

COUNTY COUNCIL OF BEAUFORT COUNTY

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D. PAUL SOMMERVILLE
CHAIRMAN

STEWART H. RODMAN
VICE CHAIRMAN

COUNCIL MEMBERS

STEVEN M. BAER
CYNTHIA M. BENSCH
RICK CAPORALE
GERALD DAWSON
BRIAN E. FLEWELLING
WILLIAM L. MCBRIDE
GERALD W. STEWART
ROBERTS "TABOR" VAUX, JR
LAURA L. 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, April 22, 2013

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.
 - A. Executive Session
 1. Receipt of legal advice relating to pending and potential claims covered by the attorney-client privilege.
 - B. Committee Reports ([backup](#))
 - C. Discussion is not limited to agenda items
2. REGULAR MEETING - 5:00 P.M.
3. CALL TO ORDER
4. PLEDGE OF ALLEGIANCE
5. INVOCATION
6. RECOGNITION OF VOLUNTEERS AT COUNTY ANIMAL SHELTER
 - A. Amanda Bellnier
 - B. Jan Hughes
 - C. Cathy Parsons
 - D. Rob Studley
7. ADMINISTRATIVE CONSENT AGENDA
 - A. Approval of Minutes – April 8, 2013 ([backup](#))
 - B. Appointments to Boards and Commissions ([backup](#))
 - C. Receipt of County Administrator's Two-Week Progress Report ([backup](#))
 - D. Receipt of Deputy County Administrator's Two Week Progress Report ([backup](#))



8. PUBLIC COMMENT

9. COUNTY ADMINISTRATOR'S REPORT

Mr. Gary Kubic, County Administrator
A. The County Channel / Broadcast Update

10. DEPUTY COUNTY ADMINISTRATOR'S REPORT

Mr. Bryan Hill, Deputy, County Administrator
A. Monthly Budget Summary ([backup](#))
B. Beaufort County Employee Recycling Promotional Program
C. Beaufort County Disabilities and Special Needs Promotional Video

11. CONSENT AGENDA – ITEMS A THROUGH G

- A. AN ORDINANCE TO AMEND THE FY 2012-2013 BEAUFORT COUNTY COUNCIL BUDGET, SECTION 4, COUNTY OPERATIONS APPROPRIATION, SECTION 11 COUNTY ADMINISTRATION OPERATIONS, PARAGRAPH M. GENERAL GOVERNMENT SUBSIDIES (TO APPROPRIATE \$152,817 TO THE SOLICITOR'S BUDGET) ([backup](#))
1. Consideration of second reading approval to occur April 22, 2013
 2. Public hearing – Monday, May 6, 2013 beginning at 6:00 p.m. in Council Chambers of the Administration Building, 100 Ribaut Road, Beaufort, SC
 3. First reading approval, by title only, occurred April 8, 2013 / Vote 10:0
 4. Finance Committee discussion and recommendation to approve occurred March 18, 2013 / Vote 6:0
- B. DISSOLUTION OF KINGS GRANT II SPECIAL PURPOSE TAX DISTRICT ([backup](#))
1. First reading approval, by title only, to occur April 22, 2013
 2. Finance Committee discussion and recommendation to approve occurred April 15, 2013 / Vote 6:0
- C. AN ORDINANCE TO AMEND THE MEMBERSHIP AND COMPOSITION OF THE BEAUFORT COUNTY TAX EQUALIZATION BOARD AND TO ESTABLISH THE TERM OF SERVICE FOR SUCH MEMBERS ([backup](#))
1. First reading approval to occur April 22, 2013
 2. Finance Committee discussion and recommendation to approve occurred April 15, 2013 / Vote 6:0
- D. CONDITIONAL APPROVAL OF BLUFFTON PARKWAY PHASE 5B / BUCKWALTER PARKWAY REALIGNMENT ([backup](#))
1. Public Facilities Committee discussion and recommendation to approve occurred April 15, 2013 / Vote 8:0
- E. ENGINEERING DESIGN SERVICES FOR SPANISH MOSS TRAIL PHASE 2
1. Contract award: Andrews and Burgess, Beaufort, South Carolina ([backup](#))
 2. Contract amount: \$271,579
 3. Contract funding: Local 3% Accommodations Tax / Tourism Infrastructure
 4. Public Facilities Committee discussion and recommendation to approve occurred April 15, 2013 / Vote 7:1

F. RENEWAL OF PERRYCLEAR DRIVE ROADWAY EASEMENT ([backup](#))

1. Public Facilities Committee discussion and recommendation to approve occurred April 15, 2013 / Vote 7:1

G. CONDEMNATION OF OLD MILLER ROAD – LAKE POINT DRIVE CONNECTOR – BLUFFTON ([backup](#))

1. Public Facilities Committee discussion and recommendation to approve occurred April 15, 2013 / Vote 7:1

12. PUBLIC COMMENT

13. ADJOURNMENT

Committee Reports
April 22, 2013

A. COMMITTEES REPORTING

1. Finance

① Minutes provided from the [April 15](#) meeting. See main agenda items 11B and 11C.

2. Governmental

① Daufuskie Island Fire District Board

<i>Nominated</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
04.08.13	Charles Henry	Fire service area	Reappoint	10 of 11 (3 rd term)
04.08.13	Thomas Dickinson	Fire service area	Reappoint	10 of 11 (3 rd term)

② Sheldon Fire District Board

<i>Nominated</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
04.08.13	John Seno	Fire service area	Appoint	6 of 11 (1 st term)

3. Public Facilities

① Minutes from the April 15 meeting provided May 6. See main agenda items 11D, 11E, 11F, 11G and 11H.

