal disruption” if each of the Pentagon's more than 2,500 weapons procurement and research accounts as well as operating budget for military installation. Will Beaufort's military installations be impacted by the \$54.7 billion cut?

Sequestration and BRAC: While sequestration and BRAC are separate issues, they are inextricably linked due to austere budget realities. If sequestration does come into effect, a future round or rounds of BRAC would be virtual requirements in order to meet the terms of the defense budget realities. If sequestration is implemented in January 2013 or is delayed, it is will give the Pentagon more justification to press for a 2015 BRAC.

Political Landscape: Both political parties are playing brinkmanship with sequestration. President Obama is placing the onus on Congress. The President does not think he will be hurt in the election not seriously addressing sequestration beforehand. If reelected, the President

will use any sequestration deal as leverage of revenue increases (and the expiration of Bush-era tax cuts) in the lame-suck session or beyond.

What Next: Defense community groups and elected officials at the state and local levels must press federal lawmakers to act on sequestration now. The best scenario is for Congress to act before the November election recess; otherwise, the issue will be addressed in a legislatively busy, lame-duck session, or in 2013. A session of urgency is paramount. The House comes back on September 10 and plans to adjourn for the election recess October 5. The Senate returns on September 10 and plans to be in session until October 31.

Amendment to Beaufort County Council 2012 Meeting Schedule

It was moved by Mr. Sommerville, seconded by Mr. McBride, that Council amend its 2012 meeting schedule wherein the location of the October 22 meeting will change from the Hilton Head Island Branch Library to the Bluffton Branch Library. 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.

Results of Refinancing FY 2005 General Obligation Bonds

Mr. David Starkey, Chief Financial Officer, gave a presentation on the results of results of refinancing FY 2005 general obligation bonds.

FY 2005 County general obligation and Rural and Critical Lands bonds: The County borrowed \$30.5 million in November 2004. The balance due as of June 30, 2012 was \$28,250,000. Interest rates are 3.0% to 5.0%. Call date is February 1, 2014. Major projects for funds borrowed included \$20 million for the Rural and Critical Lands Program and \$10.5 million for equipment, various County parks and boat landing improvements, southern County office space, and various other capital improvements.

Partial Refunding of the FY 2005 Bonds: Council approved the partial refunding through three readings and a public hearing on August 13, 2012. On August 22, 2012, \$25,185,000 was borrowed to pay off \$27,050,000 of the FY 2005 bond on the call date (February 1, 2014). Bond premium makes a difference: FY 2013/2014 payments from FY 2005 bonds; FY 2015/2025 payments from FY 2013 referendum bonds; and monies will be put into an escrow account. Interest rates of new bonds are 3.0% to 5.0%. Premium realized on borrowing is \$3,938,020. Effective interest rate of borrowing is 2.07%. Total savings to the County over the next 13 years is \$4,665,561 (net of fees).

Why such a large savings: Interest rates are much lower now than in 2004. County Moody's rating is Aa1 (second highest); County Standard & Poor's rating is AA+ (second highest). There were 12 bidders.

Mr. Starkey displayed a slide on the estimated effect on future debt millage.

DEPUTY COUNTY ADMINISTRATOR’S REPORT

Two-Week Progress Report

Mr. Bryan Hill, Deputy County Administrator, presented his Two-Week Progress Report, which summarized his activities from August 13, 2012 through August 24, 2012. The Lady’s Island Park will hold its first football game Saturday, September 8. Between 300 and 400 kids attended the football jamboree this weekend.

Monthly Budget Summary

Mr. Bryan Hill, Deputy County Administrator, submitted the monthly budget summary of unaudited numbers effective July 30, 2012 through August 23, 2012. Our expenditure levels and our revenue levels seem somewhat flat from FY 2011 and FY 2012 and FY 2013 as of the July reporting. We are in good stead as we close the books for July.

Construction Project Updates

US Highway 278 Roadway Construction

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported this project involves widening of a total of 4.8 miles of US Highway 278 including the bridges over the Okatie River. The contractor is APAC Southeast of Savannah, Georgia. The cost is \$23,637,119. The contract completion date is November 2013. Drainage pipes at Rose Hill complete, total pipe system 97% complete. Bridge contractor has pile driving and concrete operations underway. Placing asphalt base and leveling.

Bluffton Parkway Phase 5A Roadway

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported this project involves construction of 2.31 miles of new four-lane divided highway between Burnt Church Road and Buckingham Plantation Road. The contractor is Cleland Construction of Ridgeland, South Carolina. The cost is \$11,578,729. The contract completion date is July 2012. The section from Malphrus Road to Buckingham Plantation Road opened today.

SC Highway 170 Widening

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported this project involves the widening of SC Highway 170 from SC Highway 26 to US Highway 278 (approximately 4.9 miles.) Improvements include multi-use path, signalization and raised median to preserve trees. Bids were received on June 13, 2012. The draft State Transportation Infrastructure Bank agreement was received July 16, 2012, and has been reviewed with the Legal Department. The contractor recommendation is Cleland construction of Ridgeland, South Carolina. The bid amount is \$14,998,972.30. The scheduled start of construction is Fall 2012.

Bluffton Parkway Phase 5A (Bridge)

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported this project involves construction of approximately 3,500 feet of road improvements and 4,100 feet of bridge just east of Moss Creek over US Highway 278. SCDOT and Federal Highway Administration are reviewing the contract and contractor qualification submittals. A revised schedule is to have the project re-advertised in August 2012.

Bluffton Parkway Phase 6 & 7

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported this project involves a route study and environmental document for the extension of the Parkway into Jasper County over the New River connecting with I-95 at Exit 3. This is a joint effort between Beaufort and Jasper Counties, the City of Hardeeville, and Stratford Land. Professional Engineering Service proposals were submitted on May 10, 2012. The Evaluation Committee, consisting of Beaufort County, Jasper County, City of Hardeeville and Stratford Land met on June 18, 2012, selected the most qualified proposer, and began preliminary negotiations with that firm. Mr. McFee is not in receipt of the SIB Agreement on this particular project.

St. Helena Library at Penn Center

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported this project is a 25,000 square foot library facility, LEED certified, and associated infrastructure. The contractor is Choate Construction Company of Pooler, Georgia. The cost is \$7,332,403. The contract completion date is October 2012. Final interior finishes underway. Furniture delivery scheduled September 5.

Courthouse Renovation

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported this project involves the removal of failed exterior finish, roof and all exterior doors and windows. New brick exterior with cast stone elements and a standing-seam metal roof will replace the existing components. The rear balcony and main entry will be enclosed adding approximately 2,500 square feet of new office space and 6,000 square feet of existing office will be completely renovated. The contractor is Fraser Construction Company of Bluffton, South Carolina. The cost is \$14,031,500. The contract completion date is November 2013. The contractor has mobilized and commenced removal of EFIS on northwest face of building.

Coroner's Office

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported this project involves renovation and repurpose update of approximately 6,300 square feet (former Disabilities and Special Needs building) in Port Royal for use as the Coroner's Office and Sheriff's Office victims assistance. The architect is R. W. Chambers of Beaufort, South Carolina. Estimate cost is \$783,746. Design drawings are 95% complete.

Myrtle Park Office

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported this project involves enclosing the existing entrance portico and security updated. An architect has not been selected. Estimated cost is \$75,000. No drawings yet produced.

RESOLUTION CONFIRMING THE COUNTY FISCAL YEAR 2012 / 2013 MILLAGE RATES

This item comes before Council under the Consent Agenda. It was discussed at the August 20, 2012 Finance Committee meeting.

It was moved by Mr. Flewelling, seconded by Mr. Glaze, that Council adopt a resolution confirming the County fiscal year 2012 / 2013 millage rates: Council adopt a resolution confirming the County FY 2013 millage rates county as follows: County Operations 40.21 mills, Purchase of Real Property Program 3.87 mills, and County Debt Service 4.44 mills. 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.

RESOLUTION CONFIRMING THE FIRE DISTRICTS' FISCAL YEAR 2012 / 2013 MILLAGE RATES

This item comes before Council under the Consent Agenda. It was discussed at the August 20, 2012 Finance Committee meeting.

It was moved by Mr. Flewelling, seconded by Mr. Glaze, that Council adopt a resolution confirming the fire districts' FY 2013 millage rates as follows: Bluffton Fire District at 20.49 mills operating and 0.00 mills debt service, Burton Fire District at 58.21 mills operating and 5.53 mills debt service, Daufuskie Island Fire District at 33.07 mills operating and 0.00 mills debt service, Lady's Island/St. Helena Island Fire District 33.34 mills operating and 1.50 mills debt service, and Sheldon Fire District 33.11 mills operating and 2.18 mills debt service. 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.

INSECTICIDES FOR MOSQUITO CONTROL DEPARTMENT

This item comes before Council under the Consent Agenda. It was discussed at the August 20, 2012 Finance Committee meeting.

It was moved by Mr. Flewelling, seconded by Mr. Glaze, that Council award a contract to Clarke Mosquito Control Products, Roselle, Illinois, for the purchase of insecticides in the amount of

\$279,752.50. Funding will come from account 43190-52320, Public Health Products. 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.

JANITORIAL SERVICES NORTH OF THE BROAD RIVER

This item comes before Council under the Consent Agenda. It was discussed at the August 20, 2012 Finance Committee meeting

It was moved by Mr. Flewelling, seconded by Mr. Glaze, that Council award a contract to the County Department of Special Needs for janitorial services at nine of the ten Parks and Leisure Services locations north of the Broad River in the amount of \$52,026. Funding will come from accounts 63316-51210, PALS Athletic Centers, and 63317-51210, Recreation Cleaning Services. 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.

RENEWAL OF EMPLOYEE HEALTH BENEFIT CONSULTING SERVICES

This item comes before Council under the Consent Agenda. It was discussed at the August 20, 2012 Finance Committee meeting.

It was moved by Mr. Flewelling, seconded by Mr. Glaze, that Council renew an annual contract with Gallagher Benefit Consultants in the amount of \$85,000 to provide Benefit Consulting Services for the Employee Services Department. Funding is account 14020-51160, Professional Services. 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.

AUTHORIZING THE ISSUANCE AND SALE OF NOT EXCEEDING \$5,000,000 OF GENERAL OBLIGATION BOND ANTICIPATION NOTES TO PROVIDE FUNDS FOR COURTHOUSE RENOVATIONS, CORONER'S OFFICE RENOVATIONS AND MYRTLE PARK COUNTY ADMINISTRATION BUILDING RENOVATIONS; FIXING THE FORM AND DETAILS OF THE NOTES; AUTHORIZING THE COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE NOTES; PROVIDING FOR THE PAYMENT OF THE NOTES AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO

This item comes before Council under the Consent Agenda. It was discussed at the August 20, 2012 Finance Committee meeting.

It was moved by Mr. Flewelling, seconded by Mr. Glaze, that Council approve on first reading an ordinance authorizing the issuance and sale of not exceeding \$5,000,000 of general obligation

bond anticipation notes to provide funds for Courthouse renovations, Coroner's Office renovations and Myrtle Park County Administration Building renovations; fixing the form and details of the notes; authorizing the county administrator to determine certain matters relating to the notes; providing for the payment of the notes and the disposition of the proceeds thereof; and other matters relating thereto. Further, Council authorize a transfer of funds in the amount of \$712,943 from CIP for Courthouse renovations, Coroner's Office renovations and Myrtle Park County Administration Building renovations. 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 Council would hold a public hearing on Monday, September 10, 2012 beginning at 6:00 p.m. in the large meeting room of the Hilton Head Island Branch Library, 11 Beach City Road, Hilton Head Island.

ROADWAY NAMING / PENN CENTER / JONATHAN FRANCIS, SR.

This item comes before Council under the Consent Agenda. It was discussed at the August 20, 2012 Community Services Committee meeting.

It was moved by Mr. Flewelling, seconded by Mr. Glaze, that Council name the access roadway to the St. Helena Library and Leroy E. Browne Medical Center as the "Jonathan Francis, Sr. Road." 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.

RESOLUTION OF THE COUNTY COUNCIL OF BEAUFORT COUNTY TO ADOPT GEOGRAPHICAL BOUNDARIES FOR A BEAUFORT COUNTY AND JASPER COUNTY METROPOLITAN PLANNING AREA AND TO CREATE A METROPOLITAN PLANNING ORGANIZATION

This item comes before Council under the Consent Agenda. It was discussed at the August 21, 2012 Public Facilities Committee meeting.

It was moved by Mr. Flewelling, seconded by Mr. Glaze, that Council adopt a resolution approving the geographical boundaries for a Beaufort County and Jasper County Metropolitan Planning Area and creating a Metropolitan Planning Organization. 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.

TEXT AMENDMENTS TO AIRPORTS BOARD CHARTER

Mr. Baer remarked that after much analysis and thought, he is not going to vote for this tonight. In view of recent events, a recent addition to this ordinance opens another major Pandora's Box that could make the Airport Board's (Board) flaws even worse. For example: (i) The Board #1 Goal seems to be locked onto the expansion of our two existing landlocked airports at any cost,

as opposed to looking at how to best meet the aviation needs of Beaufort County. (ii) The Board is an enabler of our monopoly consultants whose revenues are dependent on the size of their plans, not on their benefit/cost, or their need, or their effectiveness vs. other options. For example, we will never know if the plans presented are best for our County, since other reasonable alternatives other than expanding our present two landlocked airports, have never been honestly evaluated. (iii) The Board acts to trivialize resident inputs vs. those of pilots. In effect, an amateur pilot is given more weight than people with a PhD in economics or physics or others who have studied airport documents and rules in great detail. The County should be very concerned that most of the problems in airport plans and finances have not been discovered by Board members, but by local residents – the very group the AB is trying to marginalize. (iv) In this new draft, the addition of local business members to the close proximity class would likely even further dilute resident input. For example, owners of the airport parking lot, Signature Air, the local aircraft sales business, flight school, etc. could easily displace all proximity resident membership. Everyone deserves to have input, but the track record of this and the previous AB incarnations has been to use every opportunity possible to provide as small and diluted a voice to local impacted residents as possible. This new Charter wording further enables that.

Together, these actions deprive Beaufort County taxpayers from acquiring the best advice to utilize aviation to advance their goals in a cost, environmentally and community effective manner. To the contrary, AB actions, because they represent an overwhelmingly one sided view, are destined to embroil us in expensive litigation, sub-optimal plans, delay and additional taxpayer costs while putting on blinders toward fairly evaluating potentially better alternatives.

Without objection from Council, the Chairman referred the matter to Public Facilities Committee for further discussion.

PUBLIC HEARING

An Ordinance to Amend the FY 2012-2013 School District Budget

The Chairman opened a public hearing at 6:13 p.m. for receiving information from the public regarding an ordinance to amend the FY 2012-2013 School District Budget. After calling once for public comment, the Chairman recognized Mrs. Jocelyn Staigar, representing the Hilton Head Area Association of REALTORS, said she has discussed multiple times with you the negative effects raising taxes will have on the County's economic development, tourism and the housing market. She re-emphasize though again tonight the negative effect raising taxes has on the revenue stream that actually finances our schools' operational budget. As a parent of a child in the public school system, she is concerned about the future of our schools' operational budget. People are changing their residency status due to the unfair and unequal property tax structure, which you all cannot control. Every time a person makes their property in this area their primary residence, it is a loss of revenue to our Beaufort County Schools. Every time an investor sells property from this area and reinvests it elsewhere instead of back here, it is a loss of revenue to our schools. People are actually selling their property and not reinvesting. Every time you raise taxes on this particular group, those folks who cannot afford to buy homes and have to deal with rent increases, it is damaging and hard for those folks. We have people who cannot afford to buy

a home, now their rent increases and many of those renters are teachers. Please, be responsible stewards of our taxpayers' money and do not vote for an increase that is going to hurt the actual revenue stream that funds our schools. Thank you.

After calling twice more for public comment and receiving none, the Chairman declared the hearing closed at 6:15 p.m.

Mr. Rodman remarked it has been pointed out this is only the second tax increase in some 5, 6, or 7 years. He commended the School District Superintendent and the Board of Education (Board) for what they have done over the last couple of years. Enrollment has gone up a couple thousand students, staff and teachers have been reduced by a couple of hundred, and we have been appraised of the increases in performance across the School District (District) on a school-by-school basis which is extremely outstanding. All of these factors will play very well with the BRAC piece when it comes forward. We need to acknowledge that the switch from 6% valuation to 4%, it is real and it does, in fact, impact people who may decide to move away and sell their property. It turns out to be about 8% of our appraised value. In other words, the District has lost essentially 8% of the taxes that they otherwise would have received had there not been the switch from 6% to 4%. Said another way, there is about \$150 million that comes in on that account; if there has been an 8% decrease over the years, it is a better part of \$10 million the District has absorbed along with the other things. He commends them on their stewardship over the years. We do need to solve this Act 388 problem, which is causing the problem.

It was moved by Mr. Rodman, as Finance Committee Chairman (no second required), that Council approve on third and final reading an ordinance to amend the FY 2012-2013 School District budget (approved June 25, 2012) as follows: School Operations from 92.26 mills to 91.26 mills (from \$115,420,449 to \$114,078,285 to be derived from tax collections).

Mr. Baer recalls in past discussions there was not the 1.0 mill additional required but something like .82 mills.

Mr. Rodman replied that issue was talked about at Finance Committee. If you theoretically took both the change in the money that came from the State and the increase that they picked up in their fund balance and you converted that to the millage, you could theoretically argue, whatever it was, .85 instead of 1.0 mil. We did debate that. We did vote on it, and left it at the 1.0 mill at Finance Committee.

Mr. Baer commented if the 1.0 mill were to pass and the .82 or .85 was all that was needed, there certainly would be extra money to pay us back the \$150,000 they owe us. Is that a reasonable conclusion?

Mr. Rodman replied it turns out that those two numbers just about offset each other.

Mr. Newton applauds the efforts and the progress of the District. He is pleased by that; however, his concern is raising taxes, in the current economic climate and the impact on Beaufort County and our citizens. As he said during the budget discussion with regard to the additional State

revenues, the \$1 million tax increase is not necessary based on the numbers the School Board put forth, itself, with regard to use of fund balance and the additional monies from the State budget.

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

Mr. Newton commented it goes without saying every year at this time we continue to comment on the fact that the State Education funding formulas are flawed for Beaufort County. Part of the reason we have to have this discussion here is because the General Assembly responded with giving us Act 388 and areas like Beaufort County were receiving a paltry sum of State dollars invested in our rural education. While he will not be sitting around this dais next year, he will be joining our Legislative Delegation in Columbia working to try to correct the inequities of funding.

Mr. Fred Washington, Board of Education Chairman, thanked Council for its vote.

COMMITTEE REPORTS

There were no committee reports.

PUBLIC COMMENT

There were no requests to speak during public comment.

