

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

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JOSHUA A. GRUBER
COUNTY ATTORNEY

SUZANNE M. RAINEY
CLERK TO COUNCIL

AGENDA SPECIAL MEETING COUNTY COUNCIL OF BEAUFORT COUNTY Thursday, November 15, 2012 5:00 p.m. Large Meeting Room, Bluffton Branch Library 120 Palmetto Way, Bluffton

1. CALL TO ORDER – 5:00 P.M.
2. PLEDGE OF ALLEGIANCE
3. INVOCATION
4. PROCLAMATION
 - A. Jodie and Ed Dupuis, May River Theater
5. AN ORDINANCE TO AMEND THE FY 2011-2012 BEAUFORT COUNTY BUDGET ORDINANCE SO AS TO PROVIDE A SUPPLEMENTAL APPROPRIATION FROM THE COUNTY'S GENERAL RESERVE FUND IN THE AMOUNT OF \$__ FOR THE PURPOSE OF SATISFYING OUTSTANDING BOND OBLIGATIONS RELATIVE TO THE NEW RIVER TAX INCREMENT FINANCING DISTRICT ([backup](#))
 1. Consideration of second reading approval to occur November 15, 2012
 2. First reading, by title only, approval occurred November 5, 2012 / Vote 11:0
 3. Public hearing to occur Monday, November 26, 2012 beginning at 6:00 p.m. in Council Chambers of the Administration Building, Government Center, 100 Ribaut Road, Beaufort
 4. Finance Committee discussion and recommendation to approve occurred November 5, 2012 / Vote 7:0
6. ADJOURNMENT



ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE FY2011-2012 BEAUFORT COUNTY BUDGET ORDINANCE SO AS TO PROVIDE A SUPPLEMENTAL APPROPRIATION FROM THE COUNTY'S GENERAL RESERVE FUND IN THE AMOUNT OF \$_____ FOR THE PURPOSE OF SATISFYING OUTSTANDING BOND OBLIGATIONS RELATIVE TO THE NEW RIVER TAX INCREMENT FINANCING DISTRICT.

WHEREAS, on June 11, 2012, Beaufort County Council adopted Ordinance No. 2012/7 which set the County's FY 2012-2013 budget and associated expenditures; and

WHEREAS, Beaufort County has an opportunity to recognize substantial interest payment savings for its residents by calling and satisfying all outstanding bonds relative to the New River Tax Increment Financing District; and

WHEREAS, in order to have the funds necessary to call all of the outstanding bonds relative to the New River Tax Increment Financing District it will be necessary for the County to make a supplemental appropriation from its General Reserve Fund in the amount of \$_____; and

WHEREAS, the funds that are being transferred from the County's General Reserve Fund to satisfy the outstanding bonds shall be repaid from the tax collections attributable to the New River Tax Increment Financing District and shall be given priority over other distributions that may be necessary from those revenues; and

WHEREAS, the County shall enter into such agreements with the participating entities under the New River Tax Increment Financing District as may be necessary to effectuate the early calling of the outstanding bonds and the repayment to the County's General Reserve Fund as identified above.

NOW, THEREFORE, BE IT ORDAINED by Beaufort County Council that the FY2011-2012 Beaufort County Budget Ordinance is hereby amended so as to provide a supplemental appropriation in an amount of \$_____ for the purpose of satisfying all outstanding bonds relative to the New River Tax Increment Financing District.

DONE, this ___ day of _____ 2012.

COUNTY COUNCIL OF BEAUFORT COUNTY

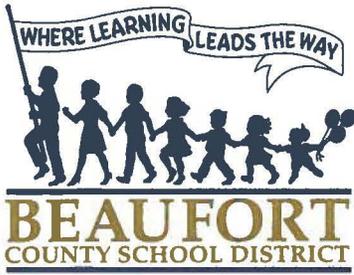
By: _____
Wm. Weston J. Newton, Chairman

APPROVED AS TO FORM:

Joshua A. Gruber, Staff Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council
First Reading, By Title Only: November 5, 2012
Second Reading:
Public Hearing:
Third and Final Reading:



BEAUFORT COUNTY BOARD OF EDUCATION

RESPONSE TO ATTORNEY GRUBER'S 9/NOV/12 LETTER TO ME

FRED WASHINGTON, JR.
Chairman, District 11
Beaufort, Port Royal

13/NOV/12

GEORGE WILSON
Vice Chairman, District 10
Bluffton, Okatie

Attorney Joshua A. Gruber
Office of the County Administrator
County Council of Beaufort County
Post Office Drawer 1228
Beaufort, South Carolina 29901-1228

LAURA BUSH
Secretary, District 4
Bluffton, Daufuskie

STEVE MORELLO
District 1
Hilton Head Island

Re: New River TIF Bonds

JULIE BELL
District 2
Hilton Head Island

Dear Attorney Gruber:

DR. WAYNE CARBIENER
District 3
Hilton Head Island

In response to your email dated 9/Nov/12 sent to Robyn Cushingberry, but addressed to me, I offer the following statement/position of the Board of Education:

MICHAEL RIVERS, SR.
District 5
St. Helena Island

EARL CAMPBELL
District 6
Dale, Lobeco, Seabrook

"While it is evident that the early pay off of the New River TIF bonds is in the best interest of all taxpayers and entities involved, it is also essential that the commitments made by all parties in the New River TIF Agreement be followed as set forth in said Agreement. Therefore, in order for the Beaufort County School District to release any and all outstanding claims against Beaufort County Government relating to the New River TIF Bonds, at a minimum, we require the County to resolve the last issue brought forward during the numerous meetings held over the past year. This issue is directly related to the contractual agreement made in Section 3 of the New River TIF Agreement. The District has demonstrated and the County has acknowledged that the District was harmed in an amount equal to approximately three (3) mils during the TY 2009 Reassessment as it relates to the New River TIF. With that being the case, the District seeks the restoration of two (2) mils to the District's base millage rate and the tax billings related to such property located in the New River TIF District prior to any calculation relating to the TY 2013 Reassessment."

BILL EVANS
District 7
Lady's Island, Beaufort

HERBERT BURNES
District 8
Burton

RONALD SPEAKS
District 9
Burton

DR. JACQUELINE ROSSWURM
Acting Superintendent

ROBYN CUSHINGBERRY
Executive Assistant to the Board

November 13, 2012

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We desire and look forward to the rapid development of an MOU with the County which incorporates the points of the aforementioned statement.

We are prepared to meet with representatives from the County anytime that is mutually acceptable to the participants. I do remind you that no one from the School District (Board and administration) will be available this Friday, November 16th. Anticipating hearing from you soon, I am

Yours truly,

A handwritten signature in black ink that reads "Fred S. Washington, Jr." followed by a stylized set of initials "FSC".

Fred S. Washington, Jr., Chairman
Beaufort County Board of Education

Cc: Board of Education

Dr. Jacqueline Rosswurm, Acting Superintendent

Phyllis White

Attorney Bick Halligan

County Council

Gary Kubic, County Administrator

Bryan Hill, Deputy County Administrator

David Starkey, Chief Financial Officer

Francenia B. Heizer, Esquire