② Southern Beaufort County Corridor Beautification Board

<i>Nominate</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
04.22.13	Douglas Novack	Council District 9	Appoint	6 of 11 (1 st term)
04.22.13	John Michael Brock	Council District 7	Appoint	6 of 11 (1 st term)
04.22.13	Steve Wilson	Council District 11	Appoint	6 of 11 (1 st term)

B. COMMITTEE MEETINGS

1. Community Services

William McBride, Chairman

Tabor Vaux, Vice Chairman

➔ Next Meeting – Monday, May 20 at 1:00 p.m., Bluffton Branch Library

2. Executive

Paul Sommerville, Chairman

➔ Next Meeting – Monday, May 6 at 1:00 p.m., ECR

3. Finance

Stu Rodman, Chairman

Rick Caporale, Vice Chairman

➔ Next Meeting – Monday, April 29 at 1:00 p.m., ECR / Fire Districts' FY 2014 Budget Presentations

➔ Next Meeting – Monday, May 6 at 2:00 p.m., ECR

➔ Next Meeting – Monday, May 13 at 2:00 p.m., BIV #2

4. Governmental

Jerry Stewart, Chairman

Laura Von Harten, Vice Chairman

➔ Next Meeting – Monday, April 29 at 4:00 p.m., ECR

5. Natural Resources

Brian Flewelling, Chairman

Cynthia Bensch, Vice Chairman

➔ Next Meeting – Monday, June 3 at 2:00 p.m., ECR

6. Public Facilities

Gerald Dawson, Chairman

Steven Baer, Vice Chairman

➔ Next Meeting – Monday, May 13 at 4:00 p.m., BIV #2

7. Transportation Advisory Group

Paul Sommerville, Chairman

➔ Next Meeting – To be announced.

FINANCE COMMITTEE

April 15, 2013

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

The Finance Committee met Monday, April 15, 2013 at 2:00 p.m., in the Conference Room, Building 2, Beaufort Industrial Village, 102 Industrial Village Road, Beaufort.

ATTENDANCE

Finance Committee Members: Chairman Stu Rodman, Vice Chairman Rick Caporale and members Steven Baer, Brian Flewelling, William McBride, and Jerry Stewart were present. Non-Committee members Cynthia Bensch, Gerald Dawson, Paul Sommerville, and Tabor Vaux were also present.

County staff: Ed Allen, Coroner; Joshua Gruber, Staff Attorney; Alicia Holland, Comptroller; Ed Hughes, Assessor; Gary Kubic, County Administrator; Rob McFee, Division Director – Engineering and Infrastructure; Jerri Roseneau, Clerk of Court; David Starkey, Chief Financial Officer; Dave Thomas, Purchasing Director; and Maria Walls, Deputy Treasurer.

School District: Tonya Crosby, Chief Financial Officer; Bill Evans, Board of Education Chairman; and Phyllis White, Chief Operational Services Officer.

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

Councilman Rodman chaired the meeting.

ACTION ITEMS

1. Dissolution of Kings Grant II Special Purpose Tax District

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

Discussion: Staff Attorney Joshua Gruber reviewed this item with the Committee. Kings Grant II Special Purpose Tax District was created in 1990 to maintain roads within the subdivision, to include drainage and other public works incident to road maintenance. In 1999, representatives asked the County to dissolve. Nothing was resolved, at that time. The District is now obtaining petition signatures to dissolve. There is currently approximately \$19,000 in the District coffers. These funds could be used on community improvements or the money could be converted to the County's General Fund.

Mr. Flewelling asked that Mr. Gruber contact the Division's Homeowners Association to find out their wish list of improvements.

Motion: It was moved by Mr. Flewelling, seconded by Mr. Caporale, that Finance Committee approve and recommend to Council approval on first reading, by title only, a ordinance to dissolve Kings Grant II Special Purpose Tax District. The vote was: YEAS – Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, and Mr. Stewart. The motion passed.

Recommendation: Council approve on first reading, by title only, an ordinance to dissolve Kings Grant II Special Purpose Tax District.

2. An Ordinance to Amend the Membership and Composition of the Beaufort County Tax Equalization Board and to Establish the Term of Service For Such Members

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

Discussion: Staff Attorney Joshua Gruber reviewed this item with the Committee. The proposal is to amend the membership of the Tax Equalization Board. The Board currently consists of seven members, two of which are at-large seats and five township seats. He spoke of the backlog of cases pending a hearing before the Board. He suggested increasing the membership from 7 to 15 thereby allowing for the creation of subcommittee hearing panels, which could meet more frequently thereby reducing the backlog appeal cases.

Motion: It was moved by Mr. McBride, seconded by Mrs. Bensch, that Finance Committee approve and recommend to Council approval on first reading an ordinance to amend the membership and composition of the Beaufort County Tax Equalization Board and to establish the term of service for such members. The vote was: YEAS – Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, and Mr. Stewart. The motion passed.

Recommendation: Council approve on first reading an ordinance to amend the membership and composition of the Tax Equalization Board and to establish the term of service for such members.

INFORMATION ITEMS

3. Elected Official's FY 2014 Budget Proposal

- Clerk of Court, Jerri Roseneau

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

Discussion: Mrs. Jerri Roseneau, Clerk of Court, spoke before the Committee regarding the FY 2014 budget proposal. She said her budget contains an increase of \$9,800 in general expenses and \$140,000 increase in specialized equipment of which \$40,000 is for purchase of office furniture, shelving and partitions for staff. The remaining \$100,000 is for technology equipment in the courtrooms. The total FY 2014 proposed budget is \$398,200.

County Administrator Gary Kubic has instructed Broadcast Services Manager Scott Grooms to assist the Clerk in determining equipment needs within the courtrooms.

Mr. Grooms informed the Committee that the preliminary estimates are for basic equipment upgrades. Of the six courtrooms, only three have working sound systems and none have permanent monitors. The rooms are outdated.

Mr. Baer inquired as to the possibility of using any leftover dollars from courthouse renovation project for capital equipment purchase.

Mr. David Starkey, Chief Financial Officer, stated he does not foresee many additional dollars from the Courthouse renovation project.

Mr. Baer asked about the use of courthouse fees. Mrs. Roseneau stated 50% of courthouse fees go to the State, while the other half goes to the General Fund.

Mr. Kubic spoke in regards to asking the Legislative Delegation to consider imposing a fee designed specifically to cover future technology upgrades within the courtrooms. The Committee concurred this would be a good topic to explore.

Status: This was for informational purposes.

4. Elected Official's FY 2014 Budget Proposal

- **Treasurer Doug Henderson**

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

Discussion: In the absence of Treasurer Doug Henderson, Deputy Treasurer Maria Walls provided the Committee with a PowerPoint presentation on the Treasurer Office's FY 2014 budget proposal. She provided the Committee with a budget comparison for the current and prior years. Their proposal budget reflects a decrease over the current year of \$224,570. The total FY 2014 budget proposal is \$472,030. The department has been moving towards implementation of cost-effective methods, to include going paperless. Previous year budget adjustments reflect more accurate general ledger expenditures. She also spoke of coming back before Council to present an employee merit program.