CALL FOR EXECUTIVE SESSION

It was moved by Ms. Von Harten, seconded by Mr. Flewelling, that Council go immediately into executive session for the purpose of discussion of negotiations incident to proposed contractual arrangements and proposed purchase of property; discussion of matters relating to the proposed location, expansion or the provision of services encouraging location or expansion of industries or other businesses in Beaufort County. The vote was: YEAS - Mr. Baer, 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 7:45 p.m.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Wm. Weston J. Newton, Chairman

ATTEST _____
Suzanne M. Rainey, Clerk to Council
Ratified:



Memorandum

DATE: September 21, 2012
TO: County Council
FROM: Gary Kubic, County Administrator
SUBJ: County Administrator's Progress Report

The following is a summary of activities that took place September 10, 2012 through September 21, 2012:

September 10, 2012

- County Council Caucus meeting at Hilton Head Island Library
- County Council meeting

September 11, 2012

- Meeting with County staff and School Board officials re: 2013 Reassessment

September 12, 2012

- Tour of Leroy E. Browne Medical Center on Penn Center's campus with Roland Gardner, Executive Director of BJHCHS, and Councilman William McBride
- Tour of St. Helena Island Library

September 13, 2012

- Staff meeting re: St. Gregory traffic movements
- Meeting with Bryan Hill, Deputy County Administrator, and Mike Bostwick, Director of YMCA re: Pools
- Spanish Moss Trail groundbreaking

September 14, 2012

- Photo Contest Judging / 2013 Beaufort County Calendar

September 17, 2012

- Staff meeting re: Library budget
- Finance Committee meeting

September 18, 2012

- Meeting with Bob All, of Custom Security, Okatie
- Meeting with Frank Turano, Bluffton re: Economic development

September 19, 2012

- Agenda review with Chairman, Vice Chairman and Executive Staff
- Meeting re: Potential countywide video arraignments (bond hearings)

September 20, 2012

- Webcast: Anti-Harassment: The Obvious and Not So Obvious
- Airports Board meeting

September 21, 2012

- County Channel Boat Trip / Tour of Binden Plantation

RESOLUTION 2012 /

TO ADOPT A REASONABLE ACCOMMODATION POLICY AS REQUIRED BY THE AMERICANS WITH DISABILITIES ACT (ADA) PUBLIC LAW 101-336

WHEREAS, it is the policy of County Council of Beaufort County not to discriminate on the basis of race, religion, color, national origin, gender, age or disability; and

WHEREAS, County Council of Beaufort County is required by the statutes of the Americans with Disabilities Act (ADA) to approve and adopt a Reasonable Accommodations Policy for employees and participants with disabilities; and

WHEREAS, the adoption of such a policy is also required as a condition of receipt and close out of CDBG grant funding.

NOW, THEREFORE, BE IT RESOLVED, by the County Council of Beaufort County duly assembled that:

1. The attached Accessibility Policy (Reasonable Accommodation Policy) and Grievance Procedure included herein by reference, is approved and adopted; and
2. The County Staff Attorney is designated as Beaufort County ADA Coordinator; and
3. A Section 504 Grievance Committee is hereby established with a membership of at least three (3) persons to hear appeals of rulings; and
4. Said action shall become effective immediately upon passage.

Adopted this ___ day of September, 2012.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Wm. Weston J. Newton, Chairman

ATTEST:

Clerk to Council

REFERENCE: AMERICANS WITH DISABILITIES ACT – PUBLIC LAW 102-336

I. Citizen Access

- A. Purpose: Section 35.107(b) of the ADA requires public entities with fifty (50) or more employees to establish procedures for resolving complaints or violations of Titles I and II. The purpose of this policy section is to provide standard procedures for the Complaint Process associated with ADA accessibility as it relates to citizen inquiries.
- B. Definitions:
1. **Accessibility:** As it pertains to Beaufort County facilities, programs, and services, the ability to gain physical access to County buildings, sidewalks, parking, public telephones, parks, and other various programs and services.
 2. **Accessibility Process:** An organized procedural system that is documented, maintained, and in place to answer citizen questions and address complaints pertaining to the accessibility of Beaufort County facilities, programs and services.
 3. **ADA – Americans with Disabilities Act:** Public Law 101-336, enacted July 26, 1990, which “Prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, state, and local government services, public accommodations, commercial facilities, and transportation.
 4. **ADA Coordinator:** Employee designated by the County with the responsibility for facilitating and coordinating all ADA issues and requests regarding access problems or concerns for the County Council of Beaufort County.
- C. Citizen Accessibility Questions/Concerns
1. Citizens with accessibility questions or concerns or requests for assistance should contact: Beaufort County ADA Coordinator, Joshua Gruber at 843.255.2059, email: jgruber@bcgov.net, or P. O. Drawer 1228, Beaufort, South Carolina 29901.
 2. A Citizen Request for Accommodation Form is attached to this policy as Appendix A.
- D. Procedures for Handling Access Questions/Concerns and Request for Accommodations Forms
1. Citizen access questions received are referred to the ADA Coordinator for appropriate response.
 - a. The ADA Coordinator logs the call and either answers the questions himself or consults with the appropriate party or his/her designee as required to determine the proper response.

- b. When a response is determined, the ADA Coordinator will note the response on the call log and will contact the citizen to explain the response.
 2. A Citizen Request for Accommodation Form received will be forwarded immediately to the ADA Coordinator for consideration. The citizen is required to submit the Form at least four (4) days in advance of the event or activity for which he/she requires assistance. The ADA Coordinator will respond to the citizen at least twenty-four (24) hours in advance of the event.
- E. Citizen Accessibility – Access Complaints
 1. Any complaint received concerning an access problem or concern will be referred immediately to the ADA Coordinator.
 2. The ADA Coordinator logs the complaint and either responds to the complaint himself or consults with the appropriate party or his/her designee as required to solve the problem.
 3. Where necessary, the ADA Coordinator will investigate the complaint to determine if an accommodation can be made to resolve the problem or concern. If an accommodation requires funding not available in the current budget, the problem and the proposed resolution shall be presented to the County Administrator or designee for consideration.
 4. If an accommodation can be undertaken and sufficient current funding is available, the ADA Coordinator will contact the citizen to advise him of the resolution and of the time period required for completing the proposed accommodation.
 5. If an accommodation is not possible, the ADA Coordinator will so advise the citizen in writing.
 6. If a citizen seeking reasonable accommodation is not satisfied with a decision of the ADA, he/she may appeal the decision to the Section 504 Grievance Committee. The procedure to be used in appealing a decision is outlined in Appendix C.

II. Employees /Applicants for Employment

- A. Purpose: This policy section establishes uniform guidelines for employees and/or applicants for employment to request reasonable accommodation and to initiate complaints of discrimination based on the Americans with Disabilities Act of 1990 (ADA) as required by state and federal law.
- B. Procedures:
 1. Applicants for Employment – Requests for Reasonable Accommodation
 - a. All job announcements shall include the statement: “If an accommodation is needed in order to participate in the application process, please contact the Employee Services Office.”

- b. Any applicant for employment may request a reasonable accommodation by submitting an Employee/Applicant Request for Reasonable Accommodation Form to the Employee Services Office. A copy of that Form is attached to this policy as Appendix B.
 - c. An applicant may request reasonable accommodation at any time during the job application process.
 - d. Any cost involved in accommodating the applicant must be approved by the Department Head in the department where the accommodation is being requested. If the Department Head determines that the department budget does not have sufficient funding to implement the accommodation, the Department Head shall contact the Employee Services Director before making a recommendation.
 - e. If there is sufficient funding to implement the accommodation, the ADA Coordinator and the hiring Department Head shall initiate the necessary steps to coordinate the accommodation.
 - f. All original requests for accommodations and resolutions thereof shall be forwarded to the Employee Services Director after completion. Copies pertaining to a request for accommodation shall be maintained in the Employee Service office in a secured area.
 - g. If the applicant is not satisfied with the decision made, he or she may send an appeal to the County ADA Coordinator for consideration.
2. Employees – Request for Reasonable Accommodation
- a. Any employee may request reasonable accommodation under the ADA. The employee shall make such request to his/her Department Head. The request for accommodation shall be in writing using the Employee/Applicant Request for Reasonable Accommodation Form (Appendix B). The Department Head shall ensure that the form is completed in full by the employee and submitted to the Employee Services Office.
 - b. If an employee requests accommodation to perform the essential functions of the job, the Employee Services Office may request supporting documentation concerning the employee's disability and functional limitations. The documentation must be from an appropriate healthcare professional.
 - c. If the employee provides insufficient information to substantiate a claim of disability covered by the ADA, then the County may require an employee to be independently examined by an appropriate healthcare professional of the County's choice. The examination will be job related only. The County will pay all reasonable costs associated with such required examination.
 - d. The Employee Services Director shall discuss the requested accommodation with the employee and determine whether the

accommodation is reasonable. If it is determined that requested accommodation is not reasonable and would change the nature of the employment, the Employee services Director shall discuss the situation with the Department Head. If the Employee Services Director and the Department Head cannot agree on whether or not the requested accommodation is reasonable, they shall consult the County Administrator, or his designee, who shall have the final authority on the granting or denial of the requested accommodation.

- e. Any cost involved in providing a reasonable accommodation must be approved by the Department Head from whom the accommodation is being requested. If the Department Head determines that the department budget does not have sufficient funding to implement the accommodation, the Department Head shall contact the Employee Services Office and the ADA Coordinator to explore other options.
 - f. If reasonable accommodation can be provided within budget constraints, the Employee Services Office and the Department Head shall initiate the necessary steps to coordinate the approved reasonable accommodation.
 - g. All original requests for accommodation and resolutions thereof shall be maintained in the Employee Services Office.
 - h. If the employee is not satisfied with the decision made as to the request for accommodation, he/she may appeal using the "Complaint Process" outlined below or to the Section 504 Grievance Committee as outlined in Appendix C.
3. Complaint Process (This process is to be used in lieu of the Grievance Committee)
- a. Any employee and/or applicant for employment with the County may file with the ADA Coordinator a complaint of discrimination on the basis of disability. Complaints alleging a violation of the Americans with Disabilities Act should be reported immediately.
 - b. Any employee who believes he has been subjected to discrimination on the basis of disability must immediately report the matter to his department head. If the complaint involves the department head, or if the employee is uncomfortable presenting the issue to the department head, then he/she must report the matter to the Employee Services office.
 - c. If a complaint of discrimination on the basis of disability involves the Employee Services office, the employee must immediately report the issue to the ADA Coordinator.
 - d. Each complaint will be immediately and thoroughly investigated in a professional manner. All discrimination complaints reported to a Department Head or to any member of management shall be promptly reported to the Employee Services Director. Actions taken to investigate and resolve discrimination complaints shall be conducted confidentially to

the extent possible, appropriate, and legal, in order to protect the privacy of the persons involved.

- e. The person who is accused of engaging in discriminating behavior shall be notified and given an opportunity to respond verbally and/or in writing. Investigations may include interviews with parties involved in the incident, and if necessary, with individuals who may have observed the incident or conduct or who might have relevant information or knowledge.
- f. If deemed to be in the County's best interest, the complainant, the respondent, or both, may be placed on leave during the investigation process. This decision will be made by the County Administrator or his designee.
- g. If the investigation substantiates the complaint, appropriate corrective and/or disciplinary action will be taken.
- h. The employee making the complaint shall be notified of a decision or the status of the investigation in a timely manner.
- i. There will be no discrimination or retaliation against any individual who files a good-faith complaint. There will be no discrimination or retaliation against any other individual who participates in the investigation of a discrimination complaint.
- j. Disciplinary action, which may include discharge, may be taken against individuals who make false, frivolous, malicious, or reckless accusations.

CITIZEN REQUEST FOR ACCOMMODATION FORM

Any individual who wishes to participate in Beaufort County programs, services, or activities and who needs accommodation is invited to present a Citizen request for Accommodation Form to Beaufort County ADA Coordinator at the above address at least seven (7) days in advance of the event or activity. A good faith effort will be made to accommodate the request if feasible.

Date: _____

Person Submitting Request: _____ Telephone: _____

Address: _____

Event/Activity for Which Accommodation is Requested:

Community Service: _____ Meeting: _____

Date of Event: _____ Date of Meeting _____

Location: _____ Location: _____

Please describe your request for reasonable accommodation and include suggestions for possible solutions. If you need more room, please attach additional pages.

Signature: _____

**EMPLOYEE/APPLICANT
REQUEST FOR REASONABLE ACCOMMODATION FORM**

Applicant requests for Reasonable Accommodation shall be submitted to the Employee Services Office. All medical information shall be maintained in Employee Services Office separate from personnel records and shall be kept confidential.

PART 1 – REQUESTOR’S INFORMATION

Date: _____ Employee: _____ Applicant: _____
Check one:

Name: _____

Work Telephone: _____ Home Telephone: _____

Position Held or Applied For: _____

Department: _____

PART 2 – ACCOMMODATION REQUEST:

I am requesting accommodations for the following:

Check all applicable:

- To complete the employment application/testing process.
- To perform essential job functions.
- To obtain evacuation assistance in a time of emergency.
- Other (provide explanation): _____

If you need more room, please attach additional pages.

How does your disability restrict your ability to accomplish the essential functions of your job or the job for which you are applying? _____

What type of accommodation(s) do you believe would be effective? _____

PART 3 – REQUEST RESOLUTION:

Section 1 – ADA Coordinator:

I have received your request for accommodation. Approved Denied Needs further review

Comments:

Section 2 – Notification of Need for Additional Information (Employee Services Office and/or ADA Coordinator)

We are continuing to assess your request. To make a determination, we need the following:

Medical documentation

Please inform your doctor of your application for an accommodation and have your doctor send us medical documentation of the limitations on your functions and ability to perform. Information must be returned by the following date _____ to _____.

Other _____

The County review process includes an evaluation of all relevant information. This may include an interview with you and the Department Head. After completion of the review, you will receive a final copy of this form from the Employee Services Office explaining the _____ decision. We anticipate that the decision will be made by _____. If you have any questions, you may call _____.

Section 3 – Resolution

Accommodation Granted (Description of Accommodation): _____

Accommodation Denied (Reasons): _____

Signature: _____
ADA Coordinator

Date: _____

Signature: _____
Employee Services Director

Date: _____

SECTION 504 GRIEVANCE PROCEDURE

The County has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) of the U.S. Department of Health and Human Services regulations implementing the Act.

Any person who believes he or she has been subjected to discrimination on the basis of disability may file a grievance under this procedure.

Procedure:

Grievance appeals must be submitted to the Grievance Committee via Section 504 ADA Coordinator within five (5) days after the decision leading to an appeal.

- The appeal must be in writing, containing the name and address of the person filing it. The appeal must state the problem or action alleged to be discriminatory and the remedy or relief sought.
- The Grievance Committee shall schedule the hearing of the appeal of a decision in a reasonable time. The hearing may be informal, but it must be thorough, affording all interested persons an opportunity to submit evidence relevant to the appeal. The Section 504 Coordinator will maintain the files and records of the county relating to such hearings.
- The Grievance Committee will issue a written recommendation on the grievance to the County Administrator no later than fifteen (15) days after its filing.
- The County Administrator will provide a final decision not later than fifteen (15) after the Committee's recommendation.
- The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the U. S. Department of Health and Human Services, Office for Civil Rights.

Beaufort County will make appropriate arrangements to ensure that disabled persons are provided other accommodations, if needed, to participate in this grievance process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing taped cassettes of material for the blind, or assuring a barrier-free location for the proceedings. The Section 504 Coordinator will be responsible for such arrangements.



Memorandum

DATE: September 21, 2012
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 September 10, 2012 through September 21, 2012:

September 10, 2012 (Monday)--Bluffton:

- Work on Year-end Closing with Alicia Holland, Controller
- Prepare for County Council Meeting
- Meet with David Starkey, CFO and Alicia Holland, Controller re: Finance-Purchasing-Risk Management
- County Council (HHI)

September 11, 2012 (Tuesday):

- Meet with School Board District Officials re: 2013 Reassessment
- Meet with Duffie Stone, Solicitor
- Bluffton Hours P.M.

September 12, 2012 (Wednesday):

- Meet with Dan Morgan, MIS Director re: Organization Opportunities
- Attend Elizabeth Wooten Send-off Event (Purchasing)
- Meet with Philip Foot, Public Safety Director and Tallulah Trice, Animal Control Director
- Meet with Marc Orlando, Town of Bluffton re: Project Pants
- Meet with Dan Morgan, MIS Director
- Bluffton Hours P.M.

September 13, 2012 (Thursday):

- Meet with Eddie Bellamy, Jim Minor and Mark Roseneau from Public Works

- Attend St. Gregory Traffic Meeting with Gary Kubic, County Administrator, Robert McFee, Engineering & Infrastructure and Colin Kinton, Traffic Engineer, and Joshua Gruber, Staff Attorney
- Attend Pools Meeting with Gary Kubic, County Administrator and Mike Bostwick
- Meet with Cristofer Gutierrez, EMS
- Attend Rail/Trail Ground Breaking and Dedication
- Meet with David Coleman, Engineering (St. Helena Library Onside Update)

September 14, 2012 (Friday)--Bluffton:

- Conference with Duffie Stone, Solicitor re: Budget
- Meet with Joe Penale, PALS re: Staffing
- Bluffton Hours

September 17, 2012 (Monday):

- DA Meeting
- Attend Library Budget Meeting with Gary Kubic, Wlodek Zaryczny, Morris Campbell and David Starkey
- Meet with Dan Morgan, MIS Director
- Attend Finance Committee Meeting

September 18, 2012 (Tuesday):

- Meet with Eric Klatt, Engineering
- Meet with Chuck Atkinson, Building Codes Director
- Meet with Robert McFee, Engineering and Infrastructure
- Conference call with Gary Kubic and Joshua Gruber, Staff Attorney
- Meet with Philip Foot, Public Safety Director
- Meet with Joe Schaefer, EMS Supervisor and Philip Foot, Public Safety Director
- Meet with Philip Foot, Public Safety Director

September 19, 2012 (Wednesday):

- Agenda Review
- Meet with Ladson Howell and Joshua Gruber, Staff Attorney
- Meet with Ladson Howell, Joshua Gruber and Robert McFee, Engineering & Infrastructure
- Attend Round Table Discussion - Potential Countywide Video Arraignments (Bond Hearings)

September 20, 2012 (Thursday)--Bluffton:

- Bluffton Hours
- Conference with Duffie Stone, Solicitor
- Telephone call with Ned Tupper, Esquire

September 21, 2012 (Friday):

- Bluffton & Beaufort Hours
- Meet with Dan Morgan, MIS Director
- Telephone Conference with David Starkey, CFO
- Telephone Conference with Robert McFee, Engineering & Infrastructure

Budget FY 2013
As of 9/21/2012

Description			ORG	Actual Year to Date Comparison				September 21, 2012	Adopted
				For the Period Ending August 31st				Actual to Date	Budget
			FY 2010	FY 2011	FY 2012	FY 2013	FY 2013	FY 2013	
Taxes			41000	(987,545)	(852,642)	(818,676)	(954,706)	(1,061,486)	(72,323,941)
Licenses & Permits			42000	(207,711)	(150,680)	(475,161)	(206,879)	(252,611)	(2,680,000)
Intergovernmental			43000	(118,125)	(101,093)	(97,612)	(117,706)	(117,706)	(8,000,000)
Charges for Services			44000	(1,511,846)	(1,364,735)	(1,101,191)	(1,191,542)	(1,424,993)	(11,175,589)
Fines & Forfeitures			45000	(220,917)	(162,056)	(129,325)	(93,842)	(137,220)	(860,000)
Interest			46000	(2,882)	(8,146)	(20,008)	(1,079)	(1,095)	(175,100)
Miscellaneous			47000	(17,698)	(60,197)	(57,113)	(15,741)	(57,568)	(675,500)
Other Financing Sources			48000	(183,333)	(183,333)	-	(250,000)	(250,000)	(1,260,000)
General Fund Revenue				(3,250,057)	(2,882,882)	(2,699,086)	(2,831,495)	(3,302,679)	(97,150,130)
General	Elected	COUNTY COUNCIL	11000	101,566	110,506	82,423	83,888	104,157	603,520
General	Elected	AUDITOR	11010	106,790	94,910	84,230	82,094	100,712	600,704
General	Elected	TREASURER	11020	123,254	118,017	123,116	124,443	144,771	677,760
General	Elected	TREASURER TAX BILLS & CC FEES	11021	-	32,980	22,787	-	-	340,000
General	Elected	CLERK OF COURT	11030	149,457	135,541	127,017	129,252	154,871	822,751
General	Elected	FAMILY COURT	11031	53,193	45,132	48,975	38,350	45,645	232,615
General	Elected	PROBATE COURT	11040	142,843	124,179	123,957	114,583	137,052	760,699
General	Elected	CORONER	11060	68,557	44,067	53,109	53,144	62,312	435,571
General	State	HILTON HEAD MAGISTRATE	11100	13,389	113	-	-	-	-
General	State	BEAUFORT MAGISTRATE	11101	116,476	109,963	112,783	144,999	170,998	742,215
General	State	BLUFFTON MAGISTRATE	11102	94,555	62,969	62,185	53,465	64,730	372,615
General	State	SHELDON MAGISTRATE	11103	8,796	11,657	11,317	11,678	15,661	71,640
General	State	ST HELENA MAGISTRATE	11104	14,030	11,487	14,373	660	766	104,923
General	State	MAGISTRATE BOND COURT	11105	15,453	12,738	14,809	17,934	21,519	97,515
General	State	MAGISTRATE AT-LARGE	11106	12,115	18,956	20,116	38,855	45,725	140,092
General	State	MASTER IN EQUITY	11110	52,265	48,827	48,963	49,981	60,913	297,848
General	Allocation	GEN GOVT DIRECT SUBSIDIES	11199	212,994	236,665	163,057	286,938	368,949	1,234,129
General	Admin	COUNTY ADMINISTRATOR	12000	98,440	92,162	99,023	89,695	110,615	509,119
General	Admin	HOUSING	12003	50	-	-	-	-	-
General	Admin	PUBLIC INFORMATION OFFICER	12005	126,477	17,382	12,922	20,343	25,702	148,529
General	Admin	BROADCAST SERVICES	12006	-	21,678	28,479	55,877	63,029	223,431
General	Admin	STAFF ATTORNEY	12010	104,720	88,266	98,020	51,371	60,094	400,063
General	Admin	INTERNAL AUDITOR	12015	18,942	25,539	8,160	-	-	-
General	State	PUBLIC DEFENDER	12020	44	2,827	-	-	-	-
General	Admin	VOTER REGISTRATION/ELECTIONS	12030	110,810	149,283	110,215	121,414	144,128	634,703
General	Admin	ELECTION WORKERS	12031	(1,050)	-	820	-	-	-
General	Admin	ASSESSOR	12040	390,922	331,087	281,193	312,259	377,596	2,069,589
General	Admin	REGISTER OF DEEDS	12050	140,242	118,395	136,303	138,518	152,953	475,359
General	Admin	RISK MANAGEMENT	12060	21,929	16,846	13,397	15,040	18,392	103,691
General	State	LEGISLATIVE DELEGATION	12080	14,080	11,265	11,263	13,592	16,204	69,304

Budget FY 2013
As of 9/21/2012

			Actual Year to Date Comparison					September 21, 2012	Adopted
			For the Period Ending August 31st					Actual to Date	Budget
Description	Organization	ORG	FY 2010	FY 2011	FY 2012	FY 2013	FY 2013	FY 2013	
General	Admin	ZONING & DEVELOPMENT ADM	13330	40,805	32,371	35,547	26,864	31,476	161,054
General	Admin	PLANNING	13340	148,289	120,062	120,138	128,990	156,981	698,539
General	Admin	COMPREHENSIVE PLAN	13341	275	402	41,614	-	-	7,100
General	Admin	AUTOMATED MAPPING/GIS	13350	99,512	89,309	74,642	53,283	64,211	420,926
General	Admin	DIRECTOR OF COMMUNITY SERVICES	14000	59,844	32,243	31,652	18,496	23,045	146,040
General	Admin	STAFF SERVICES	14010	49,429	61,645	84,071	375	375	-
General	Admin	EMPLOYEE SERVICES	14020	143,166	156,196	175,156	118,618	131,263	676,856
General	Admin	RECORDS MANAGEMENT	14030	43,372	31,444	37,368	37,869	54,231	401,975
General	Admin	FINANCE DEPARTMENT	15010	98,245	103,503	116,115	129,980	152,120	600,202
General	Admin	PURCHASING	15040	54,886	42,133	46,941	44,844	52,008	234,987
General	Admin	BUSINESS LICENSES	15050	94,916	42,918	9,543	10,533	11,969	67,127
General	Admin	MANAGEMENT INFORMATION SYSTEMS	15060	441,765	584,186	519,528	469,703	519,655	2,229,809
General	Admin	MANAGEMENT INFORMATION SYSTEMS	15061	468	-	-	-	-	-
General	Admin	DIRECTOR OF PUBLIC SERVICES	17000	46,385	35,632	34,876	37,129	45,495	205,747
General	Fringe	GENERAL GOVT BENEFITS POOL	19199	-	392,543	368,090	348,757	516,089	2,486,724
Public Safety	Elected	SHERIFF	21051	1,126,820	1,158,522	1,051,474	1,129,543	1,364,864	6,536,306
Public Safety	Elected	SHERIFF	21052	1,919,473	1,924,100	1,811,719	1,887,191	2,269,953	11,018,434
Public Safety	Elected	SHERIFF	21053	-	17,928	104,102	165,081	183,289	641,414
Public Safety	Elected	SHERIFF	21055	218,039	244,019	205,563	196,169	238,084	1,161,829
Public Safety	Admin	EMERGENCY MANAGEMENT	23140	130,614	113,109	104,900	76,999	91,250	419,151
Public Safety	Admin	EMERGENCY MANAGEMENT	23141	-	-	-	-	-	-
Public Safety	Admin	EMERGENCY MANAGEMENT	23142	-	22,647	24,606	3,100	3,783	16,558
Public Safety	Admin	EMERGENCY MANAGEMENT - Comm	23150	701,527	665,437	798,833	652,421	772,090	5,450,504
Public Safety	Admin	EMERGENCY MANAGEMENT - DATA	23155	145,617	71,618	107,109	80,704	95,950	523,912
Public Safety	Admin	EMERGENCY MEDICAL SERVICE	23160	1,038,660	811,195	889,925	923,226	1,103,088	4,728,752
Public Safety	Admin	DETENTION CENTER	23170	1,124,204	1,037,794	841,191	872,998	1,048,792	5,473,854
Public Safety	Admin	TRAFFIC - Signal Management	23322	60,939	41,078	(8,639)	50,379	62,716	438,601
Public Safety	Admin	TRAFFIC - Signal Management	23323	-	2,836	22,415	33,566	36,918	126,900
Public Safety	Admin	BUILDING CODES	23360	219,512	171,806	118,113	103,710	124,747	638,407
Public Safety	Admin	BUILDING CODES ENFORCEMENT	23361	-	-	29,458	43,636	52,511	218,468
Public Safety	Fringe	PUBLIC SAFETY BENEFITS POOL	29299	-	497,691	916,327	830,939	1,214,702	5,239,864
Public Works	Admin	FACILITIES MANAGEMENT	33020	377,552	295,376	352,166	386,338	441,165	1,872,952
Public Works	Admin	BUILDINGS MAINTENANCE	33030	176,832	187,778	166,199	157,065	179,370	1,099,344
Public Works	Admin	GROUNDS MAINTENANCE - NORTH	33040	228,121	186,199	206,849	261,297	290,859	2,103,038
Public Works	Admin	GROUNDS MAINTENANCE - SOUTH	33042	175,680	150,421	117,570	91,026	110,617	-
Public Works	Admin	PUBLIC WORKS GEN SUPPORT	33300	148,273	85,002	135,033	101,320	115,463	669,996
Public Works	Admin	ROADS/DRAINAGE - NORTH	33301	164,297	127,066	143,078	144,918	163,716	814,177
Public Works	Admin	ROADS/DRAINAGE - SOUTH	33302	86,605	100,970	71,387	81,424	94,228	465,388
Public Works	Admin	PUBLIC WORKS ADMINISTRATION	33305	65,054	48,520	47,188	59,579	72,333	294,241
Public Works	Admin	ENGINEERING	33320	75,064	63,600	43,559	66,509	78,943	501,977

Budget FY 2013
As of 9/21/2012

			Actual Year to Date Comparison				September 21, 2012	Adopted	
			For the Period Ending August 31st				Actual to Date	Budget	
Description	Organization	ORG	FY 2010	FY 2011	FY 2012	FY 2013	FY 2013	FY 2013	
Public Works	Admin	SWR ADMINISTRATION	33390	862,682	829,094	296,679	777,832	809,061	4,338,807
Public Works	Admin	SWR	33391	-	-	-	-	-	-
Public Works	Admin	SWR	33392	-	-	-	-	-	-
Public Works	Admin	SWR HILTON HEAD	33393	18,035	17,429	14,960	19,064	22,182	100,594
Public Works	Admin	SWR BLUFFTON	33394	25,617	23,697	25,243	24,787	29,862	165,731
Public Works	Admin	SWR BURTON	33395	23,216	26,976	21,430	22,118	27,168	148,518
Public Works	Admin	SWR DAUFUSKIE	33396	8,747	44	-	-	-	7,200
Public Works	Admin	SWR ST HELENA	33397	23,504	22,036	22,789	30,296	36,660	183,078
Public Works	Admin	SWR SHELDON	33398	17,473	16,333	18,338	17,558	21,008	107,588
Public Works	Admin	SWR TOWN OF BLUFFTON	33399	-	-	-	-	-	-
Public Works	Fringe	PUBLIC WORKS BENEFITS POOL	39399	-	285,578	242,057	215,759	318,302	1,511,164
Public Health	Admin	ANIMAL SHELTER & CONTROL	43180	147,088	127,489	139,489	177,782	206,352	834,369
Public Health	Admin	MOSQUITO CONTROL	43190	514,119	298,056	262,483	236,649	260,595	1,369,461
Public Health	Admin	ENVIRONMENTAL SCIENCE	43195	-	-	-	-	-	-
Public Health	Allocation	PUBLIC HEALTH DIRECT SUBSIDIES	44199	452,786	445,907	339,063	228,634	457,267	1,741,785
Public Health	Fringe	PUBLIC HEALTH BENEFITS POOL	49499	-	63,377	55,066	48,685	71,795	412,938
Public Welfare	Admin	VETERANS AFFAIRS	54050	38,367	24,018	24,310	25,285	30,742	181,207
Public Welfare	State	DEPT OF SOCIAL SERVICES	54060	34,413	32,376	20,760	17,925	24,636	170,700
Public Welfare	Allocation	PUBLIC WELFARE DIRECT SUBSIDIES	54299	4,650	1,840	1,840	907	907	435,000
Public Welfare	Fringe	PUBLIC WELFARE BENEFITS POOL	59599	-	7,288	5,014	4,754	7,011	32,514
Cultural	Admin	PALS CENTRAL ADMINISTRATION	63310	58,658	66,760	43,047	65,669	73,574	362,550
Cultural	Admin	PALS SUMMER PROGRAM	63311	104,707	96,689	94,416	135,923	135,923	114,500
Cultural	Admin	PALS AQUATICS PROGRAM	63312	207,211	191,348	162,728	177,127	205,492	1,147,382
Cultural	Admin	PALS HILTON HEAD PROGRAMS	63313	51,880	20,000	19,876	20,203	20,203	80,000
Cultural	Admin	PALS BLUFFTON PROGRAMS	63314	71,806	117,858	68,503	3,184	5,450	122,000
Cultural	Admin	PALS ATHLETIC PROGRAMS	63316	92,533	43,129	92,687	117,102	139,986	912,649
Cultural	Admin	PALS RECREATION CENTERS	63317	161,151	124,876	102,685	111,661	130,367	548,272
Cultural	Admin	LIBRARY ADMINISTRATION	64070	140,062	104,658	108,207	119,706	144,411	626,166
Cultural	Admin	LIBRARY BEAUFORT BRANCH	64071	112,891	98,623	84,151	97,145	112,435	533,606
Cultural	Admin	LIBRARY BLUFFTON BRANCH	64072	136,645	109,869	73,469	76,465	90,782	531,912
Cultural	Admin	LIBRARY HILTON HEAD BRANCH	64073	129,799	109,895	94,341	87,366	103,303	574,105
Cultural	Admin	LIBRARY LOBECO BRANCH	64074	36,944	22,891	20,595	22,946	27,253	133,782
Cultural	Admin	LIBRARY ST HELENA BRANCH	64075	16,684	15,198	14,840	25,800	33,086	552,327
Cultural	Admin	LIBRARY TECHNICAL SERVICES	64078	130,441	107,114	64,551	113,801	123,283	482,525
Cultural	Admin	LIBRARY SC ROOM	64079	21,252	16,803	15,737	16,431	21,041	99,591
Cultural	Fringe	CULTURAL & RECRE BENEFITS POOL	69699	-	172,131	141,037	132,188	195,706	776,442
General Fund Expenditures				15,460,942	15,482,116	14,598,809	15,043,704	18,321,810	90,298,001

FY 2014 BUDGET PREPARATION SCHEDULE (DRAFT)

September 30 th	Departmental top 5 achievement project due
October - November	Budget parameters detailed
October - November	Council workshops for reassessment (dates to be determined)
November	Budget meetings parameters detailed
November- March	Budget preparation and continued discussion
February 1 st	Goals and objectives due
February 1 st	Description of services due
February 28 th	Council retreat
March 8 th	New Personnel Request forms submitted to Employee Services
March 8 th	Vehicle replacement requests due
March 8 th	Capital item requests due
March 11 th	Departmental Revenue estimates submitted to Finance
March 11 th	Departmental Expenditure requests submitted to Finance
March 9-31	Review of departmental requests
April 12 th	FY2013 capital cutoff/all purchases requiring bids (Except CIP Projects)
April 22 nd	Finance Committee meeting
May 6 th	Finance Committee meeting
May 20 th	Finance Committee meeting
May 6 th	First reading of FY 2014 Budget
May 20 th	Second reading of FY 2014 Budget (HHI)
May 20 th	Public hearing
June 10 th	Third reading and adoption of FY 2014 Budget
June 10 th	Public hearing
June 24 th	Third reading and adoption of FY 2014 Budget (If needed)
June 24 th	Public hearing (If needed)
July 1	Implementation of FY 2014 Budget

ORDINANCE NO. 2012/___

AUTHORIZING THE ISSUANCE AND SALE OF NOT EXCEEDING \$5,000,000 OF GENERAL OBLIGATION BOND ANTICIPATION NOTES TO PROVIDE FUNDS FOR COURTHOUSE RENOVATIONS, CORONER'S OFFICE RENOVATIONS AND MYRTLE PARK COUNTY ADMINISTRATION BUILDING RENOVATIONS; FIXING THE FORM AND DETAILS OF THE NOTES; AUTHORIZING THE COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE NOTES; PROVIDING FOR THE PAYMENT OF THE NOTES AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

BE IT ORDAINED BY THE COUNTY COUNCIL OF BEAUFORT COUNTY, SOUTH CAROLINA, AS FOLLOWS:

SECTION 1. Findings and Determinations. The County Council (the "County Council") of Beaufort County, South Carolina (the "County"), hereby finds and determines:

(a) Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended (the "Constitution"), provides that counties may incur general obligation bonded indebtedness upon such terms and conditions as the General Assembly may prescribe by general law subject to the following limitations: (i) such debt must be incurred only for a purpose which is a public purpose and a corporate purpose for a county and (ii) unless excepted from the bonded debt limit, such debt may be issued in an amount not exceeding eight percent of the assessed value of all taxable property of such county.

(b) Pursuant to Chapter 15, Title 4, Code of Laws of South Carolina 1976, as amended (the same being and hereinafter referred to as the "County Bond Act"), the governing body of any of the counties of the State may issue general obligation bonds for any authorized purpose and in any amount not exceeding such county's applicable constitutional debt limit.

(c) The County Bond Act provides that as a condition precedent to the issuance of bonds an election be held and result favorably thereto. Chapter 27, Title 11, Code of Laws of South Carolina 1976, as amended (the "Article X Enabling Act") provides that if an election be prescribed by the provisions of the County Bond Act, but is not required by the provisions of Article X, then in every such instance, no election need be held (notwithstanding the requirement therefor) and the remaining provisions of the County Bond Act shall constitute a full and complete authorization to issue bonds in accordance with such remaining provisions.

(d) The assessed value of all the taxable property in the County as of June 30, 2012, is \$1,799,829,659. Eight percent of the assessed value is \$143,985,973. As of the date hereof, the outstanding general obligation debt of the County subject to the limitation imposed by Article X, Section 14(7) of the Constitution is not more than \$80,253,597. Thus, the County may incur not exceeding \$63,732,376 of additional general obligation debt within its applicable debt limitation.

(e) Article X, Section 15 of the Constitution further provides that general obligation bond anticipation notes may be issued in anticipation of the proceeds of general obligation bonds which may lawfully be issued under such terms and conditions that the General Assembly may prescribe by law.

(f) Pursuant to the provisions of Title 11, Chapter 17 of the Code of Laws of South Carolina, 1976, as amended (Title 11, Chapter 17), any county, whenever authorized by general or special law to issue bonds, may, pending the sale and issuance thereof, borrow in anticipation of the receipt of the proceeds of the bonds. Such provisions also provide that if any approval be necessary prior to the issuance of bonds by the county, the county must obtain the same approval prior to the issuance of temporary financing provided therein.

(g) Pursuant to Ordinance No. 2012/10 enacted on August 13, 2012, the County adopted Written Procedures Related to Tax-Exempt Debt.

(h) The County Council finds that pending the issuance and sale of general obligation bonds it is necessary and in the best interest of the County to provide for the issuance and sale of general obligation bond anticipation notes of the County pursuant to the provisions of the Constitution and laws of the State of South Carolina for the purposes of providing funds: (i) defray the cost of renovations to the Courthouse, renovations to the Coroner's Office, and renovations to the Myrtle Park County Administration Building; and (ii) to pay the costs of issuance of the Notes.