Status: This was for informational purposes.

5. Elected Official's FY 2014 Budget Proposal

- Coroner Ed Allen

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

Discussion: Coroner Ed Allen reviewed with the Committee his FY 2014 budget proposal. The Coroner's Office realized an increase of 1,105 calls over calendar year 2012. Since January 2013 the Office has had 344 calls, and is are projecting 1,376 calls by year's end. Even with the increased calls, this year's budget is a decrease over the FY 2013 total budget of \$435,571. The FY 2014 budget proposal is \$254,128, a 41% decrease year over year. The FY 2013 budget contains one-time expenditures due to the department's pending relocation to the newly renovated, *i.e.*, former Disabilities and Special Needs building. Mr. Allen also spoke about the renovation project and gave a brief update on its status. We are awaiting permits from the Town of Port Royal to begin the renovation project. We hope to have the project completed within five months.

Status: This was for informational purposes.

6. School District FY 2014 Budget Proposal

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

Discussion: Board of Education Chairman Bill Evans introduced Mrs. Phyllis White, Chief Operational Services Officer, who provided the Committee with a PowerPoint presentation regarding the FY 2014 budget proposal. The presentation included the following: projected revenue with revenue assumptions, projected expenditures with expenditure assumptions, overview of the categories of the budget, review of current year and impact on FY2014 budget, and review of future years' projections. She reviewed the increases due to state mandates, which includes step increases for certified staff and benefit increases. These increase total \$3,360,189. Other increases include those due to loss of State and Federal Funding which include professional development, five bilingual liaisons, two special education teachers, special education extended school year, and other district-wide professional development. They total \$898,537.

Enrollment is projected to increase over the current year. It is projected to cost \$1,698,570 for 20 additional teachers for actual growth, additional students at Riverview Charter School, and supply allocations. Operations is expected to increase by \$951,853 and include student transportation, property-casualty insurance, telecommunications, school resource officers/crossing guards, utilities, athletic insurance and County Stormwater fees. Other increases are projected in the amount of \$638,750 and include -- step increases for classified employees, step increases for administrative employees, dual enrollment classes for high school students, and water safety lessons. All of this totals an increase of \$7.5 million.

Mrs. White She also reviewed the major decreases, which total \$2,560,577 and includes maintenance and operations, and elimination of iPad purchases from previous year with adjustment to repairs budget. Total increases, minus the decreases, gives the FY 2014 budget a total increase of \$4.9 million. She reviewed the expenditures assumptions that are not included in the budget proposal which include a cost of living increase for employees. The Committee received an overview of instructional and school-based program costs to the Committee, as well as district-wide support departmental costs, charter and vocational support costs, and other support costs. The total preliminary proposed budget is \$182.9 million, which is a 2.75% increase over the current year.

Status: This was for informational purposes.

7. Off Agenda Item – Accommodations (2% State) Tax Monies for Lt. Dan Event Concert

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

Motion: It was moved by Mr. Flewelling, seconded by Mr. Baer, that Finance Committee approve to hear an off agenda item regarding accommodations (2% State) tax monies for the Lt. Dan Event Concert. The vote was: YEAS – Mr. Baer, Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, and Mr. Stewart. The motion passed.

Discussion: County Administrator Gary Kubic reviewed this item with the Committee. He said he has received numerous calls regarding the accommodations (2% State) tax allocation of dollars to the Lt. Dan Event Concert in September 2013 in Beaufort. Council approved an allocation of \$28,900 in two parts to support the concert in Beaufort. The concert location has changed; people are upset about it. He is asking Council's direction on whether or not to send a demand letter to organizers of the Lt. Dan Event Concert requesting they return \$13,900 of accommodations (2% state) tax dollars to the County.

Motion: It was moved by Mr. Flewelling seconded by Mr. Baer, that Finance Committee authorize the County Administrator to send the organizers of the Lt. Dan Event Concert a request to return \$13,900 of accommodations (2% stated) tax dollars to the County. The vote was: YEAS – Mr. Baer, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, and Mr. Stewart. NAYS – Mr. Caporale. The motion passed.

Status: County Administrator will send the organizers of the Lt. Dan Event Concert a letter requesting they return \$13,900 of accommodations (2% state) tax dollars to the County.

Official Proceedings
County Council of Beaufort County
April 8, 2013

The electronic and print media 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., Monday, April 8, 2013 in Council Chambers of the Administration Building, Government Center, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Chairman Paul Sommerville, Vice Chairman Stu Rodman and Councilmen Steven Baer, Cynthia Bensch, Rick Caporale, Gerald Dawson, Brian Flewelling, William McBride, Gerald Stewart and Roberts "Tabor" Vaux. Laura Von Harten absent.

PLEDGE OF ALLEGIANCE

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

CALL OF EXECUTIVE SESSION

It was moved by Mr. Baer, seconded by Mr. Stewart, that Council go immediately into executive session for the purpose of receiving information regarding negotiations incident to proposed contractual arrangements and proposed purchase of property as well as receipt of legal advice concerning pending or threatened litigation. The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart, and Mr. Vaux. ABSENT - Ms. Von Harten. The motion passed.

EXECUTIVE SESSION

RECONVENE OF REGULAR SESSION

REGULAR SESSION

The regularly scheduled meeting of the County Council of Beaufort County was held at 5:00 p.m., Monday, April 8, 2013 in Council Chambers of the Administration Building, Government Center, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Chairman Paul Sommerville, Vice Chairman Stu Rodman and Councilmen Steven Baer, Cynthia Bensch, Rick Caporale, Gerald Dawson, Brian Flewelling, William McBride, Gerald Stewart and Roberts "Tabor" Vaux. Laura Von Harten absent.

PLEDGE OF ALLEGIANCE

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

INVOCATION

Chairman Sommerville gave the Invocation.

PROCLAMATION

Sexual Assault Awareness and Prevention Month and Child Abuse Prevention Month

The Chairman proclaimed April 2013 as Sexual Assault Awareness and Prevention Month and Child Abuse Prevention Month. Mrs. Marianne Rothnie, Board Member of Hope Haven of the Lowcountry, accepted the proclamation.

The Chairman passed the gavel to the Vice Chairman in order to receive the Administrative Consent Agenda.