SECTION 2. Authorization and Details of Bonds. Pursuant to the provisions of the Constitution and laws of the State of South Carolina, there is hereby authorized to be issued general obligation bonds of the County in an amount sufficient to pay the principal and interest on the Notes (hereinafter defined) together with additional amounts authorized for other capital projects. The bonds authorized hereunder shall be identified as "General Obligation Bonds of Beaufort County, South Carolina" (the "Bonds"). In order to reduce issuance costs, the Bonds may be issued as part of another issue of bonds comprising the Bonds and separately authorized bonds. The Bonds may be designated with such further series description and designation as shall be determined by the County Administrator of the County prior to any sale. The Bonds may be issued in one or more series and may be sold in conjunction with any other bonds heretofore or hereafter authorized.

SECTION 3. Authorization and Details of Notes. Pursuant to the provisions of the Constitution and laws of the State of South Carolina, there is hereby authorized to be issued general obligation bond anticipation notes of the County for the purposes set forth in Section 1(h) above in an aggregate amount not exceeding \$5,000,000. The notes authorized hereunder shall be identified as "General Obligation Bond Anticipation Notes of Beaufort County, South Carolina" (the "Notes").

The Notes will initially be issued under the DTC Book-Entry-Only System in the form of a single fully registered note, registered in the name of Cede & Co. as the registered owner and nominee of The Depository Trust Company, New York, New York, which will act as securities depository for the Notes. The Notes shall be dated as of the first day of the month in which the Notes are delivered to the initial purchaser(s) thereof or such other date as shall be selected by the County Administrator; shall be in denominations of \$5,000 or any integral multiple thereof not exceeding the principal amount of the Notes; shall be numbered from R-1 with an appropriate series designation, if any; shall bear interest from their date as may be accepted by the County Administrator at the time of the sale thereof; and shall mature in annual installments as determined by the County Administrator.

Both the principal of and interest on the Notes shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts.

SECTION 4. Delegation of Authority to the County Administrator. The County Council hereby expressly delegates to the County Administrator the authority, with respect to the Notes, to determine (a) the principal amount, the date of sale, and the maturity date of the Notes; (b) the redemption

provisions, if any, for the Notes; (c) the Registrar/Paying agent for the Notes; (d) whether to publish notice of the adoption of this ordinance under the provisions of Section 11-27-40(8), Code of Laws of South Carolina, 1976, as amended; and (e) such other matters regarding the Notes as are necessary or appropriate. The County Administrator is further directed to consult with the County's financial advisor and bond counsel in making any such decisions.

The County Administrator is hereby authorized and directed to conduct the sale of the Notes pursuant to the provisions of Section 13 hereof. The County Council hereby expressly delegates to the County Administrator the authority to award the sale of the Notes in accordance with a notice of sale referenced in Section 13, provided that the net interest cost of the Notes shall not exceed 3% unless authorized by a separate resolution of the County Council.

SECTION 5. Registrar/Paying Agent. Both the principal of and interest on the Notes shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts. Within twenty-four hours of the sales of the Notes, the County shall appoint a Registrar/Paying Agent therefor.

SECTION 6. Registration and Transfer. The County shall cause books (herein referred to as the "registry books") to be kept at the offices of the Registrar/Paying Agent, for the registration and transfer of the Notes. Upon presentation at its office for such purpose, the Registrar/Paying Agent shall register or transfer, or cause to be registered or transferred, on such registry books, the Notes under such reasonable regulations as the Registrar/Paying Agent may prescribe.

Each Note shall be transferable only upon the registry books of the County, which shall be kept for such purpose at the principal office of the Registrar/Paying Agent, by the registered owner thereof in person or by his duly authorized attorney upon surrender thereof together with a written instrument of transfer satisfactory to the Registrar/Paying Agent, duly executed by the registered owner or his duly authorized attorney. Upon the transfer of any such Note, the Registrar/Paying Agent on behalf of the County shall issue in the name of the transferee a new fully registered Note, of the same aggregate principal amount, interest rate, and maturity as the surrendered Note. Any such Note surrendered in exchange for a new registered Note pursuant to this Section shall be canceled by the Registrar/Paying Agent.

The County and the Registrar/Paying Agent may deem or treat the person in whose name any fully registered Note shall be registered upon the registry books as the absolute owner of such Note, whether such Note shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such Note and for all other purposes and all such payments so made to any such registered owner or upon his order shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid, and neither the County nor the Registrar/Paying Agent shall be affected by any notice to the contrary. In all cases in which the privilege of transferring Notes is exercised, the County shall execute and the Registrar/Paying Agent shall authenticate and deliver Notes in accordance with the provisions of this Ordinance. Neither the County nor the Registrar/Paying Agent shall be obliged to make any such transfer of Notes during the period beginning on the day after the 15th calendar day of the month next preceding an interest payment date on such Notes and ending on such interest payment date.

SECTION 7. Record Date. The County hereby establishes a record date for the payment of interest or for the giving of notice of any proposed redemption of Notes, and such record date shall be the 15th day of the calendar month next preceding an interest payment date on such Notes or, in the case of any proposed redemption of Notes, such record date shall not be more than 15 days prior to the mailing of notice of redemption of Notes.

SECTION 8. Lost, Stolen, Destroyed, or Defaced Notes. In case the Notes shall at any time become mutilated, or be lost, stolen or destroyed, or be so defaced as to impair the value thereof to the owner, the County shall execute and the Registrar/Paying Agent shall authenticate and deliver at the principal office of the Registrar/Paying Agent, or send by registered mail to the owner thereof at his request, risk and expense, a new Note of the same interest rate and maturity and of like tenor and effect in exchange or substitution for and upon the surrender for cancellation of such defaced, mutilated or partly destroyed Note, or in lieu of or in substitution for such lost, stolen or destroyed Note. In any such event the applicant for the issuance of a substitute Note shall furnish the County and the Registrar/Paying Agent evidence or proof satisfactory to the County and the Registrar/Paying Agent of the loss, destruction, mutilation, defacement or theft of the original Note, and of the ownership thereof, and also such security and indemnity in such amount as may be required by the laws of the State of South Carolina or such greater amount as may be required by the County and the Registrar/Paying Agent. Any duplicate Note issued under the provisions of this Section in exchange and substitution for any defaced, mutilated or partly destroyed Note or in substitution for any allegedly lost, stolen or wholly destroyed Note shall be entitled to the identical benefits under this Ordinance as was the original Note in lieu of which such duplicate Note.

All expenses necessary for the providing of any duplicate Note shall be borne by the applicant therefor.

SECTION 9. Book-Entry-Only System. The Notes initially issued (the "Initial Notes") will be eligible securities for the purposes of the book-entry system of transfer maintained by The Depository Trust Company, New York, New York ("DTC"), and transfers of beneficial ownership of the Initial Notes shall be made only through DTC and its participants in accordance with rules specified by DTC. Such beneficial ownership must be of \$5,000 principal amount of Notes of the same maturity or any integral multiple of \$5,000.

The Initial Notes shall be issued in fully-registered form, one Bond for each of the maturities of the Notes, in the name of Cede & Co., as the nominee of DTC. When any principal of or interest on the Initial Notes becomes due, the Paying Agent, on behalf of the County, shall transmit to DTC an amount equal to such installment of principal and interest. DTC shall remit such payments to the beneficial owners of the Notes or their nominees in accordance with its rules and regulations.

Notices of redemption of the Initial Notes or any portion thereof shall be sent to DTC in accordance with the provisions of the Ordinance.

If (a) DTC determines not to continue to act as securities depository for the Notes, or (b) the County has advised DTC of its determination that DTC is incapable of discharging its duties, the County shall attempt to retain another qualified securities depository to replace DTC. Upon receipt by the County the Initial Notes together with an assignment duly executed by DTC, the County shall execute and deliver to the successor securities depository Notes of the same principal amount, interest rate, and maturity registered in the name of such successor.

If the County is unable to retain a qualified successor to DTC or the County has determined that it is in its best interest not to continue the book-entry system of transfer or that interests of the beneficial owners of the Notes might be adversely affected if the book-entry system of transfer is continued (the County undertakes no obligation to make any investigation to determine the occurrence of any events that would permit it to make any such determination), and has made provision to so notify beneficial owners of the Notes by mailing an appropriate notice to DTC, upon receipt by the County the Initial Notes

together with an assignment duly executed by DTC, the County shall execute, authenticate and deliver to the DTC participants Notes in fully-registered form, in substantially the form set forth in Section 8 of this Ordinance in the denomination of \$5,000 or any integral multiple thereof.

Notwithstanding the foregoing, at the request of the purchaser, the Notes will be issued as one single fully-registered bond and not issued through the book-entry system.

SECTION 10. Execution of Notes. The Notes shall be executed in the name of the County with the manual or facsimile signature of the Chair attested by the manual or facsimile signature of the Clerk to County Council under a facsimile of the seal of the County which shall be impressed, imprinted or reproduced thereon. The Notes shall not be valid or become obligatory for any purpose unless there shall have been endorsed thereon a certificate of authentication. The Notes shall bear a certificate of authentication manually executed by the Registrar/Paying Agent in substantially the form attached hereto as Exhibit B.

SECTION 11. Form of Notes. The Notes shall be in substantially the form attached hereto as Exhibit B.

SECTION 12. Security for Notes. For the payment of the principal of and interest, if necessary, on the Notes as they respectively mature there are hereby pledged the proceeds of the Notes and the full faith, credit and taxing power of the County. The County at its option may also utilize any other funds available therefor for the payment of the principal of and interest on the Notes.

SECTION 13. Exemption from Taxation. Both the principal of and interest on the Notes shall be exempt, in accordance with the provisions of Section 12-2-50, Code of Laws of South Carolina, 1976, as amended, from all State, county, municipal, County and all other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate and transfer taxes, but the interest thereon may be includable in certain franchise fees or taxes.

SECTION 14. Sale of Notes, Form of Notice of Sale. The Notes shall be sold at public sale. A summary Notice of Sale shall be published not less than seven days prior to the date fixed for sale, in a newspaper having general circulation in the State of South Carolina and, if deemed appropriate by the County Administrator, in a financial publication published in the City of New York, State of New York. The official Notice of Sale shall be distributed simultaneously with the distribution of the Preliminary Official Statement, if any, prepared in connection with the Notes, and shall be in the form attached hereto as Exhibit C, with such modifications as may be determined to be necessary by the financial advisor, if any, and bond counsel. The County Administrator may determine to establish a fixed date of sale in the notice or provide for the subsequent dissemination in electronic form of the date selected for such sale, in which event such subsequent notice shall be provided not less than 48 hours prior to the time and date fixed for sale. In the event a fixed date of sale is provided in the notice, such date may be modified by a subsequent notice in electronic form not less than 48 hours prior to the date fixed for the rescheduled sale.

SECTION 15. Deposit and Use of Proceeds. The proceeds derived from the sale of the Notes are to be used for the purposes set forth in Section 1(h) above, and shall be applied by the County solely to the purposes for which the Notes have been issued, except that the premium, if any, shall be placed in a sinking fund.

SECTION 16. Preliminary and Final Official Statement, if any. The County Council hereby authorizes and directs the County Administrator to prepare, or cause to be prepared, a Preliminary Official Statement to be distributed to prospective purchasers of the Notes together with the Notice of Sale of the Notes. The County Council authorizes the County Administrator to designate the Preliminary Official Statement as “near final” for purposes of Rule 15c2-12 of the Securities Exchange Commission. The County Administrator is further authorized to see to the completion of the final form of the Official Statement upon the sale of the Notes so that it may be provided to the purchaser of the Notes.

SECTION 17. Defeasance. The obligations of the County under this Ordinance and the pledges, covenants and agreements of the County herein made or provided for, shall be fully discharged and satisfied as to any portion of the Notes, and such Bond or Notes shall no longer be deemed to be outstanding hereunder when:

(a) such Note or Notes shall have been purchased by the County and surrendered to the County for cancellation or otherwise surrendered to the County or the Paying Agent and is canceled or subject to cancellation by the County or the Paying Agent; or

(b) payment of the principal of and interest on such Notes either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for by irrevocably depositing with a corporate trustee in trust and irrevocably set aside exclusively for such payment, (1) moneys sufficient to make such payment, or (2) Government Obligations (hereinafter defined) maturing as to principal and interest in such amounts and at such times as will ensure the availability of sufficient moneys to make such payment and all necessary and proper fees, compensation and expenses of the corporate trustee. At such time as the Notes shall no longer be deemed to be outstanding hereunder, such Notes shall cease to draw interest from the due date thereof and, except for the purposes of any such payment from such moneys or Government Obligations, shall no longer be secured by or entitled to the benefits of this Ordinance.

‘Government Obligations’ shall mean any of the following:

- (a) direct obligations of the United States of America or agencies thereof or obligations, the payment of principal or interest on which, in the opinion of the Attorney General of the United States, is fully and unconditionally guaranteed by the United States of America;
- (b) non-callable, U. S. Treasury Securities - State and Local Government Series (‘SLGS’);
- (c) general obligation bonds of the State, its institutions, agencies, school districts and political subdivisions; and
- (d) a defeasance obligation as defined in Section 6-5-10 of the S.C. Code as such as may be amended from time to time.

(c) Such Note or Notes shall be defeased as provided in Section 11-14-110 of the S.C. Code as such may be amended from time to time.

SECTION 18. Tax Covenants. The County hereby covenants and agrees with the holders of the Notes that it will not take any action which will, or fail to take any action which failure will, cause interest on the Notes to become includable in the gross income of the holders of the Notes for

federal income tax purposes pursuant to the provisions of the Code and regulations promulgated thereunder in effect on the date of original issuance of the Notes. The County further covenants and agrees with the holders of the Notes that no use of the proceeds of the Notes shall be made which, if such use had been reasonably expected on the date of issue of the Notes would have caused the Notes to be “arbitrage bonds,” as defined in Section 148 of the Code, and to that end the County hereby shall:

(a) comply with the applicable provisions of Sections 103 and 141 through 150 of the Code and any regulations promulgated thereunder so long as the Notes are outstanding;

(b) establish such funds, make such calculations and pay such amounts, in the manner and at the times required in order to comply with the requirements of the Code relating to required rebates of certain amounts to the United States; and

(c) make such reports of such information at the time and places required by the Code.

SECTION 19. Notice of Public Hearing. The County Council hereby ratifies and approves the publication of a notice of public hearing regarding the Note and this Ordinance, such notice in substantially the form attached hereto as Exhibit D, having been published in The Island Packet and The Beaufort Gazette, newspapers of general circulation in the County, not less than 15 days prior to the date of such public hearing.

SECTION 20. Notice. Pursuant to Section 11-27-40, Paragraph 8, of the Code of Laws of South Carolina, 1976. In order that the Council may proceed as soon as possible to issue and deliver the Notes, the County Administrator may determine that the County avail itself of the provisions of paragraph 8 of Section 11-27-40, Code of Laws of South Carolina, 1976, as amended. If such determination is made, the notice prescribed thereby shall be provided in substantially the form attached hereto as Exhibit E.

SECTION 21. Engagement of Bond Counsel. The County Council hereby engages McNair Law Firm, P.A., as bond counsel in connection with the issuance of the Notes. The County Administrator is further authorized to execute such contract, document or engagement letter as may be necessary and appropriate to effectuate the engagement. In addition, the County Administrator is authorized to contract with other professionals, including a financial advisor, he deems appropriate in order to carry out the intent of this ordinance and the issuance of the Notes.

SECTION 22. Authorization to Execute Documents. The County Council hereby authorizes the Chair and Clerk of County Council, the County Administrator and the Chief Financial Officer of the County to execute such documents and instruments as may be necessary to effect the issuance of the Notes.

SECTION 23. General Repealer. All rules, regulations, resolutions and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the Notes are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its adoption.

[Signature Page to Follow]

Adopted this ____ day of September, 2012.

BEAUFORT COUNTY, SOUTH CAROLINA

Chair of County Council

(SEAL)

ATTEST:

Clerk to County Council

First Reading:	August 27, 2012
Second Reading:	September 10, 2012
Public Hearing:	September 10, 2012
Third and Final Reading:	

FORM OF NOTE

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
BEAUFORT COUNTY
GENERAL OBLIGATION BOND ANTIICIPATION NOTE
SERIES _____

No. R-

<u>Interest</u>	<u>Maturity</u>	<u>Original</u>	<u>CUSIP</u>
<u>Rate</u>	<u>Date</u>	<u>Issue Date</u>	

REGISTERED OWNER:

PRINCIPAL AMOUNT: DOLLARS

KNOW ALL MEN BY THESE PRESENTS that Beaufort County, South Carolina (the "County") hereby acknowledges itself indebted, and for value received promises to pay to the registered owner hereof, the principal sum of _____ Dollars (\$_____) at the principal office of _____, in the City of _____, State of _____ on the ___ day of _____, 2009, and to pay interest (calculated on the basis of a 360-day year of twelve 30-day months) on said principal sum from the date hereof, at the rate of _____%, payable upon the maturity of this note. This note is not subject to prepayment prior to its maturity.

Both the principal of and interest on this note are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for the payment of public and private debts.

This note represents a series of general obligation bond anticipation notes (the "Notes"), issued by the County, pursuant to the authorization of Title 11, Chapter 17, Code of Laws of South Carolina 1976, as amended, in anticipation of the receipt of the proceeds to be derived from the general obligation bonds of the County to be issued pursuant to and in accordance with the provisions of the Constitution and Laws of the State of South Carolina including Article X, Section 15 of the Constitution of the State of South Carolina, 1895, as amended; Title 11, Chapter 27, Code of Laws of South Carolina, 1976, as amended; Title 59, Chapter 71, Code of Laws of South Carolina, 1976, as amended, and an ordinance duly enacted by the Beaufort County Council on _____, 2012 (the "Ordinance"). The full faith, credit and taxing power of the County and the proceeds to be derived from the sale of bonds are pledged for the payment of the principal of and interest on the Notes.

The Notes are being issued by means of a book-entry system with no physical distribution of certificates to be made except as provided in the Ordinance. One certificate registered in the name of the Securities Depository Nominee is being issued and is required to be deposited with the Securities Depository. The book-entry system will evidence positions held in the Notes by the Securities

Depository's participants, beneficial ownership of the Notes in the principal amount of \$5,000 or any multiple thereof being evidenced in the records of such Participants. Transfers of ownership shall be effected on the records of the Securities Depository on the records of the Securities Depository and its participants pursuant to rules and procedures established by the Securities Depository and its Participants.

_____ as Registrar/Paying Agent will recognize the Securities Depository Nominee, while the registered owner of the Notes, as the owner of the Notes for all purposes, including payments of principal of and redemption premium, if any, and interest on the Notes, notices and voting. Transfer of principal and interest payments to Participants of the Securities Depository will be the responsibility of the Securities Depository, and transfer of principal, redemption premium, if any, and interest payments to beneficial owners of the Notes by Participants of the Securities Depository will be the responsibility of such participants and other nominees of such beneficial owners. The County and Registrar/Paying Agent will not be responsible or liable for such transfers of payment or for maintaining, supervision or reviewing the records maintained by the Securities Depository, the Securities Depository Nominee, its Participants or persons acting through such Participants. While the Securities Depository Nominee is the owner of the Notes, notwithstanding the provision hereinabove contained, payments of principal of, redemption premium, if any, and interest on the Notes shall be made in accordance with existing arrangements between the Registrar/Paying Agent or its successors under the Resolution and the Securities Depository.