REVIEW OF PROCEEDINGS OF THE REGULAR MEETING HELD MARCH 25, 2013

This item comes before Council under the Administrative Consent Agenda.

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council approve the minutes of the regular meeting held March 25, 2013. The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSTAIN – Ms. Von Harten. The motion passed.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Governmental Committee

This item comes before Council under the Administrative Consent Agenda. Discussion occurred at the April 1, 2013 meeting of the Governmental Committee.

Daufuskie Island Fire District Board

Mr. Stewart, as Governmental Committee Chairman, nominated Charles Henry and Thomas Dickinson to serve as members of the Daufuskie Island Fire District Board.

Sheldon Fire District Board

Mr. Stewart, as Governmental Committee Chairman, nominated John Seno to serve as a member of the Sheldon Fire District Board.

Solid Waste and Recycling Board

David Uehling

The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. Mr. Uehling, representing Solid Waste District 6/unincorporated Port Royal Island, garnered the eight votes required to reappoint to serve as a member of the Solid Waste and Recycling Board.

George Potts

The vote was: YEAS – Mr. Baer, Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Sommerville and Mr. Stewart. ABSENT – Ms. Von Harten. Mr. Potts, representing Solid Waste District 9 – Bluffton Township, failed to garner the eight votes required to reappoint as a member of the Solid Waste and Recycling Board.

Dan Duryea

The vote was: YEAS - Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville and Mr. Vaux. ABSENT – Ms. Von Harten. Mr. Duryea, representing Solid Waste District 9 – Bluffton Township, garnered the six votes to appoint to serve as a member of the Solid Waste and Recycling Board.

Southern Beaufort County Corridor Beautification Board

Glen Stanford

The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. Mr. Stanford, representing Council District 8, garnered the six votes required to appoint to serve as a member of the Southern Beaufort County Corridor Beautification Board.

County Administrator's Two-Week Progress Report

This item comes before Council under the Administrative Consent Agenda.

Mr. Gary Kubic, County Administrator, presented his Two-Week Progress Report, which summarized his activities from March 11, 2013 through March 22, 2013.

Mr. Kubic presented the Deputy County Administrator's Two-Week Progress Report, which summarized his activities from March 11, 2013 through March 22, 2013 as well as the Monthly Budget Summary for the period March 31, 2013.

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

PUBLIC COMMENT

The Chairman recognized Mrs. Mary Amonitti, a resident of Hilton Head Island, who asked Council to consider rearranging the agenda thereby putting prayer first and Pledge of Allegiance second.

Ms. Amelia Stevens, speaking on behalf of the Friends of the Daufuskie Island Park (Park), thanked the members of Council who attended a February 1 meeting concerning the Park. A restroom was not included in the passive Park Plan. She asked Council to apply for an 80/20 grant to fund a restroom facility at this Park.

Ms. Valerie Martin, representing God's Deliverance Temple, stated parishioners want to help the community.

Mr. Aaron Crosby, a resident of Daufuskie Island, stated there are 83 days remaining on the current contract for ferry service to Daufuskie Island. Unfortunately, the thoroughness required of a government entity, means that it will take every moment of that time to get a ferry contract worked out.

COUNTY ADMINISTRATOR'S REPORT

The County Channel / Broadcast Update

Mr. Gary Kubic, County Administrator, said The County Channel has all programs, events and meetings available to watch online, on-demand at www.bcgov.net. The County Channel continues to serve the community by providing local content. We have been covering the University of South Carolina Beaufort Sand Sharks Baseball and Softball teams this season. The games are broadcast live on The County Channel, and streamed on the web. The next set of games will be a double-header Saturday, April 20 at Noon. This will be the regular season closer against Warner University.

The County Channel has added another Committee meeting to its growing list of transparency in government. The Joint Review Committee of the Community Development Code is chaired by Councilman Brian Flewelling, and will meet twice monthly on Wednesday at 3:00 p.m.

Resolution / Fair Housing Month

It was moved by Mr. McBride, seconded by Mr. Flewelling, that Council designate April 2013 as Fair Housing Month. The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

Resolution in Support of and Committing Required Matching Funds (10% of Grant Request) for Stuart Point Water Extension Project Application

It was moved by Mr. Dawson, seconded by Mr. Rodman, that Council adopt of resolution endorsing the Stuart Point Water Project because it will greatly improve the quality of life for the residents of the Stuart Point area of Beaufort County; and authorizing County Administrator to prepare and submit a Community Development Block Grant (CDBG) Community Infrastructure application for the Stuart Point Water Project and to commit funds in the amount of 10% of the grant request to meet the matching commitment of the Community Development Program. The County's contribution is approximately \$50,000. Funds will be included with the FY 2014 budget. The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

Flow Control Legislation

Mr. Caporale requested an update on the status of the Flow Control legislation.

Mr. Gary Kubic, County Administrator, reported Mr. Jim Minor, Solid Waste/Recycling Manager, and he had a conference call with Senator Tom Davis and Senator Chip Campsen. The purpose of the call was to go over what we believe was an attempt, predicated by the private haulers, primarily two, in our state, Waste Management and Republic, to eliminate home rule capability to manage a flow control process. Flow control is important for the development of a transfer station here in Beaufort County; because, once we capture all of the movement of the solid waste stream, we can become competitive and put it out for a bid, which removes the typical limitation imposed by distance upon communities. The further you have to go to drop it, the more expensive it becomes. We are all aware that Waste Management operates Hickory Hill landfill located in Jasper County. Waste Management operates the next closest landfill, which is in Dorchester County. Three Rivers, the third landfill, operates as a public consortium, and is the furthest out. Ironically, with the current state law of a 75-mile radius, which would preclude any development of any other landfills, we, here in the corner of the state, have really no option. The fear is that if the Legislature takes flow control from us, then we are just subject to whatever is left in terms of where we can take our waste, and then we impose more and more taxes upon our residents --- currently at 2.0 mills. Mr. Kubic believes Senator Davis feels strongly that some of the techniques available to the Senate regarding the current amendments that they can be filibustered and that those proponents do not have the votes to eliminate flow control, *i.e.*, do not have the votes to override that potential. Mr. Kubic does not know if he would view it as we are going to be successful in preventing that from happening. What we are doing -- we have sent all of the material and all of our thoughts that Mr. Minor has primarily produced -- to the South Carolina Association of Counties (SCAC). They oppose the elimination of the flow control and they are, in part, with some members of our state delegation, the persons and agencies that are getting all of our information to all of the Senators.

Mr. Caporale inquired of counter arguments that would suggest that we have it wrong or there is a reason why we would want to pay more than the 2.0 mills we are already paying for waste disposal.

Mr. Kubic has not had an opportunity to discuss the rationale of the members of the State Delegation who favor the elimination of flow control. The private providers have set forth a notion, that, principally, a flow control ordinance is contrary to free enterprise. Ironically, as we have been explaining to anyone who would listen, if flow control were eliminated, if you understand that there are primarily two major providers in the whole State of South Carolina, and if you understand the imposition of the 75-mile radius limitation from new developing landfills, our choice would be Hickory Hill. Hickory Hill has an expected life of only ten years. If Jasper County and/or Waste Management determine not to expand and create additional cells for the disposal of a solid waste stream, we then move to Dorchester County. Waste Management owns and operates this landfill as well. The elimination of the flow control on the third landfill would eliminate the ability of a public consortium from existing, which would put that landfill up for bid from the private sector, which there are only two operators that split the State. In essence, the two private operators have a utility operation; because, there are no other groups or new businesses that are just going to suddenly, take on a ten-year development process, with millions of dollars, to create a landfill. What we are trying to say to them, "It is the reverse." Free enterprise and competition will be created by the ability for our community to offer flow control. By way of example to prove that analogy -- tipping fees years ago were about \$48 per ton for Beaufort County. When Council authorized the County Administrator to hire SAIC Energy, Environment & Infrastructure, LLC (formerly R. W. Beck Consulting, Inc.), a national company, that price immediately dropped by Waste Management from \$48 or \$44 currently. What is surprising about that is the mention of flow control, as an alternative for a transfer station, put them at the table and they offered a better price. Mr. Kubic has a meeting with representatives of Waste Management Friday, April 12, 2013. He is hopeful this tool will not be eliminated by the State Assembly and Senate. He is fearful that it will. If it is gone, it will be gone forever. We will be subjected to whatever the private sector demands.

Request for Off-Agenda Item

It was moved by Mr. McBride, seconded by Mr. Flewelling that Council hear an off-agenda item as it relates to a request to direct legal staff to file an appeal regarding the US Military/MCAS Beaufort and Gray's Hill Baptist Church development of a Fellowship Hall. The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

Consideration of a Request to Direct Legal Staff to file an appeal regarding the US Military/MCAS Beaufort and Gray's Hill Baptist Church development of a Fellowship Hall

Mr. Josh Gruber, County Attorney, briefed Council on the status of litigation the County has been involved in regarding the development of property at Gray's Hill Baptist Church (Church). In 1997, the Church came to the County with a development plan for their property and initially sought a development permit to build the current sanctuary that is in place today on that property. Subsequent to the building of the sanctuary, Council imposed an Airport Overlay District (AICUZ) in and around areas of Marine Corps Air Station Beaufort. The District identified those areas, which would have a high concentration of flights, which tend to lend

themselves to the most probable areas where, if an airplane were to go down, it would be the likely area where it would go down. That AICUZ posed development restrictions on those properties under that zone that would limit the development to 15% of the existing structure. The Church, subsequent to that time, applied for a second development permit, which would have allowed them to build the proposed Fellowship Hall, which would have been adjacent to the existing sanctuary, and would have exceeded the 15% standards permitted under the AICUZ. At that time, the Planning Commission recommended denial. It was appealed to the Circuit Court. The Circuit Court sent it back down for a hearing on the variance. The Board of Zoning Appeals then heard the variance, denied the variance, and it was appealed back to the Circuit Court. The Circuit Court then sent it back down again to the Planning Commission asking for a clear record to be established as far as the grounds for denial of the permit. The Planning Commission held the hearing, and again recommended denial. It was that hearing and the Board of Zoning Appeals hearing, which were ultimately appealed this time to the Circuit Court and is the foundation for the matter that has come before Council this evening. Several days ago, the County received an Order of the Court granting the Church their requested relief and allowing them to move forward with their development. We believe that that Order, signed by the Court, is overly broad. That it contains errors of law that set a dangerous precedent for continued development in the AICUZ. Further, it would pose a substantial safety risk thereby allowing additional development to go into the areas that have specifically been zoned to minimize development because of the risk of a plane going down within that area.

Mr. Gruber is asking Council to authorize County outside litigation counsel to file a Motion for Reconsideration with the court, which extends and preserves all appellate rights that the County has in this matter.

It was moved by Mr. McBride, seconded by Mrs. Bensch, that Council direct County legal staff to file a Motion for Reconsideration to appeal a decision that recently came forward impacting the US Military/MCAS Beaufort and Gray's Hill Baptist Church regarding development of a Fellowship Hall. It is contrary to the various ordinances and zoning restrictions that the County has currently put in place. The vote was: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. NAYS – Mr. Baer. ABSTAIN – Mr. Dawson. ABSENT – Ms. Von Harten. The motion passed.

Voting Legislation Pending

Mr. Scott Marshall, Director of Board of Elections, gave a short presentation on new suggested legislation that affects Election Boards and Commissions and some ramifications. Every year we have dozens of bills pre-filed that have to do with elections, voter registration and those types of matters. May 1 is a critical date in the General Assembly. It is the date when a bill can no longer cross from one Chamber to the other. As we get closer to May 1, we get more fidelity on the types of election bills that we should be paying more attention. In that light, Mr. Kubic has asked Mr. Marshall to review a few of those with Council today.

Mr. Marshall reviewed several bills -- early voting, candidate filing procedures, and a creation of the Division of Elections.

Early voting. There are two bills of provenance – Senate.4 and House.3176. (i) At present S.4 has momentum. Early voting would begin ten days prior to election and end three days prior to election. Each county must have established at least one early voting center and can have no more than three early voting centers, unless the County Board of Election deems that they need more early voting centers. Then, after holding public hearings, they can authorize two additional early voting centers. Absentee laws are unaffected. The status of this bill is that it has crossed over into the House March 21, 2013. (ii) H.3176 – early voting begins nine days prior to election and ends the day prior to election. Counties can have only one early voting center and it must be in the county seat. It eliminates the possibility of casting an absentee ballot on an electronic voting machine, essentially, ending absentee in-person voting. A myriad of other items are included in this bill, *i.e.*, quarterly election dates to standardized special elections, elimination of straight party voting, and being able to put one name on the ballot not more than once. The status of this bill is that it is still in the House Judiciary Committee.