This note and the interest hereon are exempt from all State, county, municipal, County, and all other taxes or assessments of the State of South Carolina, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate and transfer taxes but the interest on this note may be included for certain franchise fees or taxes.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required by the Constitution and Laws of the State of South Carolina to exist, to happen, or to be performed precedent to or in the issuance of this note, do exist, have happened, and have been performed in regular and due time, form and manner, and the amount of this note, and the issue of which this note is one, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, BEAUFORT COUNTY, SOUTH CAROLINA, has caused this Note to be signed with the signature of the Chair of the County Council, attested by the signature of the Clerk to the County Council and the seal of the County impressed, imprinted, or reproduced hereon.

BEAUFORT COUNTY, SOUTH CAROLINA

(SEAL)

Chair, County Council

ATTEST:

Clerk to County Council

[FORM OF REGISTRAR/PAYING AGENTS CERTIFICATE OF AUTHENTICATION]

Date of Authentication:

This note is one of the Notes described in the within mentioned Ordinance of Beaufort County, South Carolina.

[REGISTRAR/PAYING AGENT] as Registrar/Paying Agent

By: _____
Authorized Officer

The following abbreviations, when used in the inscription on the face of this Note, shall be construed as though they were written out in full according to applicable laws or regulations.

TEN COM - as tenants in common

UNIF GIFT MIN ACT -

TEN ENT - as tenants by the
entireties

_____ Custodian _____
(Cust) (Minor)

JT TEN - as joint tenants with right
of survivorship and not as
tenants in common

under Uniform Gifts to Minors
Act _____
(state)

Additional abbreviations may also be used though not in above list.

(FORM OF ASSIGNMENT)

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto _____

(Name and Address of Transferee)

_____ the within Note and
does hereby irrevocably constitute and appoint _____
attorney to transfer the within Note on the books kept for registration thereof, with full power of
substitution in the premises.

Dated: _____

Signature Guaranteed

(Authorized Officer)

Signature must be guaranteed by
a participant in the Securities Transfer
Agent Medallions Program (STAMP)

Notice: The signature to the assignment must correspond
with the name of the registered owner as it appears
upon the face of the within Note in every particular,
without alteration or enlargement or any change
whatever

FORM OF NOTICE OF SALE

NOTICE OF SALE

\$ _____ GENERAL OBLIGATION BOND ANTICIPATION NOTES, SERIES _____
OF BEAUFORT COUNTY, SOUTH CAROLINA

Sealed, facsimile and electronic bids for the purchase of all but not part of the above notes (the "Notes") will be received by Beaufort County, South Carolina (the "County"), in the case of sealed and facsimile bids, at the offices of the County Administrator, _____, Beaufort, South Carolina, and in the case of electronic bids, via PARITY (as explained below) until _____ (Eastern Time) on _____, _____, 2012.

BID SUBMISSION: Sealed and facsimile bids must be submitted on bid forms furnished by the County. Sealed bids shall be enclosed in a sealed envelope marked on the outside "Proposal for the Purchase of the County of Beaufort County, South Carolina, \$ _____ General Obligation Bond Anticipation Notes, Series _____." Bids submitted by facsimile should be preceded by a cover sheet addressed to the Superintendent and should be sent only once to (843) _____. Electronic proposals must be submitted through i-Deal's Parity Electronic Bid Submission System ("Parity"). No electronic bids from any other providers of electronic bidding services will be accepted. Information about the electronic bidding services of Parity may be obtained from i-Deal, 1359 Broadway, 2nd Floor, New York, New York 10018, Customer Support, telephone (212) 404-8102. The County, McNair Law Firm, P.A. and Ross, Sinclair & Associates, LLC shall not be responsible for any failure, misdirection or error in the means of transmission selected by any bidder.

GOOD FAITH DEPOSIT: No good faith deposit will be required.

NOTE DETAILS: The Notes will be issued in book-entry form in the denomination of \$5,000 or any integral multiple thereof. The Notes will be dated as of _____, 2012, the expected date of delivery, and due on _____, 2009. Interest, calculated on the basis of a 360-day year of twelve 30-day months, will be payable at maturity on _____, 2009.

REDEMPTION PROVISIONS: The Notes are not subject to optional redemption prior to maturity.

RATINGS: Moody's and S&P ratings have been applied for.

INTEREST RATES: Bidders must specify the fixed rate of interest the Notes shall bear according to the following restrictions: (a) the interest rate may not exceed six percent (6%) and (b) the interest rate specified must be a multiple of 1/100th of one percent.

REGISTRAR/PAYING AGENT: Within twenty-four hours of the sale of the Notes, the County will designate a registrar/paying agent (the "Registrar/Paying Agent") for the Notes.

BASIS OF AWARD: The Notes will be awarded to the responsive bidder whose bid results in the lowest NET INTEREST COST (the "NIC") to the County. The NIC will be calculated as the total interest from _____, 2012 to _____, 2009, minus any premium. If two or more bids provide for the same lowest NIC, the County shall award the bid to the bidder whose bid is in the best interest of the County to be determined by the County in its sole discretion, and such determination shall be final. Any bid for less than par will be rejected. The County reserves the right to reject any and all bids and to waive informalities in any or all bids.

In order to calculate the yield on the Notes for federal tax law purposes and as a condition precedent to the award of the Notes, the successful bidder will be required to disclose to the County the price (or yield to maturity) at which the Notes will be reoffered to the public.

The Notes will be awarded or all bids will be rejected by no later than 2:00 P.M. (Eastern Time) on the day bids are opened, _____, 2012.

SECURITY: The full faith, credit and taxing power of the County and the proceeds derived from the sale of bonds are pledged to the payment of the principal of and interest on the Notes.

AUTHORIZATION: The Notes are being issued pursuant to Article X, Section 15 of the Constitution of the State of South Carolina, Title 11, Chapter 17, Code of Laws of South Carolina, 1976, as amended, the favorable results of a referendum, and a resolution duly adopted by the County Council of the County on _____, 2012.

INTEREST AND PRINCIPAL PAYMENTS: Payment of principal of and interest on the Notes will be made directly by the Registrar/Paying Agent to Cede & Co., as the registered owner of the Notes and nominee for The Depository Trust Company ("DTC"), on _____, 2012, in immediately available funds.

CUSIP NUMBERS: It is anticipated that CUSIP numbers will be printed on the Notes, but neither the failure to print such numbers on the Notes nor any error with respect thereto shall constitute cause for failure or refusal by the successful bidder to accept delivery of and pay for the Notes.

DELIVERY AND PAYMENT: Delivery of the properly executed Notes is expected to be made through DTC on or about _____, 2012. Payment for the Notes shall be made in immediately available funds.

OFFICIAL STATEMENT: The Preliminary Official Statement, dated _____, 2012, has been deemed final by the County for purposes of paragraph (b)(1) of Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") but is subject to revision, amendment and completion in a final Official Statement as provided in the Rule. Within seven (7) business days of the bid opening date, the County will deliver the final Official Statement to the successful bidder in sufficient quantity to comply with the Rule.

LEGAL OPINION AND CLOSING CERTIFICATES: The County will furnish upon delivery of the Notes: a Receipt for the Notes; a Signature and No-Litigation Certificate; a Rule 15c2-12 Certificate; a Federal Tax Certificate, and the approving opinion of McNair Law Firm, P.A., Columbia, South Carolina, as Bond Counsel, all without cost to the purchasers.

INFORMATION FROM PURCHASER: At or before delivery, the purchaser of the Notes shall provide a certificate to the County in a form acceptable to Bond Counsel stating the information necessary to enable the County to determine the issue price of the Notes as defined in Section 1273 or 1274 of the Internal Revenue Code of 1986, as amended.

ADDITIONAL INFORMATION: The Preliminary Official Statement, Official Notice of Sale and Official Bid Form of the County with respect to the Notes are available via the internet at <http://www.i-dealprospectus.com> and will be furnished to any person interested in bidding for the Notes upon request to Francenia B. Heizer, McNair Law Firm, P. A., Post Office Box 11390, Columbia, South Carolina 29211, attention: Francenia B. Heizer, Esquire, telephone (803) 799-9800, e-mail: fheizer@mcnair.net. The Preliminary Official Statement shall be reviewed by bidders prior to submitting a bid. Bidders may not rely on this Official Notice of Sale as to the complete information concerning the Notes. For additional information, please contact the County's Bond Counsel, Francenia B. Heizer, Esquire, McNair Law Firm, P. A., Post Office Box 11390, Columbia, South Carolina 29211, telephone (803) 799-9800, e-mail: fheizer@mcnair.net

_____, 2012

FORM OF NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the County Council of Beaufort County, South Carolina (the "County"), in the _____, South Carolina, at 6:00 p.m. on Monday, _____, 2012.

The purpose of the public hearing is to consider an Ordinance providing for the issuance and sale of General Obligation Bond Anticipation Notes of Beaufort County, South Carolina, in the principal amount of not exceeding \$5,000,000 (the "Notes"). The proceeds of the Notes will be used for the purposes of providing funds (i) to defray the costs of renovations to the Courthouse, renovations to the Coroner's Office, and renovations to the Myrtle Park County Administration Building; and (ii) to pay the costs of issuance of the Notes.

The proceeds of general obligation bonds to be issued by the County will be used to pay the principal and interest on the Notes. In addition, the full faith, credit, and taxing power of the County will be pledged for the payment of the principal of and interest on the bonds and a tax, without limit, will be levied on and collected annually, in the same manner other County taxes are levied and collected, on all taxable property of the County sufficient to pay to principal of and interest on the bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

At the public hearing all taxpayers and residents of the County and any other interested persons who appear will be given an opportunity to express their views for or against the Ordinance and the issuance of the Notes.

COUNTY COUNCIL OF BEAUFORT COUNTY,
SOUTH CAROLINA

FORM OF NOTICE OF ADOPTION OF AN ORDINANCE

NOTICE OF ADOPTION OF AN ORDINANCE

Notice is hereby given that on _____, 2012, the Beaufort County Council adopted an ordinance entitled: "ORDINANCE NO. _____" (the "Ordinance").

Pursuant to Section 11-27-40(8) of the South Carolina Code of Laws, 1976, as amended, unless a notice, signed by not less than five (5) qualified electors of the County, of the intention to seek a referendum is filed both in the office of the Clerk of Court of the County and with the Clerk of the County Council, the initiative and referendum provisions of South Carolina law, Sections 4-9-1210 to 4-9-1230, South Carolina Code of Laws 1976, as amended, shall not be applicable to the Ordinance. The notice of intention to seek a referendum must be filed within twenty (20) days following the publication of this notice of the adoption of the aforesaid Ordinance in a newspaper of general circulation in Beaufort County.

By order of the Beaufort County Council, _____, 2012.

Chair, Beaufort County Council

ORDINANCE NO. _____

AN ORDINANCE TO AMEND BEAUFORT COUNTY ORDINANCE 93/20 SO AS TO EXPAND THE PERMISSIBLE EXPENDITURES OF FUNDS COLLECTED UNDER SAID ORDINANCE

WHEREAS, in 1993 Beaufort County adopted Ordinance 93/20 imposing a Road Use Fee of Ten and No/100 (\$10.00) Dollars per annum on all motorized licensed vehicles subject to the tax within Beaufort County; and

WHEREAS, Beaufort County Ordinance 93/20 limited the expenditure of the funds collected under this Ordinance to be utilized for the purchase, condemnation, construction, ownership, maintenance, and repairs of all County owned roads and bridges; and

WHEREAS, in order to maximize potential federal match grant funding, it is necessary to amend Beaufort County Ordinance 93/20 so as to expand the permissible expenditures of funds for both County and State of South Carolina owned roads.

NOW, THEREFORE, be it **ORDAINED** by Beaufort County Council that Beaufort County Ordinance 93/20 is hereby amended to read as follows:

Section 1. Road Use Fee: There is hereby established a road use fee on all motorized licensed vehicles required by the State of South Carolina to be licensed, which are carried on the tax records of Beaufort County; such vehicles shall be subject to and pay, in addition to any other licensing fees, and taxes, the sum of Ten and No/100 (\$10.00) Dollars per vehicle per annum.

Section 2. Assessment: The Auditor is hereby directed to add a Ten and No/100 (\$10.00) Dollar uniform charge per vehicle, per annum to all motorized licensed vehicles subject to the taxes in the County beginning with tax notices which become due currently and each month thereafter. The Ten and No/100 (\$10.00) Dollar charge so added shall become due and payable at the time other personal property taxes become due and payable.

Section 3. Collection: The Treasurer for Beaufort County is directed to collect the above charges at the time of collection of all other charges and taxes due on such vehicles.

Section 4. Purpose and Use of Funds Collected: The funds collected under the terms and conditions of this ordinance as above described shall be deposited in the General Fund of Beaufort County and shall be utilized for the purchase, condemnation, construction, ownership, maintenance, and repairs of all County and State owned roads and bridges.

Section 5. Severability: If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid, or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

DONE this ____ day of October, 2012.

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

First Reading: September 10, 2012

Second Reading:

Public Hearing:

Third and Final Reading:

ORDINANCE 2012/___

AN ORDINANCE TO AMEND AND CLARIFY ORDINANCES 2005/28 AND 2005/42 ENTITLED "AN ORDINANCE TO IMPOSE A TWO AND ONE-HALF PERCENT FEE ON THE PRICE OF ADMISSIONS TO PLACES OF AMUSEMENT WITHIN BEAUFORT COUNTY, EFFECTIVE DATE, SUNSET PROVISION, AND SEVERABILITY

WHEREAS, Beaufort County adopted Ordinance 2005/28 imposing a two and one-half (2.5%) percent fee on the price of admissions to places of amusement within Beaufort County; and

WHEREAS, Beaufort County subsequently adopted Ordinance 2005/42 which amended the language of Ordinance 2005/28 slightly from that of South Carolina Code of Laws Section 12-21-2420; and

WHEREAS, it is in the best interests of the citizens of Beaufort County to provide further clarity and mirror the language contained within South Carolina Code of Law Section 12-21-2420; and

WHEREAS, this requested clarification is done for purposes of confirming the current practices of the various Beaufort County administrative departments charged with processing admissions fees and will have no effect to either increase or decrease the amount of fees currently being collected by the County.

NOW, THEREFORE, be it **ORDAINED** by Beaufort County Council that Ordinance 2005/42 is hereby rescinded in its entirety and Ordinance 2005/28 shall be implemented accordingly to the terms contained within that document so as to provide the following:

A fee equal to two and one-half (2.5%) percent is hereby imposed on the amount charged to enter admission-based places of amusement and entertainment within the incorporated and unincorporated areas of Beaufort County to which an admission tax is imposed by the State pursuant to Section 12-21-2420 et seq. of the Code.

DONE this ____ day of October, 2012.

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



**COUNTY COUNCIL OF BEAUFORT COUNTY
PURCHASING DEPARTMENT**

Building 2, 102 Industrial Village Road
Post Office Drawer 1228, Beaufort, SC 29901-1228
Phone: (843) 255-2353 Fax: (843) 255-9437

TO: Councilman Stewart H. Rodman, Chairman, Finance Committee

VIA: Gary Kubic, County Administrator
Bryan Hill, Deputy Administrator
David Starkey, Chief Financial Officer *DS*
Phillip Foot, Public Safety Director *PF 749*
Todd Ferguson, Emergency Management Director *TF*

FROM: Dave Thomas, Purchasing Director *DT*

SUBJ: **Request to Renew the Motorola Public Safety Communications Maintenance Service Agreement Contract with Motorola for Beaufort County's Emergency Management Department**

DATE: September 5, 2012

BACKGROUND. The Purchasing Department received a request from the Emergency Management Director to renew the annual contract for communications equipment with Motorola and Motorola's authorized service vendor, Savannah Communications. The annual service contract is needed in order to provide maintenance services in support of communication equipment used for dispatching emergency services to citizens of Beaufort County. Support is provided twenty four hours a day, seven days a week for three hundred and sixty-five days per year. The contract term will cover the current fiscal year and expire on July 31, 2013.

VENDOR INFORMATION

COST

Motorola, Schaumburg, IL

\$1,426,234

FUNDING: Account 23150-51110 Communications, Maintenance Contracts.

RECOMMENDATION: The Finance Committee approves and recommends to County Council the annual contract renewal with Motorola to provide communication equipment services for the Emergency Management Department in the amount of \$1,426,234. The contract term will cover the current fiscal year and expire on July 31, 2013.

cc: Elizabeth Wooten, Richard Dimont
Att: Price Quote



SERVICES AGREEMENT

Attn: National Service Support/Mth 0
 1301 East Algonquin Road
 (800) 247-2346

Contract Number: S00001016398
 Contract Modifier: RN02-APR-12 06:16:59

Date: 06/14/2012

Company Name: Beaufort County Council
 Attn:
 Billing Address: P O Drawer 1228
 City, State, Zip: Beaufort, SC, 29901
 Customer Contact:
 Phone:

Required P.O.: Yes
 Customer #: 1000076738
 Bill to Tag #: 0001
 Contract Start Date: 07/01/2012
 Contract End Date: 06/30/2013
 Anniversary Day: Jun 30th
 Payment Cycle: MONTHLY
 PO #: N/A

QTY	MODEL/OPTION	SERVICES DESCRIPTION	MONTHLY EXT	EXTENDED AMT
		Technical Support Dispatch Network Monitoring On Site Response NICE Logger Support Infrastructure Repair/Adv Rep - P25 Microwave Infrastructure Repair Paging Detention Infrastructure Repair Conventional Infrastructure Repair Moto Bridge SUA Generator Maintenance A/C Maintenance Asset Mgt AeroFlex Maintenance Subscriber Maintenances		
SPECIAL INSTRUCTIONS - ATTACH STATEMENT OF WORK FOR PERFORMANCE DESCRIPTIONS			Subtotal - Recurring Services	\$118,852.87 \$1,426,234.44
			Subtotal - One-Time Event Services	\$.00 \$.00
			Total	\$118,852.87 \$1,426,234.44
			Taxes	- -
			Grand Total	\$118,852.87 \$1,426,234.44
<small>THIS SERVICE AMOUNT IS SUBJECT TO STATE AND LOCAL TAXING JURISDICTIONS WHERE APPLICABLE. TO BE VERIFIED BY MOTOROLA.</small>				

ASCO Deputy County ADM 6/29/12
AUTHORIZED CUSTOMER SIGNATURE TITLE DATE

Beaufort County Council
CUSTOMER (PRINT NAME)

Missy UP + DIRECTOR 6/29/12
MOTOROLA REPRESENTATIVE(SIGNATURE) TITLE DATE

Larry Smith 864-246-3023
MOTOROLA REPRESENTATIVE(PRINT NAME) PHONE

Company Name: Beaufort County Council
Contract Number: S00001004571
Contract Modifier: RN01-APR-12 16:56:54
Contract Start Date: 07/01/2012
Contract End Date: 06/30/2013



**COUNTY COUNCIL OF BEAUFORT COUNTY
PURCHASING DEPARTMENT**

Building 2, 102 Industrial Village Road
Post Office Drawer 1228, Beaufort, SC 29901-1228
Phone: (843) 255-2353 Fax: (843) 255-9437

TO: Councilman Stewart H. Rodman, Chairman, Finance Committee

VIA: Gary Kubic, County Administrator
Bryan Hill, Deputy Administrator
David Starkey, Chief Financial Officer
Phillip Foot, Public Safety Director
Todd Ferguson, Emergency Management Director

FROM: Dave Thomas, Purchasing Director

SUBJ: Request to Renew the Motorola E911 Service Agreement Contract with Motorola for Beaufort County's Emergency Management Department

DATE: September 5, 2012

BACKGROUND. The Purchasing Department received a request from the Emergency Management Director to renew the annual contract for E911 equipment with Motorola and Motorola's authorized service vendor, Savannah Communications. The annual service contract is needed in order to provide maintenance services in support of E911 dispatch equipment. Support is provided twenty four hours a day, seven days a week for three hundred and sixty-five days per year. The contract term will cover the current fiscal year and expire on July 31, 2013.