Candidate Filing Procedures. S.2 and H.3298 seek to correct what are deemed deficiencies in the system that resulted in the filing fiascos last year. The main thrust of this bill is that candidates will file through the State Election Commission or County Election Commission as applicable depending upon the level of office. This is a misplaced attempt to correct these folly fiascos. The same incident would have occurred had the County Election Commission been in charge of the filing for the primary last year. The reason is we had a State Ethics Commission that came out with new rules two years prior to that with regard to how a candidate files a State of Economic Interest. They stated that candidates would file electronically. All County Election Commission are going by this rule. Placing this function under County Election Commission would have done absolutely no good. What this bill would do, however, is it would reward party officials, who demonstrated inconsistency across the state and how they accepted the filings. Instead of holding the party accountable, the bill would alleviate them of responsibility of filing procedures.

Division of Elections. H.3917 probably has the greatest focus of attention this week of the elections community. It abolishes the South Carolina Election Commission and it moves the functions under the Secretary of State. The Election Commission becomes the Elections Division under the Secretary of State. The Executive Director becomes the Director of the Elections Division. Four canvassers, appointed by the Governor, will replace the five commissioners. The fifth canvasser, the Secretary of State, will serve as Chairman. Canvassers will only hear protests and certify elections. They will not provide any policy guidance or give input to processes. We can expect an amendment to H.3197, which will place County Election Commissions under the Secretary of State as well. Details are not yet available; but what we expect to be in it is that Secretary of State would appoint County Directors. Local boards would be replaced with county canvassers and akin to the State function -- there would be no policy input, no process input and guidance at the local level. If this occurs, the County can expect further unfunded mandates with even less local voice in how it happens. The County can expect a lack of continuity at the county level. This bill is on the agenda for the House Judiciary Committee tomorrow.

Tax Year 2013 Preliminary Rollforward Calculations/Gross Mil Values

Mr. David Starkey, Chief Financial Officer, distributed copies of the initial calculations for what a rollforward will look like throughout the County. Mr. Starkey concentrated on the County and School District. He will email the schedule to all of the taxing entities Tuesday morning. There is a whole host of assumptions. These are estimates. Some of these can and will change not only prior to June and August, the latter when millage is set, as well as *Angus v. City of Myrtle Beach*, 609 S.E.2d 808 (S.C. 2004).

Section 12-37-251 of the *Code of Laws of South Carolina*, 1976, as amended, gives the rollback formula. Rollback millage is calculated by dividing the prior year property tax revenues by the adjusted total assessed value applicable in the year the values derived from a countywide equalization and reassessment program are implemented. This amount of assessed value must be adjusted by deducting assessments added for property or improvements not previously taxed, for new construction, and for renovation of existing structures. Mr. Ed Hughes, Assessor, has provided Mr. Starkey the two denominator numbers. Taking the current year's ad valorem tax billings (effective February 28, 2013), the numerator, divided by the denominator and multiplying by 1,000, County operations increase from 40.21 mills to 44.57 mills, debt from 4.44 mills to 4.93 mills, and purchase property from 3.87 mills to 4.23 mills. School District operations will increase from 91.26 mills to 100.55 mills and debt from 28.00 mills to 31.71 mills. There are two tax increment financing districts, New River and Port Royal I, rolling off this year which complicate this process. All entities that are not within those TIFs are essentially rolling forward to almost the same amount of money they received last year. However, due to the court ruling *Angus v. City of Myrtle Beach*, they will more than likely see a drop in their ad valorem tax billings by the end of tax year 2013. Those entities, within those TIFs rolling off, will have some cushion built in because when a TIF rolls off, it does not create more additional ad valorem taxes. What it is does is re-routed the tax money allocated to those TIFs back to the original taxing entities that were paying into those TIFs to start with.

The County would gain an additional \$2.2 million in revenue. However, because of *Angus v. City of Myrtle Beach* the County will not see that \$2.2 million. Last year the County lost approximately \$1.3 million in taxes. Last reassessment 90% of taxpayers hit the cap; this time it is 9%. Many people appealed during the last reassessment. Some, who won their appeal, did not see their tax bill change because it was still within the cap range. When staff talked with representatives of S&P and Moody's last week about the three general obligation bonds refinancing, we were looking at probably adding to our fund balance this year; however, that money very well may be taken back during the next fiscal year due to all of the uncertainty due to reassessment. These numbers reflect that as of December 15, 2009 (the first information we had historically from the last reassessment) the County had real property market value of \$42.6 billion. That has declined, according to the Assessor's last estimates, to \$34.2 billion. It is a \$9 billion loss in market value. Assessed value is changing from \$1.6 billion to \$1.5 billion -- \$142 million in assessed value lost. These numbers are not creating any more tax revenue or any less. If we billed one dollar last year (in rollforward calculation) you are billing one dollar the next year. This is taking into account all of the market chaos that has existed especially for 2008 calendar year onward, *i.e.*, during the economic downturn, especially in the housing sector. As we near June, we will keep refining these numbers as the Assessor refines his numbers.

Construction Project Updates

U.S. Highway 278 Roadway Construction Project

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported this project involves widening of 4.8 miles of U.S. 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. SCDOT is managing this project for Beaufort County. The bridge substructure operations are 99% complete with pile driving operations and deck spans continue to be poured. The widening is in place and production asphalt operations have begun on the mainline.

S.C. Route 170

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported this project involves the widening of SC Highway 170 from S.C. Highway 46 to U.S. Highway 278 (approximately 4.9 miles). Improvements include multi-use path, signalization and raised median to preserve trees. The contractor is Cleland Construction of Ridgeland, South Carolina. The bid amount is \$14,998,972.30. The completion date is May 2014. The project will greatly improve safety and capacity of S.C. Route 170 between U.S. Highway 278 and S.C. Highway 46. The contractor is clearing. Grubbing operations as well as utility relocations and erosion work continue. Material cleared from this project will be recycling using several different venues.

Bluffton Parkway Phase 5A

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported Bluffton Parkway Phase 5A bridges will connect U.S. Highway 278 and Bluffton Parkway roadway facilities and provide safe, grade-separated movement for the traveling public. Council awarded the \$36.6 million construction contract to R.R. Dawson Bridge Company of Lexington, Kentucky February 25, 2013. The construction duration is 900 days. The project contains approximately 4,000 feet of elevated bridge roadway and 4,500 feet of roadway improvements along US Highway 278 and Bluffton Parkway at the end of the existing Phase 5 at Buckwalter Plantation. The preconstruction conference for this work is set April 6, 2013 and the Notice to Proceed is May 2, 2013.

Mr. Kubic announced representatives of R.R. Dawson, the project manager, along with our legal, financial and engineering staff had a pre, pre gathering, *a.k.a.*, “a meeting of the minds” on our expectations as a County for the project, the flow, paperwork, change orders. We tried to reestablish our position. It was a very good meeting.

County staff has met with the project manager, representatives of both the Town of Hilton Head Island and Town of Bluffton and we have begun discussions regarding aesthetic improvements sought by various members of the community, including the Town of Hilton Head Island. One of the interesting things we are doing is there are vista views that will be available because of

this project. Therefore, we have expanded our aesthetic consideration regarding two movements going in and two movements going out. Therefore, the vista view will be a total 360-degree evaluation. There were some suggestions about seeing if we could gather a couple of experts in terms of vista view development and design, but we are not quite there yet. A second meeting will occur soon; and as soon as we fine tune, we will report to the three governmental entities involved – County, Town of Hilton Head Island, and Town of Bluffton.

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. The new brick exterior, with cast-stone elements and 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. The contractor is Fraser Construction Company of Bluffton, South Carolina. The cost is \$14,031,500. The contract completion date is November 2013. The north-elevation brick veneer is in place. Interior work on the courthouse is ongoing. The crane has been moved to the rear of the building to facilitate replacement of the rear roof sections. The Detention Center Administration roof and facade replacement is also included in this contract. Roof replacement is ongoing.

PURCHASE OF ONE BOMB SQUAD ROBOT FOR THE BEAUFORT COUNTY SHERIFF'S OFFICE

This item comes before Council under the Consent Agenda. Discussion occurred at the April 1, 2013 meeting of the Governmental Committee.

It was moved by Mr. Flewelling, seconded by Mr. Rodman, that Council award a contract to ICOR Technology, Inc., Ottawa, Canada, in the amount of \$120,979.30 for the Beaufort County Sheriff's Office Bomb Squad robot. Funding will come from an Office of Homeland grant: account 27180011-54200, OHS Grant 10SHSP15 Fund - \$80,000; Account 27190011-54200, OHS Grant 12SHSP21 Fund - \$40,797.30. The vote was: YEAS – Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

PURCHASE OF FOUR 2013 DODGE CHARGERS FOR THE BEAUFORT COUNTY SHERIFF'S OFFICE

It was moved by Mr. Flewelling, seconded by Mr. Rodman, that Council award a contract to Butler Chrysler, Beaufort, South Carolina for the purchase of four 2013 Dodge Chargers for the Sheriff's Office in the amount of \$91,672. Funding would come from account #10001202-54000, vehicle purchases. The vote was: YEAS – Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

AN ORDINANCE TO AMEND THE FY 2012-2013 BEAUFORT COUNTY COUNCIL BUDGET, SECTION 4, COUNTY OPERATIONS APPROPRIATION, SECTION 11 COUNTY ADMINISTRATION OPERATIONS, PARAGRAPH M. GENERAL GOVERNMENT SUBSIDIES (TO APPROPRIATE \$152,817 TO THE SOLICITOR'S BUDGET)

Mr. Baer will vote against the ordinance. The additional appropriation is out of cycle two and one half months before the end of the fiscal year. Consideration of this matter should occur on a fiscal year basis.

Mr. Sommerville stated that everyone here is generally aware that the Solicitor has come forward for additional funding as well as the Public Defender. Council has asked staff to bring forward additional information on the Public Defender. Any time there is a potential for a recurring expense, Council has any obligation to vet these requests thoroughly. It would be appropriate to ask the County Administrator and his staff, that while they are bringing forward additional information on the Public Defender, to make sure that same information comes forward on the Solicitor.

Mr. Rodman commented that part of our thought process is to move this forward because it does require three readings, if, in fact, we are going to appropriate funds this fiscal year which would put the adoption in May 2013. Council would be considering the Solicitor at the same of the FY 2014 budget process so that we would know/start to have a feel as to where we are on the budget going forward. It is expedient to move it forward knowing that we have a second and third reading, and that we would not do anything ahead of the budget cycle in May 2013.

Mr. McBride will oppose the ordinance. The funding request is out of cycle. Council is making a commitment for a future budget not yet considered. The issue is not about the adjustment, but rather the process that is taking place.

Mr. Caporale stated if the funding request were a one-time appropriation, he would support the ordinance. He has a lot a faith in the Solicitor and the job he and staff perform. He had the sense that there was going to be difficulty getting the information requested of the Public Defender's Office.

Mr. Vaux will support the motion on first reading with the understanding that the County Administrator and his staff will come to Council with the additional information that was requested of the Solicitor and Public Defender.

It was moved by Mr. Rodman, as Chairman of the Finance Committee (no second required), that Council approve on first reading, by title only, an ordinance to amend the FY 2012-2013 Beaufort County Council Budget, Section 4, county Operations Appropriation, Section 11 County Administration Operations, Paragraph M. General Government Subsidies (to appropriate \$152,817 to the Solicitor's budget). The vote was: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. NAYS – Mr. Baer and Mr. McBride. ABSENT – Ms. Von Harten. The motion passed.

RESOLUTION TO MODIFY THE COMPOSITION OF THE STEERING COMMITTEE FOR THE SOUTHERN REGIONAL PLAN IMPLEMENTATION COMMITTEE

The Chairman reported he sent a letter March 20, 2013 to Hilton Head Island Mayor Drew Laughlin and Bluffton Town Mayor Lisa Sulka asking them if they would consider increasing their representation on the Southern Regional Plan Implementation Committee (Committee) one each from the Town of Hilton Head Island and Town of Bluffton and two additional from Beaufort County. Mr. Sommerville has not heard back from Mayor Sulks; however, he did receive a letter from Mayor Laughlin saying that he did not wish to increase his representation on the Committee because of the multiple commitments that his council members have. He felt this would be an imposition on his council. He did not indicate any opposition to Mayor Sulka increasing hers or County Council increasing theirs. If there are changes mid-stream, we can make corrections as we go along.