VENDOR INFORMATION

Motorola, Schaumburg, IL

COST

\$55,339

FUNDING: Account 23205-51110 E911 Fund, Maintenance Contracts.

RECOMMENDATION: The Finance Committee approves and recommends to County Council the annual contract renewal with Motorola to provide E911 maintenance services for the Emergency Management Department in the amount of \$55,339. The contract term will cover the current fiscal year and expire on July 31, 2013.

cc: Elizabeth Wooten, Richard Dimont
Att: Price Quote



SERVICES AGREEMENT

Attn: National Service Support/4th fl
 1301 East Algonquin Road
 (800) 247-2346

Contract Number: S00001004571
 Contract Modifier: RN01-APR-12 16:58:54

Date: 05/30/2012

Company Name:	Beaufort County Council
Attn:	
Billing Address:	P O Drawer 1228
City, State, Zip:	Beaufort, SC, 29901
Customer Contact:	
Phone:	

Required P.O.: No
 Customer #: 1000076738
 Bill to Tag #: 0001
 Contract Start Date: 07/01/2012
 Contract End Date: 06/30/2013
 Anniversary Day: Jun 30th
 Payment Cycle: MONTHLY
 PO #:

QTY	MODEL/OPTION	SERVICES DESCRIPTION	MONTHLY EXT	EXTENDED AMT
		***** Recurring Services *****		
2	SVC01SVC1102C	DISPATCH SERVICE	\$206.02	\$2,472.24
2	SVC242AE	ENH: PLANT EQUIPMENT 911		
2	SVC455AE	ENH: DISPATCH SITE		
2	SVC01SVC1104C	TECHNICAL SUPPORT SERVICE	\$309.00	\$3,708.00
2	SVC142AF	ENH: PLANT EQUIPMENT 911		
2	SVC455AE	ENH: DISPATCH SITE		
2	SVC01SVC1413C	ONSITE INFRASTRUCTURE RESPONSE SERVICE - PREMIER OPTION	\$4,096.56	\$49,158.72
2	SVC455AE	ENH: DISPATCH SITE		
4	SVC990AB	PLANT 911 (2 - 10 POSITIONS)		
13	SVC990AC	PLANT 911 (11 - 25 POSITIONS)		

SPECIAL INSTRUCTIONS - ATTACH STATEMENT OF WORK FOR PERFORMANCE DESCRIPTIONS

Subtotal - Recurring Services	\$4,611.58	\$55,338.96
Subtotal - One-Time Event Services	\$.00	\$.00
Total	\$4,611.58	\$55,338.96
Taxes	-	-
Grand Total	\$4,611.58	\$55,338.96

This agreement can be cancelled when the equipment is removed from service. This agreement will supply 24x7 coverage for response only.

THIS SERVICE AMOUNT IS SUBJECT TO STATE AND LOCAL TAXING JURISDICTIONS WHERE APPLICABLE. TO BE VERIFIED BY MOTOROLA.

Subcontractor(s)	City	State
MOTOROLA SYSTEM SUPPORT CTR-CALL CENTER DO086	SCHAUMBURG	IL
MOTOROLA SYSTEM SUPPORT-TECHNICAL SUPPORT DO088	SCHAUMBURG	IL
SAVANNAH COMMUNICATIONS INC	BEAUFORT	SC
SAVANNAH COMMUNICATIONS INC	BEAUFORT	SC

I received Statements of Work that describe the services provided on this Agreement. Motorola's Service Terms and Conditions, a copy of which is attached to this Service Agreement, is incorporated herein by this reference.

APC
AUTHORIZED CUSTOMER SIGNATURE
Deputy Const. Adm.
TITLE
6/29/12
DATE

Beaufort County Council
CUSTOMER (PRINT NAME)

Larry Smith
MOTOROLA REPRESENTATIVE(SIGNATURE)
CSM
TITLE
6/29/2012
DATE

Larry Smith
MOTOROLA REPRESENTATIVE(PRINT NAME)
864-246-3023
PHONE

Company Name: Beaufort County Council
Contract Number: S00001004571
Contract Modifier: RN01-APR-12 18:56:54
Contract Start Date: 07/01/2012
Contract End Date: 06/30/2013



**COUNTY COUNCIL OF BEAUFORT COUNTY
PURCHASING DEPARTMENT**

102 Industrial Village Road, Building 3
Post Office Drawer 1228, Beaufort, SC 29901-1228
Phone: (843) 255-2350 Fax: (843) 255-9437

TO: Councilman Stewart H. Rodman, Chairman, Finance Committee

VIA: Gary Kubic, County Administrator
Bryan Hill, Deputy County Administrator
David Starkey, Chief Financial Officer
Dan Morgan, MIS Director

FROM: Dave Thomas, CPPO, Purchasing Director

DATE: September 13, 2012

SUBJ: **Contract# 835557 Wireless Communication Services for Beaufort County**

BACKGROUND: Beaufort County issued a request for a one year continuance with wireless cell phone service and equipment with Verizon Wireless Corporation. Verizon Wireless received the highest ranking by the review committee in 2010, due to offering the lowest price, record of excellent customer service, overall best cell phone coverage testing results, their emergency preparedness plan, and their implementation plan. The contract includes cellular service for 248 phones and accessories (excluding Sheriff Department). For more information, please see original agreement for a detailed review of the committee's findings.

FUNDING: Services are paid from each department's telephone account 51050.

RECOMMENDATION: The Finance Committee approves and recommend to County Council to extend the contract with Verizon Wireless for a one-year period effective August 21, 2012 to August 21, 2013.

Total cost for 2011 was \$125,555.97. The anticipated cost for 2012 is \$126,000. Additionally, there are three optional annual renewals to this contract that are subject to County Council for approval. The total anticipated cost for five years is \$882,970.

cc: Richard Dimont
Mary Heyward



**COUNTY COUNCIL OF BEAUFORT COUNTY
PURCHASING DEPARTMENT**

Building 2, 102 Industrial Village Road
Post Office Drawer 1228, Beaufort, SC 29901-1228
Phone: (843) 255-2353 Fax: (843) 255-9437

TO: Councilman Stewart H. Rodman, Chairman, Finance Committee

VIA: Gary Kubic, County Administrator
Bryan Hill, Deputy County Administrator
Robert McFee, Director of Engineering and Infrastructure
David Starkey, Chief Financial Officer
Eddie Bellamy, Director of Public Works
Dan Ahern, Stormwater Manager

MCTB 9/14

[Signature]

[Signature]

FROM: Dave Thomas, CPPO, Purchasing Director

SUBJ: Request for Contract Renewal of the HDPE Pipe Contract with Ferguson Enterprises for the Public Works Department

DATE: September 14, 2012

BACKGROUND: The Purchasing Department received a requisition over \$25,000 from the Beaufort County Public Works Department requesting to renew the annual contract with Ferguson Enterprises for HDPE pipe supplies in support of the County's Storm Water Department operations. The County's intent is to continue the annual contract for the purchase of HDPE pipe supplies and take advantage of the volume buying cost savings. Beaufort County received the following three (3) bids from qualified HDPE pipe suppliers in support of our County's Stormwater Department's operations on November 8, 2010:

1. Ferguson Enterprises, Bluffton, SC	\$144,230
2. HD Supply Waterworks, Charleston, SC	\$167,784
3. Atlantic Supply & Equipment, Augusta, GA	\$171,972

Note: Last year the department spent \$46,912.

FUNDING: Account 13531-52370, which currently has an account balance of \$110,000.

MCTB

RECOMMENDATION: The Finance Committee approves and recommends to County Council the HDPE pipe contract award to Ferguson Enterprises in the amount of \$110,000 for the third contract term of a one (1) year with two (2) additional one (1) year contract renewal periods all subject to the approval of Beaufort County.

CC: Richard Dimont, Lori Sexton



**COUNTY COUNCIL OF BEAUFORT COUNTY
PURCHASING DEPARTMENT**

Building 2, 102 Industrial Village Road
Post Office Drawer 1228, Beaufort, SC 29901-1228
Phone: (843) 255-2353 Fax: (843) 255-9437

TO: Councilman Stewart H. Rodman, Chairman, Finance Committee

VIA: Gary Kubic, County Administrator
Bryan Hill, Deputy County Administrator
David Starkey, Chief Financial Officer *DS*
Eddie Bellamy, Director of Public Works *MCB 9/14*

FROM: Dave Thomas, CPPO, Purchasing Director *DT*

SUBJ: Request to Renew the Uniform Rental and Cleaning contract with Rental Uniform Services of Florence for the Beaufort County Public Works Department.

DATE: September 13, 2012

BACKGROUND: The Purchasing Department received a requisition over \$25,000 from the Beaufort County Public Works Department requesting to renew the annual contract with Rental Services of Florence for rental uniforms and cleaning. This uniform service contract provides uniforms, cleaning, delivery, and pickup for approximately 192 Public Works employees. Additionally, the Public Facilities Department and Mosquito Control uses this vendor as well. This is the third annual renewal year of the contract which will end on June 30, 2013. There will be two more annual renewals subject to Beaufort County Council approval. Total estimated cost of the contract items are based on unit pricing and is estimated at \$64,000 annually.

<u>CONTRACTED VENDOR:</u>	<u>Cost</u>
1. Rental Uniform Services of Florence, SC	\$64,000

FUNDING

1. Funding from account 33020-52050 through 33398-52050 General Revenue and Storm Water Enterprise Fund 13530-52050 through 13531-52050. Mosquito Control account 43190-52050 uniforms.

RECOMMENDATION: The Purchasing Department recommends that the Finance Committee approves and recommends to County Council the contract award renewal for uniform rental and cleaning services from the aforementioned vendor for a total amount of \$64,000.

cc: Doug Baker, Gregg Hunt, Richard Dimont



**COUNTY COUNCIL OF BEAUFORT COUNTY
PURCHASING DEPARTMENT**

Building 2, 102 Industrial Village Road
Post Office Drawer 1228, Beaufort, SC 29901-1228
Phone: (843) 255-2353 Fax: (843) 255-9437

TO: Councilman Stewart H. Rodman, Chairman, Finance Committee

VIA: Gary Kubic, County Administrator
Bryan Hill, Deputy County Administrator
David Starkey, Chief Financial Officer *DS*
Michael Hatfield, Beaufort County Sheriff's Office *MH*

FROM: Dave Thomas, CPPO, Purchasing Director *DT*

SUBJ: **Request to Purchase Uniforms over \$25,000 from Wright Johnston Uniforms, LLC for the Beaufort County's Sheriff's Office.**

DATE: September 13, 2012

BACKGROUND: The Purchasing Department received a requisition over \$25,000 from the Beaufort County Sheriff's Office requesting to purchase uniforms from Wright Johnston Uniforms, LLC. Beaufort County currently has a contract with Wright Johnston to provide these uniform items for the Sheriff's Office. The contract will expire on March 31, 2013 and the total cost of the contract items is \$50,000.

<u>CONTRACTED VENDOR:</u>	<u>Cost</u>
1. Wright Johnston Uniforms, LLC, Columbia, SC	\$50,000

FUNDING AND COST BREAKDOWN:
The funding will be taken from account numbers 21051-52050 and 21052-52050, which have a total available balance of \$81,111.

RECOMMENDATION: The Purchasing Department recommends that the Finance Committee approve the purchase of uniform items from the aforementioned vendor for a total amount of \$50,000.

cc: Suzanne Cook, Richard Dimont



2012 (CURRENT) EMPLOYEE BENEFITS **VENDOR SUMMARY**

Health Insurance & Rx – Blue Cross / Blue Shield of South Carolina

Dental Insurance – United Concordia Dental

Vision Insurance – United Healthcare Vision

Life/Supplemental Life/ AD&D/ Short & Long Term Disability – ING

**CURRENT BENEFIT CONTRACTS IN PLACE
THROUGH DECEMBER 31, 2012**



CURRENT (CY2012) MONTHLY VENDOR PRICING PER EMPLOYEE

Blue Cross Blue Shield Health & Rx			
Premium Plan	Monthly Cost	Basic Plan	Monthly Cost
Employee Only	\$493.13	Employee Only	\$438.81
Employee/Spouse	\$1,082.91	Employee/Spouse	\$963.62
Emp./Children - Small Grp	\$914.84	Emp./Children - Small Grp	\$814.08
Emp./Children - Large Grp	\$914.84	Emp./Children - Large Grp	\$814.08
Family	\$1,482.65	Family	\$1,319.34



CURRENT (CY2012) MONTHLY VENDOR PRICING PER EMPLOYEE (CONT.)

United Concordia Dental Insurance	
Plan	Monthly Cost
Employee Only	\$27.63
Employee/Spouse	\$53.83
Family	\$82.84
United Healthcare Vision	
Plan	*Monthly Cost
Employee Only	\$6.98
Employee + 1	\$11.66
Family	\$19.22
*vision is employee paid	



CURRENT (CY2012) MONTHLY VENDOR PRICING PER EMPLOYEE (CONT.)

ING Life, AD&D, & Long-Term Disability		
Plan	Monthly Cost	
Life Insurance	0.10	<i>per \$1,000 in annual salary</i>
AD&D	0.04	<i>per \$1,000 in annual salary</i>
Long Term Disability	0.23	<i>per \$1,000 in monthly salary</i>



2013 RECOMMENDED EMPLOYEE BENEFITS VENDOR SUMMARY

- **Health Insurance & Rx – Blue Cross / Blue Shield of South Carolina**
 - **Dental Insurance – United Concordia Dental**
 - **Vision Insurance – United Healthcare Vision**
- **Life/Supplemental Life/ AD&D/ Short & Long Term Disability – ING**
- **All are our current benefit vendors.**
- **All have agreed to the same plans with no price increase for 18 months from January 2013 through June 30, 2014 to accommodate a change to fiscal year contracts.**

2013 ATAX Tax Board Recommendations-ATax Distribution

	Organization	Event/Project	Amount Reqd	Amount Recom.	Last Year	Notes	%of Ask
1	Harbour Town Merchants	4th of July Fireworks	\$10,000	\$0		Operations-Sea Pines makes up diff.	0.0%
2	Historic Beaufort	Festival of Homes and Gardens0	\$6,804	\$3,200	\$3,200	Advertising	47.0%
3	Daufuskie Historical Found.	Historic Trails travel guides	\$3,000	\$2,000		Guides	66.7%
4	Comm. Foundation of L/C	Public Art Exhibit	\$20,000	\$12,000	\$10,000	Advertising	60.0%
5	Keep Bft County Beautiful	Clean Waterways Project	\$3,800	\$2,800		Kayaks	73.7%
6	Blft Historical Preservation	Heyward House	\$25,000	\$20,000	\$10,000	Operations & Mrktg.	80.0%
7	HHI Symphony	TV ads-Jan-May 2013	\$10,000	\$4,000	\$4,000	TV ads.	40.0%
8	Coastal Discovery Museum	Cultural and Eco Tourism	\$28,500	\$20,000	\$8,500	Web and rack cards	70.2%
9	Beaufort Arts Assoc	Magazine ads for Spring Show	\$2,480	\$1,400	\$500	Two half page ads	56.5%
10	Original Gullah Festival	Gullah festival	\$30,000	\$17,500		Web and advertising	58.3%
11	Concourse d'Elegance	Car show	\$20,000	\$12,000	\$9,000	Time Warner-Clt & Col.	60.0%
12	Bluffton Self Help	Red Apron Chili Cook-off	\$6,000	\$1,000		Ads-No Budget for expenditures	16.7%
13	Society of Bluffton Artists	Marketing	\$6,000	\$1,000		On line and some rack cards	16.7%
14	SC Repertory Co.	New Marketing efforts	\$14,050	\$2,500		Web site	17.8%
15	St. Peter's Catholic Church	Home for the Holidays tour	\$4,200	\$0		Already profitable	0.0%
16	Main St. Beaufort	Tourism ad campaign	\$35,316	\$20,000	\$9,200	Web; Preservation; So. Living + racks	56.6%
17	Sandlewood Food Pantry	Feeding the hungray/diabetes education	\$5,000	\$0		Not tourism related	0.0%
18	Art League of HHI	Fine Arts Craft Guild Show	\$4,000	\$2,000	\$1,000	Craft magazine	50.0%
19	BC Black Chamber	Cultural tourism marketing	\$75,000	\$60,000	\$25,000	PRT Match + digital marketing	80.0%
38	Carolina Cups	Loco Motion walk	\$8,000	W/D			78.8%
20	Heritage Library Foundation	Fort Mitchel	\$4,400	W/D	\$2,500		0.0%
21	Exchange Club of Bft/CAPA L/C Golf Course Owners Assoc	Ghost tours	\$3,000	\$1,500	\$1,150	On line, cards, radio	50.0%
22		Golf broadcast campaign Marketing 30th Heritage Celebration/50th School Reunion	\$25,000	\$18,000		TV spots	72.0%
23	Penn Center		\$20,000	\$16,000	\$10,000	Ads-No Budget for expenditures	80.0%
24	HHI Chamber	Destination marketing/Visitor Center	\$41,000	\$33,500	\$30,000	Cyber Nooks + 2 videos	81.7%
25	Shelter Cove Harbour Co.	July 4 fireworks	\$10,000	\$0		Fireworks	0.0%

	Organization	Event/Project	Amount Reqd	Amount Recom.	Last Year	Notes	%of Ask
26	Bft Film Society Blft. Seafood and Arts	International Film Festival	\$20,000	\$15,000	\$5,000	PR and ads + TV	75.0%
27	Festival	Festival	\$5,000	\$5,000	\$2,500	Southern Living ad all year	100.0%
28	Yemassee Revitalization	L/C Cook Off	\$2,500	\$1,000		Billboard and online ads	40.0%
29	Sandbox	Summer fun series/tourist programs	\$10,500	\$4,700	\$2,000	Programs	44.8%
30	Mitchelville Preservation	Marketing	\$25,000	\$10,000	\$10,000	Website enhancements	40.0%
31	Daufuskie Island foundation	Daufuskee Day	\$10,000	\$0	\$1,500	Does not have 501©3 status	0.0%
32	Arts Council of BC	2nd Story Telling Festival	\$25,372	\$20,000	\$6,150	Ads and marketing	78.8%
33	Beaufort Chamber	Tourism marketing	\$120,000	\$95,000	\$50,000	Travel writer/online/billboard/social mec	79.2%
34	Main St. Youth Theater	Bye Bye Birdie	\$5,000	\$1,500	\$1,500	Ops	30.0%
35	BC Historical Society	Historic markers	\$9,000	\$5,000	\$4,000	2 markers + upkeep	55.6%
36	Arts Center	Tourism marketing	\$20,000	\$9,000	\$8,000	Reg. and printing	45.0%
37	Experience Green	Greening golf	\$5,000	\$2,500	\$0	Ads	50.0%
39	HHI Choral Society	Degital and Social marketing	\$5,000	\$2,000	\$1,200	Launch, manage Facebook	40.0%
40	HHI Aquatics	Alphanumeric scoreboard-Rec Cntr	\$12,500	\$0			0.0%
41	Lt. Dan-2012	Lt. Dan	\$15,000	\$15,000	\$0		100.0%
41-2	Lt. Dan-2013	Lt Dan	\$15,000	\$13,900	\$15,000	Operations	92.7%

Totals:

\$725,422 \$450,000 \$230,900

49.6%

Amount Total Allowed:

\$450,000

Total Remaining

\$0

The BLUFFTON HISTORICAL PRESERVATION SOCIETY, Inc.

A TAX-EXEMPT, NOT-FOR-PROFIT ORGANIZATION

August 24, 2012

Dear Westin,

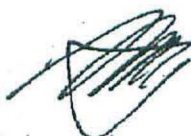

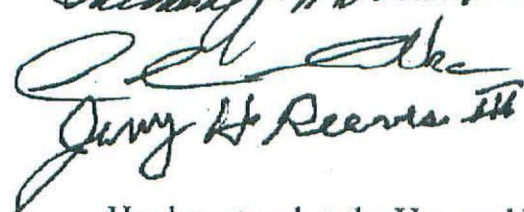
I am writing you today about the County A-tax funds that we received in 2006 for the Heyward House bathroom project. These funds are held in a restricted account at our bank and we would appreciate your help in releasing them to use immediately for roof repair.

Two years ago, we partnered with the Town of Bluffton and took on a necessary roof restoration project at the Heyward House which is partially funded by a Federal Historic Preservation Grant administered through the State Historic Preservation Office. Project costs which began at \$13,000 have now reached \$53,000.

The State has approved \$12,500 for the project and the Town has approved \$23,000. We have recently requested \$5,000 in Beaufort County A-tax funds to use specifically for this project, but even that being approved still leaves us \$10,000 short.

Thank you for your time and consideration.

Sincerely,


N.T. Maxim

Charles M. Tucker

Jerry H. Reeves III

Headquartered at the Heyward House Historic Center
70 Boundary St., P.O. Box 742 • Bluffton, South Carolina 29910
PHONE (843) 757-MAYE • www.heywardhouse.org • FAX (843) 706-2938

**Committee Reports
September 24, 2012**

A. COMMITTEES REPORTING

1. Finance

- ① Minutes provided from the September 17. Action is required. See main agenda items 11D through 11M. (backup)

2. Governmental

- ① Minutes provided from the September 4. Action is required. See main agenda items 11C. (backup)

3. Natural Resources

- ① Minutes provided from the September 4 meeting. No action is required. (backup)

4. Public Facilities

- ① Seabrook Point Special Purpose Tax District

<i>Nominated</i>	<i>Name</i>	<i>Position / Area / Expertise</i>	<i>Reappoint / Appoint</i>	<i>Votes Required</i>
09.10.12	Keith Dawkins	Seabrook Point	Appoint	6/11 (1 st term)

B. COMMITTEE MEETINGS

1. Community Services

William McBride, Chairman

Gerald Dawson, Vice Chairman

➔ Next Meeting – Monday, October 15 at 4:00 p.m., BIV#2

2. Executive

Weston Newton, Chairman

➔ Next Meeting - To be announced.

3. Finance

Stu Rodman, Chairman

Rick Caporale, Vice Chairman

➔ Next Meeting – Monday, October 15 at 2:00 p.m., BIV#2

4. Governmental

Jerry Stewart, Chairman

Laura Von Harten, Vice Chairman

➔ Next Meeting – Monday, October 1 at 4:00 p.m., ECR

5. Natural Resources

Paul Sommerville, Chairman

Brian Flewelling, Vice Chairman

➔ Next Meeting – Monday, October 1 at 2:00 p.m., ECR

6. Public Facilities

Herbert Glaze, Chairman

Steven Baer, Vice Chairman

➔ Next Meeting – Tuesday, September 25 at 4:00 p.m., ECR

7. Transportation Advisory Group

Weston Newton, Chairman

Stu Rodman, Vice Chairman

➔ Next Meeting – To be announced.

FINANCE COMMITTEE

September 17, 2012

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

The Finance Committee met on Monday, September 17, 2012 at 2:00 p.m., in the Conference Room of Building 2, Beaufort Industrial Village, 102 Industrial Village Road, Beaufort, SC.

ATTENDANCE

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

County staff: Paul Andres, Airports Director; Suzanne Gregory, Employee Services Director; Todd Ferguson, Emergency Management Director; Phil Foot, Division-Director, Public Safety; Joshua Gruber, Staff Attorney; Bryan Hill, Deputy County Administrator; Alicia Holland, Comptroller; Gary Kubic, County Administrator; Shannon Loper, Parks and Leisure Department; David Starkey, Chief Financial Officer; and Tallulah Trice, Animal Control Director/

Public: Dick Farmer, Chairman, Accommodations Tax Board; Susan Thomas, Hilton Head Island/Bluffton Chamber of Commerce; Larry Holman, Beaufort County Black Chamber of Commerce.

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

School District: Fred Washington, Chairman, Board of Education.

Councilman Rodman chaired the meeting.

ACTION ITEMS

- 1. Consent Agenda - \$1,426,234 renewal of Motorola Public Safety Communications Maintenance Service Contract for Emergency Management Department**

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

Discussion: The Purchasing Department received a request from the Emergency Management Director to renew the annual contract for communications equipment with Motorola and Motorola's authorized service vendor, Savannah Communications. The annual service contract is needed in order to provide maintenance services in support of communication equipment used for dispatching emergency services to citizens of Beaufort County. Support is

provided 24- hours a day, seven days a week for three hundred and sixty-five days per year. Motorola contract term will cover the current fiscal year and expire on July 31, 2013. The contract amount is \$1,426,234

Motion: It was moved by Mr. Flewelling, seconded by Mr. Dawson, that Finance Committee approve and recommend to County Council the annual contract renewal with Motorola to provide communication equipment services for the Emergency Management Department in the amount of \$1,426,234. The contract term will cover the current fiscal year and expire on July 31, 2013. Funding is from Account 23150-51110 Communications, Maintenance Contracts. The vote was: AYES – Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville and Mr. Stewart. The motion passed.

Recommendation: Council award the annual contract renewal with Motorola to provide communication equipment services for the Emergency Management Department in the amount of \$1,426,234. The contract term will cover the current fiscal year and expire on July 31, 2013. Funding is from Account 23150-51110 Communications, Maintenance Contracts.

2. Consent Agenda - \$55,339 renewal of Motorola E911 Service Agreement Contract for Emergency Management Department

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

Discussion: This proposal involves a contract renewal for E911 equipment with Motorola and Motorola's authorized service vendor, Savannah Communications. The annual service contract is needed in order to provide maintenance services in support of E911 dispatch equipment. Support is provided twenty-four hours a day, seven days a week for three hundred and sixty-five days per year. The contract term will cover the current fiscal year and expire on July 31, 2013. The contract amount is \$55,339. Funding is from Account 23205-51110 E911 Fund, Maintenance Contracts.

Motion: It was moved by Mr. Flewelling, seconded by Mr. Dawson, that Finance Committee approves and recommends to County Council the annual contract renewal with Motorola to provide E911 maintenance services for the Emergency Management Department in the amount of \$55,339. The contract term will cover the current fiscal year and expire on July 31, 2013. Funding is from Account 23205-51110 E911 Fund, Maintenance Contracts. The vote was: AYES – Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville and Mr. Stewart. The motion passed.

Recommendation: Council award the contract renewal with Motorola to provide E911 maintenance services for the Emergency Management Department in the amount of \$55,339. The contract term will cover the current fiscal year and expire on July 31, 2013. Funding is from Account 23205-51110 E911 Fund, Maintenance Contracts.

3. Consent Agenda - \$126,000 renewal of Verizon Wireless Contract for Beaufort County

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

Discussion: Beaufort County issued a request for a one-year continuance with wireless cell phone service and equipment with Verizon Wireless Corporation. Verizon Wireless received the highest ranking by the review committee in 2010, due to offering the lowest price, record of excellent customer service, overall best cell phone coverage testing results, their emergency preparedness plan, and their implementation plan. The contract includes cellular service for 248 phones and accessories (excluding Sheriff's Department. Services paid from each department's telephone account 51050.

Motion: It was moved by Mr. Flewelling, seconded by Mr. Dawson, that Finance Committee approves and recommends to County Council to extend the contract with Verizon Wireless for a one-year period effective August 21, 2012 to August 21, 2013. Total cost for 2011 was \$125,555.97. The anticipated cost for 2012 is \$126,000. Additionally, three optional annual renewals to this contract are subject to County Council approval. The total anticipated cost for five years is \$882,970. Services are paid from each department's telephone account 51050. The vote was: AYES – Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville and Mr. Stewart. The motion passed.

Recommendation: Council award an extension of the contract with Verizon Wireless for a one-year period effective August 21, 2012 to August 21, 2013. Total cost for 2011 was \$125,555.97. The anticipated cost for 2012 is \$126,000. Additionally, there are three optional annual contract renewals subject to County Council for approval. The total anticipated cost for five years is \$882,970. Services paid from each department's telephone account 51050.

4. Consent Agenda - \$110,000 renewal of HDPE Pipe Contract with Ferguson Enterprises for Public Works Department

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

Discussion: The Purchasing Department received a requisition over \$25,000 from the Beaufort County Public Works Department requesting to renew the annual contract with Ferguson Enterprises for HDPE pipe supplies in support of the County's Storm Water Department operations. The County's intent is to continue the annual contract for the purchase of HDPE pipe supplies and take advantage of the volume buying cost savings. Beaufort County received the following three bids from qualified HDPE pipe suppliers in support of the Stormwater Department's operations on November 8, 2010:

Ferguson Enterprises, Bluffton, SC	\$144,230
HD Supply Waterworks, Charleston, SC	\$167,784
Atlantic Supply & Equipment, Augusta, GA	\$171,972

Last year the department spent \$46,912. Funding is from Account 13531-52370, which currently has an account balance of \$110,000.

Motion: It was moved by Mr. Flewelling, seconded by Mr. Dawson, that Finance Committee approves and recommends to County Council the HDPE pipe contract award to Ferguson Enterprises in the amount of \$110,000 for the third contract term of a one-year contract with two additional one-year contract renewal periods all subject to the approval of Beaufort County. The vote was: AYES – Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville and Mr. Stewart. The motion passed.

Recommendation: Council award a contract for HDPE pipe to Ferguson Enterprises in the amount of \$110,000 for the third contract term of a one-year contract with two additional one-year contract renewal periods all subject to the approval of Beaufort County.

5. Consent Agenda - \$64,000 renewal of Uniform Contract with Rental Uniform Service of Florence for Public Works Department

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

Discussion: The Purchasing Department received a requisition over \$25,000 from the Beaufort County Public Works Department requesting to renew the annual contract with Rental Services of Florence for rental uniforms and cleaning. This uniform service contract provides uniforms, cleaning, delivery, and pickup for approximately 192 Public Works employees. Additionally, the Public Facilities Department and Mosquito Control uses this vendor as well. This is the third annual renewal year of the contract, which will end on June 30, 2013. There will be two more annual renewals subject to Beaufort County Council approval. Total estimated cost of the contract items are based on unit pricing and is estimated at \$64,000 annually. Funding is from Account 33020-52050 through 33398-52050 General Revenue and Storm Water Enterprise Fund 13530-52050 through 13531-52050. Mosquito Control account 43190-52050 uniforms.

Motion: It was moved by Mr. Flewelling, seconded by Mr. Dawson, that Finance Committee approve and recommend to County Council the contract award renewal for uniform rental and cleaning services to Rental Uniform Services of Florence, South Carolina in the amount of \$64,000. Funding is from Account 33020-52050 through 33398-52050 General Revenue; Storm Water Enterprise Fund 13530-52050 through 13531-52050; and Mosquito Control Account 43190-52050 Uniforms. The vote was: AYES – Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville and Mr. Stewart. The motion passed.

Recommendation: Council award a contract renewal for uniform rental and cleaning services to Rental Uniform Services of Florence, South Carolina in the amount of \$64,000. Funding is from Account 33020-52050 through 33398-52050 General Revenue and Storm Water Enterprise Fund 13530-52050 through 13531-52050. Mosquito Control Account 43190-52050 Uniforms.

6. Consent Agenda - \$50,000 renewal of Uniform Contract with Wright Johnston for Sheriff's Office

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

Discussion: The Purchasing Department received a requisition over \$25,000 from the Beaufort County Sheriff's Office requesting to purchase uniforms from Wright Johnston Uniforms, LLC. Beaufort County currently has a contract with Wright Johnston to provide these uniform items for the Sheriff's Office. The contract will expire on March 31, 2013 and the total cost of the contract items is \$50,000. Funding is from Accounts 21051-52050 and 21052-52050, which have a total available balance of \$81,111.

Motion: It was moved by Mr. Flewelling, seconded by Mr. Dawson, that Finance Committee approve and recommend to Council purchase of uniform items from Wright Johnston Uniforms, LLC in the amount of \$50,000. Funding is from Accounts 21051-52050 and 21052-52050, which have a total available balance of \$81,111. The vote was: AYES – Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville and Mr. Stewart. The motion passed.

Recommendation: Council award a contract for purchase of uniform items from Wright Johnston Uniforms, LLC in the amount of \$50,000. Funding is from Accounts 21051-52050 and 21052-52050, which have a total available balance of \$81,111.

7. Employee Insurance Benefits 2013

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

Discussion: All of the County's current vendors: (i) health insurance and Rx – Blue Cross / Blue Shield of South Carolina, (ii) dental insurance – United Concordia Dental, (iii) vision insurance – United Healthcare Vision, and (iv) life / supplement -life /AD&D / short- and long term disability – ING. All vendors have agreed to the same plans with no price increase for 18 months from January 2013 through June 30, 2014 to accommodate a change to fiscal year contracts. This allows for a passive open enrollment session, beginning November 1, wherein only those who wish to make changes to their current plan are required to attend. The new contribution rates are still at or below industry averages.

Motion: It was moved by Mr. Flewelling, seconded by Mr. Dawson, that Finance Committee approve and recommend to Council the 2013 County Employee Insurance Benefit Program with no rate increase from vendors: health insurance and Rx – Blue Cross/Blue Shield of South Carolina; dental insurance – United Concordia Dental; vision insurance – United Healthcare Vision; and life/ supplement-life/D&D/short- and long term disability–ING. All vendors have agreed to the same plans with no price increase for 18 months from January 2013 through June 30, 2014 to accommodate a change to fiscal year contracts have agreed to the same

plans with no price increase for 2013. The vote was: AYES – Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville and Mr. Stewart. The motion passed.

Recommendation: Council the 2013 County Employee Insurance Benefit Program with no rate increase from vendors: health insurance and Rx – Blue Cross/Blue Shield of South Carolina; dental insurance – United Concordia Dental; vision insurance – United Healthcare Vision; and life/ supplement-life/D&D/short- and long term disability–ING. All vendors have agreed to the same plans with no price increase for 18 months from January 2013 through June 30, 2014 to accommodate a change to fiscal year contracts have agreed to the same plans with no price increase for 2013.

8. 2013 Accommodations Tax Board Recommendations

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

Discussion: Mr. Dick Farmer, Chairman of the Accommodations Tax (2% state) Board presented the 2013 recommendations.

Motion: It was moved by Mr. Flewelling, seconded by Mr. Baer, that Finance Committee approve and recommend to Council approval of the 2013 accommodations tax funding as follows: Historic Beaufort Foundation \$3,200; Daufuskie Island Historical Foundation \$2,000; Community Foundation of the Lowcountry \$12,000; Keep Beaufort County Beautiful \$2,800; Bluffton Historical Preservation Society \$20,000; Hilton Head Island Symphony \$4,000; Coastal Discovery Museum \$20,000; Beaufort Arts Association \$1,400; The Original Gullah Festival of South Carolina, Inc. \$17,500; Hilton Head Island Concours de'Elegance, Inc. \$12,000; Bluffton Self Help \$1,000; The Society of Bluffton Artists \$1,000; South Carolina Repertory Company \$2,500; Main Street Beaufort \$20,000; Art League of Hilton Head Island \$2,000; Beaufort County Black Chamber of Commerce \$60,000; Exchange Club of Beaufort / CAPA \$1,500; Lowcountry Golf Course Owners Association \$18,000; Penn Center, Inc. \$16,000; Hilton Head Island/Bluffton Chamber of Commerce \$33,500; Beaufort Film Society \$15,000; Historic Bluffton Arts and Seafood Festival, Inc. \$5,000; Yemassee Revitalization Corp. \$1,000; The Sandbox \$4,700; Mitchelville Preservation Project, Inc. \$10,000; Arts Council of Beaufort County \$20,000; Beaufort Regional Chamber of Commerce \$95,000; Main Street Youth Theater \$1,500; The Beaufort County Historical Society \$5,000; Arts Center of Coastal Carolina \$9,000; Experience Green \$2,500; Hilton Head Choral Society \$2,000; and Lt. Dan Weekend #4 \$13,900. The vote was: AYES – Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville and Mr. Stewart. The motion passed.

Recommendation: Council approve the 2013 accommodations tax funding as follows: Historic Beaufort Foundation \$3,200; Daufuskie Island Historical Foundation \$2,000; Community Foundation of the Lowcountry \$12,000; Keep Beaufort County Beautiful \$2,800; Bluffton Historical Preservation Society \$20,000; Hilton Head Island Symphony \$4,000; Coastal Discovery Museum \$20,000; Beaufort Arts Association \$1,400; The Original Gullah Festival of South Carolina, Inc. \$17,500; Hilton Head Island Concours de'Elegance, Inc. \$12,000; Bluffton Self Help \$1,000; The Society of Bluffton Artists \$1,000; South Carolina Repertory Company

\$2,500; Main Street Beaufort \$20,000; Art League of Hilton Head Island \$2,000; Beaufort County Black Chamber of Commerce \$60,000; Exchange Club of Beaufort / CAPA \$1,500; Lowcountry Golf Course Owners Association \$18,000; Penn Center, Inc. \$16,000; Hilton Head Island/Bluffton Chamber of Commerce \$33,500; Beaufort Film Society \$15,000; Historic Bluffton Arts and Seafood Festival, Inc. \$5,000; Yemassee Revitalization Corp. \$1,000; The Sandbox \$4,700; Mitchelville Preservation Project, Inc. \$10,000; Arts Council of Beaufort County \$20,000; Beaufort Regional Chamber of Commerce \$95,000; Main Street Youth Theater \$1,500; The Beaufort County Historical Society \$5,000; Arts Center of Coastal Carolina \$9,000; Experience Green \$2,500; Hilton Head Choral Society \$2,000; and Lt. Dan Weekend #4 \$13,900.

9. Bluffton Historical Preservation Society / Request to Utilize 2006 County Accommodations Tax Funds Grant for Roof Project

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

Discussion: The County received correspondence dated August 24, 2012 from The Bluffton Historical Preservation Society (Board). The Board received County accommodations tax (2% state) funds in 2006 in the amount of \$50,000 for the Heyward House bathroom project. These funds are held in a restricted account and the Board is requesting help in releasing them to use immediately for roof repair. Two years ago, the Board collaborated with the Town of Bluffton and took on a necessary roof restoration project at the Heyward House, partially funded by a federal Historic Preservation Grant and administered through the State Historic Preservation Office. Projects costs, which began at \$13,000, have now reached \$53,000. The State has approved \$12,500 for the project; the Town has approved \$23,000. The Board has recently requested \$5,000 in County accommodations funds specifically for this project, but even if approved still leaves the project \$10,000 short.

Motion: It was moved by Mr. Flewelling, seconded by Mr. Dawson, that Finance Committee approve and recommend to Council authorizing the Bluffton Historical Preservation Society to re-purpose \$50,000 from a 2006 accommodations tax grant to fund a bathroom project, which has been a non-starter, and allowing them to use those funds on their Heyward House roof project. The vote was: AYES – Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville and Mr. Stewart. The motion passed.

Recommendation: Council authorize the Bluffton Historical Preservation Society to re-purpose \$50,000 from a 2006 accommodations tax grant to fund a bathroom project, which has been a non-starter, and allow them to use those funds on their Heyward House roof project.

INFORMATION ITEMS

10. Termination of Lease / Buy Back of Library Space at St. Helena Elementary School

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

Discussion: Beaufort County has been actively constructing a state of the art public library on St. Helena Island. Through excellent management and the dedicated work of our contractors, the construction schedule has remained on track and the facility is currently nearing substantial completion. Pursuant to paragraph 4 of the lease, entered into between Beaufort County Council and the Beaufort County Board of Education, County Council voted August 27, 2012 to provide 90 days advance notice that it will be terminating this lease agreement effective November 1, 2012. According to the lease agreement, the Board of Education agreed to buy back the leased space from County Council \$150,000. These funds represent the initial contribution that County Council provided to the School Board and used to help construct the St. Helena Elementary School.

Chairman Weston Newton received correspondence dated September 10, 2012 from Board of Education Chairman Fred Washington notifying Council that the Board voted at its meeting on Tuesday, September 12, 2012 to meet first with County Council for the opportunity to renegotiate and amend the agreement.

Motion: It was moved by Mr. Flewelling, seconded by Mr. Dawson, that Finance Committee approve and recommend upholding the terms of the lease agreement contract and accept the Board of Education agreement to buy back the leased space from County Council in the amount of \$150,000, without interest, which represents the initial contribution that County Council provided the Board of Education to help construct the St. Helena Elementary School. The vote was: AYES – Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville and Mr. Stewart. The motion passed.

Recommendation: Finance Committee uphold the terms of the lease agreement contract and accept the Board of Education agreement to buy back the leased space from County Council in the amount of \$150,000, without interest, which represents the initial contribution that County Council provided the Board of Education to help construct the St. Helena Elementary School.

11. \$27,510 contract award with Cassidian Communications for Annual Maintenance Software Services for Emergency Management Department

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

Discussion: The Purchasing Department received a request from the Emergency Management Director to renew a services contract with Cassidian Communications for software support services. This service agreement supports the Communicator NXT system, which

provides emergency notifications via phone calls, emails, and fax. This service also provides an HC Mass Call system, which allows for additional phone lines beyond the County's phone line capacity in case of an emergency. Additionally, the service covers the maintenance and the bulletin boards for the County's 1-800 numbers. The contract term will cover the current fiscal year and expire on July 31, 2013. The contract amount is \$27,510. Funding is from Account 23140-51050 Emergency Telephone.

Motion: It was moved by Mr. Flewelling, seconded by Mr. Dawson, that Finance Committee award an annual contract renewal with Cassidian Communications to provide emergency communication software maintenance support services for the Emergency Management Department in the amount of \$27,510. The contract term will cover the current fiscal year and expire on July 31, 2013. The vote was: AYES – Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville and Mr. Stewart. The motion passed.

Recommendation: Finance Committee awarded an annual contract renewal with Cassidian Communications to provide emergency communication software maintenance support services for the Emergency Management Department in the amount of \$27,510. The contract term will cover the current fiscal year and expire on July 31, 2013.

12. \$26,484 renewal of Landscaping Contract with Brickman Landscaping for 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: The Purchasing Department received a requisition over \$25,000 from the Beaufort County Director of Airports requesting to renew the annual contract with Brickman Landscaping for services for the Hilton Head Island Airport. This landscaping service contract provides mowing of grass, pruning/trimming trees and shrubs, mulching, pine strawing twice a year, and litter control for the airport facilities. This is the last year of the contract, which will end on October 1, 2013. Funding is from Account 13580-51110 Hilton Head Airport Maintenance Contracts. Available budget is \$32,386.

Motion: It was moved by Mr. Flewelling, seconded by Mr. Dawson, that Finance Committee approve the contract award renewal for landscaping services to Brickman Landscaping vendor in the total amount of \$26,484. The vote was: AYES – Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville and Mr. Stewart. The motion passed.

Recommendation: Finance Committee awarded a contract renewal for landscaping services to Brickman Landscaping vendor in the total amount of \$26,484.

13. Council Retreat Items

Mr. Rodman said a future meeting would include the Airports Five-Year Plan.

Mr. Baer commented it is important to have data by year. According to his calculation, using staff data, a \$750,000 bump is going to happen in FY 2014. Construction at Hilton Head Island Airport is going to hit us in the next budget cycle at the same time we are doing reassessment. That bump is actually going to go up in FY 2015 by another couple of hundred thousand of dollars.

He submitted a list questions to members of Finance Committee about some of the data we are getting from the Airport, which looks like it is re-writing the tax laws. Before we credit them with those revenues, we really need to ratify that. The Airports have taken about \$1,920,000 as of today from the general fund. That is going to go up by at least \$750,000 in FY 2014. That does not count the Beaufort Airport Master Plan, which will take additional money. This money is coming out of other projects; and if we recovered it (via bonding), we could fund those other projects.

DRAFT

GOVERNMENTAL COMMITTEE

September 4, 2012

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

The Governmental Committee met on Monday, September 4, 2012 at 4:00 p.m., in the Executive Conference Room, Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

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

County Staff: Phil Foot, Division Director – Public Safety; Gary Kubic, County Administrator; Joshua Gruber, Staff Attorney; Donna Ownby, EMS Director; Todd Ferguson, Emergency Management Director; and Gregg Hunt, Mosquito Control Director.

Media: Suzanne Larson, *Lowcounty Inside Track*.

Mr. Stewart chaired the meeting.

EXECUTIVE SESSION *

Committee members went into executive session for the purpose of receiving legal advice relating to pending and potential claims covered by the attorney-client privilege.

RECONVENE OF REGULAR MEETING

ACTION ITEM

- 1. Amendment to Ordinances 2005-28 and 2005-42 to Further Refine and Clarify the Ordinances so that the Language Mirrors the State Enabling Legislation**

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

Discussion: Joshua Gruber, Staff Attorney, gave a brief introduction on a staff recommendation to bring forward an ordinance to amend and clarify Ordinances 2005-28 and 2005-42, which are the ordinances that adopted the 2½% admission tax the County currently has in place. Mr. Gruber asked that the current ordinances be amended to further refine and clarify the language so that it mirrors the state enabling legislation.

*Executive session occurred prior to start of 4:00 p.m. meeting.

Motion: It was moved by Ms. Von Harten, seconded by Mr. Glaze, that Committee approve and recommend to Council approval on first reading text amendments to Ordinances 2005-28 and 2005-42 to further refine and clarify the ordinances so that the language mirrors the state enabling legislation. The vote was: YEAS - Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. Stewart and Mrs. Von Harten. The vote passed.

Recommendation: Council approve on first reading text amendments to Ordinances 2005-28 and 2005-42 to further refine and clarify the ordinances so that the language mirrors the state enabling language.

INFORMATION ITEMS

2. Update / Emergency Medical And Fire Support Study (CRA Study)

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

Discussion: Mr. Phil Foot, Division Director – Public Safety, updated Committee members on the March 2011 Comprehensive Service Report (CRA) for Emergency Response Departments to include: Emergency Medical Services (EMS), Emergency Medical Department (EMD) /E911 and the Beaufort County Fire Departments. The survey gave 42 findings as well as recommendations and suggestions on how to improve those findings for current and future use.

Mrs. Donna Ownby, EMS Director, presented a PowerPoint outlining four areas of study in Emergency Medical Services:

- Items in progress: Reduction in turnout time, review of Lease Program for ambulance replacement, Vehicle Maintenance Orientation by FVS, and updates to Policy and Procedures.
- Items not being done: Having all first responders and fire districts coming under Beaufort County, leaving extra supplies at hospitals, adding more ambulances in other areas of the county, having a spare truck at Fripp Island, adding a Subscription Program, and adding a second Deputy Director.
- Items under Review: Changing billing rates, hiring part-time personnel, reviewing/ revising job descriptions, renegotiating warranty/maintenance agreement, and expanding the training room area.
- Items Completed: Outsourced billing, discontinued automatic standby movement of ambulances, changed medical control, discontinued payment to Hilton Head Island, reviewed new ambulance bids including engine hour meters, developed a Promotional Exam System, converted Billing Clerk to Administrative Assistance, discontinued fee for no transport, and added QRV in southern Beaufort County.

Mr. Todd Ferguson, Emergency Management Director, also presented a PowerPoint outlining the four areas of study done in Emergency Management and the E911 dispatch center.

- Items in progress: Single channel dispatch for fire and EMS, elimination of dispatch codes, and development of a Continuity of Operation Plan (COOP) for dispatch.
- Items not being done: Moving copier in Dispatch Center, utilizing Medical Director and EMD protocol to prioritize calls, adding a dedicated teletype console, moving two computer-based EMD from flip chart, purchasing last message replay license for all consoles, certifying dispatchers in Critical Incident Stress debriefing (CISD), cross training Traffic Management Technicians with dispatch and vice versa, contracting a full CAD assessment, installing KVM (mechanical switches) at dispatch consoles, purchasing online scheduling software for dispatch, and installing rubber flooring within dispatch.
- Items under Review: Testing staggered dispatch schedules, building out run orders through exhaustion to mutual aid, and purchasing CritiCall software for hiring dispatchers.
- Items Completed: Standardized Dispatch position locations, integrated Operations Master Sergeant within Dispatch, removed glass partition that isolates the dispatch center, established minimum dispatching staffing, reviewed call-taking protocol to decrease dispatch times, established an effective EMD System, signed up for GETS and WPS priority phone service, re-labeled talk group on dispatch consoles, updated dispatch information on Beaufort County's Website, trained to limit field units from calling dispatch, changed call-taking procedures for accurate call for service information, used of call-taker positions, increased training budget, reviewed/updated SOG and SOP's, appointed Point of Contact (POC) for all customers, upgraded Cisco software to Sequel platform, drafted written policy for re-routing 911 calls, converted Daily Observation Reports (DOR) to electronic, provided a suitable break area for dispatchers, changed employee services probationary period, maintained an up-to-date radio database, maintained dispatch progress on internal drive, and established an Emergency Preparedness Committee.

Status: This item is for informational purposes only.

3. Text Amendments to Animal Shelter and Control Ordinance

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

Discussion: Mr. Phil Foot, Division Director – Public Safety, presented the committee a copy of the Code of Ordinances, Chapter 14 – Animals, Articles II for their review. Mr. Foot asked Committee members to submit with text changes, which he will refer to the Staff Attorney and Animal Control Director for their review and recommendation.

Mr. Dawson requested information on issues such as the impoundment, retrieval, redemption fees and spaying or neutering of hunting dogs. He asked that these areas be reviewed and possibly amended.

Mr. Joshua Gruber, staff attorney, reported a new state statute amendment says that a hunting dog owner cannot allow the dog to trespass on anyone's property without the consent of the property owner.

Status: This item is for informational purposes only.

4. Update / Mosquito Control Department

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

Discussion: Mr. Gregg Hunt, Mosquito Control Director, presented the Committee a PowerPoint on the activities of West Nile virus in the Lowcountry and region. He compared last year data on the number of birds, horses, humans and mosquitoes infected this year and the numbers of death reported:

- Birds: Richland County reporting the highest case of 8 out of 13.
- Horses: There were three cases, one each, reported in Anderson, Oconee and York Counties
- Humans: 17 reported cases. Aiken County reporting the highest with five. There were no reports of deaths in the state.
- Beaufort was the only county with one report of the virus in mosquitoes.

The Department of Human and Environmental Control (DHEC) first discovered the virus in 2002, in birds such as the crow and blue jay. They have since reported findings in other birds such as the fish crow, house finch, and house sparrow.

Beaufort County has 57 different types of mosquitoes, two types of salt marsh mosquitoes and one primary type of mosquito that carries West Nile virus.

His staff has placed various types of traps throughout the county, to include 19,000 catch basin treatments and ground and aerial spraying treatments. The Department provides guidance on how to protect yourself and your property.

Status: This item is for informational purposes only.

NATURAL RESOURCES COMMITTEE

September 4, 2012

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

The Natural Resources Committee met on Tuesday, September 4, 2012 at 2:00 p.m., in the Executive Conference Room of the Administration Building, Beaufort, South Carolina.

ATTENDANCE

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

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

Media: Joe Croley, Hilton Head Island-Bluffton Chamber of Commerce; Suzanne Larson, *Lowcountry Inside Tract*; and Jocelyn Staiger, Government Affairs Director, Hilton Head Island Association of REALTORS.

Public: Reed Armstrong, Coastal Conservation League; Garrett Budds, Open Land Trust; Patty Kennedy, Open Land Trust; Jenny Kosak, Lowcountry Council of Governments; Dean Moss, Friends of Spanish Moss Trail; and David Tedder, Friends of Spanish Moss Trail.

ACTION ITEMS

1. Resolution / Transfer of Development Rights / Assigning Administrative Responsibility to the Planning Department and Establishing an Application Fee

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

Discussion: County Attorney Joshua Gruber reviewed with Committee a resolution that provided previous action regarding the Transfer of Development Rights (TDR) Program and would establish an application fee of \$50 to help defray application review and processing costs.

Motion: It was moved by Mr. Dawson, seconded by Ms. Von Harten, that Natural Resources Committee approve and recommend Council adopt a resolution to establish a Transfer of Development Rights Program application fee of \$50 to help defray application review and processing costs and assigning administrative responsibility to the Planning Department. The

vote was: YEAS – Mr. Baer, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Sommerville, Mr. Stewart, and Ms. Von Harten. The motion passed.

Recommendation: Council adopt a resolution to establish a Transfer of Development Rights Program application fee of \$50 to help defray application review and processing costs and assigning administrative responsibility to the Planning Department.

2. Temporary Access Use Agreement Between Beaufort County and Triangle Paving and Grading, Inc. to Use the Railroad Right-of-Way Between Roseida and Laurel Bay Roads.

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

Discussion: Mr. Tony Criscitiello, Division Director – Planning and Development, reviewed this item with Committee. The applicant, Triangle Grading and Paving, Inc. proposes to utilize a 60.53 acre parcel abutting Roseida Drive and Spanish Moss Trail for a sand mine to support a development project at Marine Corps Air Station Beaufort. The property is zoned rural and was previously occupied as the Beachwood Mobile Home Park. The project area and the mine activity is located within the ACUIZ zone and the mining activities will be limited to 31.50 acres.

In August, the Zoning Board of Appeals granted a special use on the property for Mining/Resource Extraction with stipulations set forth in ZDSO Section 106-1360. County Council is being asked to grant a non-exclusive temporary access easement for approximately 1,650 feet along the railroad right-of-way owned by Beaufort/Jasper Water and Sewer Authority (BJWSA) to the applicant. The railroad right-of-way is covered by a Surface Lease Agreement from BJWSA to Beaufort County. The use of the Rail Trail as a haul road will remain in effect for two years, starting September 2012. County Council is being asked to require an \$81,250 Performance Guarantee to cover any costs associated with repairs to the Rail Trail, if required. Staff recommends approval.

Mr. Baer inquired as to whether residents or the Rail Trail individuals object in any way. Mr. Criscitiello replied no.

Mr. Baer inquired about the need to create a pond. Mr. Criscitiello replied in the affirmative. It is part of the excavation of soil. He showed this on a map.

Mr. Baer asked whether this requires County dollars. Mr. Criscitiello replied no.

Mr. Dawson questioned the traffic congestion this proposal may cause. Mr. Criscitiello said a traffic analysis was done and it was said to be sufficient.

Mr. Glaze inquired as to the status of the septic system on the property. Mr. David Tedder spoke to the Committee regarding the septic systems on said property. There was an

oxidation pond and only two septic systems on the entire site. If any are there, they are being removed.

Mr. Dean Moss said the vast majority of the waste went to a lagoon, which overflowed. There were many benefits when the park closed. The plan long term, is that the property will be redeveloped. BJWSA did close it.

Motion: It was moved by Ms. Von Harten, seconded by Mr. Flewelling, that Natural Resources Committee approve and recommend Council enter into a temporary access use agreement between Beaufort County and Triangle Paving and Grading, Inc. to use the railroad right-of-way between Roseida and Laurel Bay Roads. The vote was: YEAS – Mr. Baer, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Sommerville, Mr. Stewart, and Ms. Von Harten. The motion passed.

Recommendation: Council enter into a temporary access use agreement between Beaufort County and Triangle Paving and Grading, Inc. to use the railroad right-of-way between Roseida and Laurel Bay Roads.

3. Executive Session

Motion: It was moved by Mr. Flewelling, seconded by Ms. Von Harten, that Committee go immediately into executive session for the purpose of receiving information regarding negotiations incident to proposed contractual arrangements and proposed purchase of property. The vote was: YEAS – Mr. Baer, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Sommerville, Mr. Stewart, and Ms. Von Harten. The motion passed.

INFORMATION ITEMS

4. Presentation / Transfer of Development Rights Pilot Program

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

Discussion: Mr. Tony Criscitiello, Division Director – Planning and Development, presented the Committee a PowerPoint on the steps to implement Transfer of Development Rights (TDR) Pilot Program.

Status: This item was intended for informational purposes only.

5. Consideration of Reappointments and Appointments

- **Northern Corridor Review Board**

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

Status: No action was taken.

- **Rural and Critical Lands Board**

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

Discussion: There was much discussion relative to the new boundary lines and the process of appointing/reappointing individuals due to the new districts. Mr. Gruber will review this process in more detail as needed.

Status: No action was taken.

- **Southern Corridor Review Board**

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

Status: No action was taken.

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