Main motion: It was moved by Mr. Stewart, seconded by Mrs. Bensch, that Council adopt a resolution modifying the composition of the Steering Committee for the Southern Regional Plan Implementation Committee as follows: three representatives from Beaufort County Council, two representatives from Bluffton Town Council, and two representatives from Hilton Head Island Town Council.

Motion to amend by deletion: Council delete the Hilton Head Island Town Council representation from two members to one. The vote was: YEAS – Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

Vote on the amended motion which is now the main motion and includes the motion to amend by deletion: Council adopt a resolution modifying the composition of the Steering Committee for the Southern Regional Plan Implementation Committee as follows: three representatives from Beaufort County Council, two representatives from Bluffton Town Council, and one representative from Hilton Head Island Town Council. The vote was: YEAS – Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

PURCHASE OF HEWLETT PACKARD HARDWARE AND SOFTWARE SUPPORT FROM SOLE SOURCE VENDOR FOR THE BEAUFORT COUNTY MIS DEPARTMENT

Mr. McBride remarked Council award of this contract makes a commitment for a future budget not yet considered.

Mr. Starkey, Chief Financial Officer, noted that Mr. Dan Morgan, MIS Director, is trying to structure all of the contracts to end June 30, which would allow the contract to become part of the budgetary process. This particular contract is important for that fact that if the MIS Department has one problem with any of its servers, if we do not renew this contract, you essentially shutdown the County's IT system. Larger contracts require both Committee and Council approval.

It was moved by Mr. Rodman, as Chairman of the Finance Committee, that Council approve a contract renewal with Hewlett Packard for hardware and software support maintenance for HP, VMWare, HP Server and SANS including storage. The total contract cost is \$146,721.62 (\$35,807.26 for the period April 1, 2013 to June 30, 2013 and \$111,914.36 from July 1, 2013 to June 30, 2014). Funding would come from account #10001150-51110, maintenance contracts. The vote was: YEAS – Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS, SERIES 2013A, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, OF BEAUFORT COUNTY, SOUTH CAROLINA, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$7,600,000; 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; AND OTHER MATTERS RELATING THERETO

The Chairman opened a public hearing at 6:03 p.m. for the purpose of receiving information from the public regarding an ordinance authorizing the issuance and sale of General Obligation Bonds, Series 2013A, or such other appropriate series designation, of Beaufort County, South Carolina, in the principal amount of not exceeding \$7,600,000; 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; and other matters relating thereto. After calling three times for public comment and receiving none, the Chairman declared the hearing closed at 6:04 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 Bonds, Series 2013A, or such other appropriate series designation, of Beaufort County, South Carolina, in the principal amount of not exceeding \$7,600,000; 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; and other matters relating thereto. The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS, SERIES 2013B, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, OF BEAUFORT COUNTY, SOUTH CAROLINA, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$25,000,000; 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; AND OTHER MATTERS RELATING THERETO

The Chairman opened a public hearing at 6:05 p.m. for the purpose of receiving information from the public regarding an ordinance authorizing the issuance and sale of General Obligation Bonds, Series 2013B, or such other appropriate series designation, of Beaufort County, South Carolina, in the principal amount of not exceeding \$25,000,000; 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; and other matters relating thereto. After calling three times for public comment and receiving none, the Chairman declared the hearing closed at 6:06 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 Bonds, Series 2013B, or such other appropriate series designation, of Beaufort County, South Carolina, in the principal amount of not exceeding \$25,000,000; 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; and other matters relating thereto. The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013C, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, OF BEAUFORT COUNTY, SOUTH CAROLINA, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$37,500,000; 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; AND OTHER MATTERS RELATING THERETO

The Chairman opened a public hearing at 6:07 p.m. for the purpose of receiving information from the public regarding an ordinance authorizing the issuance and sale of general Obligation Refunding Bonds, Series 2013C, or such other appropriate series designation, of Beaufort County, South Carolina, in the principal amount of not exceeding \$37,500,000; 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; and other matters relating thereto. After calling three times for public comment and receiving none, the Chairman declared the hearing closed at 6:08 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 2013C, or such other appropriate series designation, of Beaufort County, South Carolina, in the principal amount of not exceeding \$37,500,000; 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; and other matters relating thereto. The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

ST. HELENA ISLAND ZONING MAP AMENDMENT FOR R300-018-000-0290-0000 (6.55 ACRES, A PORTION OF 74.72 ACRES; SOUTH OF SEASIDE ROAD) FROM RESOURCE CONSERVATION (RC) TO RURAL (R)

The Chairman opened a public hearing at 6:09 p.m. for the purpose of receiving information from the public regarding a St. Helena Island Zoning Map amendment for R300-018-000-0290-0000 (6.55 acres, a portion of 74.72 acres; south of Seaside Road) from Resource Conservation (RC) to Rural (R). After calling three times for public comment and receiving none, the Chairman declared the hearing closed at 6:10 p.m.

It was moved by Mr. Flewelling, as Chairman of the Natural Resources Committee (no second required), that Council approve on third and final reading a St. Helena Island Zoning Map amendment for R300-018-000-0290-0000 (6.55 acres, a portion of 74.72 acres; south of Seaside Road) from Resource Conservation (RC) to Rural (R). The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

TEXT AMENDMENT TO THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE/ZDSO, APPENDIX I. LADY'S ISLAND COMMUNITY PRESERVATION AREA, DIVISION 2., LADY'S ISLAND EXPANDED HOME BUSINESS DISTRICT, SECTION 2.5B., LIMITED AND SPECIAL USE STANDARDS FOR GAS-CONVENIENCE MARTS; DIVISION 3., NEIGHBORHOOD ACTIVITY CENTER, SECTION 3.5, LIMITED AND SPECIAL USE STANDARDS FOR GAS-CONVENIENCE MARTS; AND DIVISION 5, VILLAGE CENTER, SECTION 5.5, LIMITED AND SPECIAL USE STANDARDS FOR GAS-CONVENIENCE MARTS, TO INCREASE THE MAXIMUM SIZE OF CONVENIENCE STORES IN THESE DISTRICTS FROM 2,500 TO 4,000 SQUARE FEET

The Chairman opened a public hearing at 6:11 p.m. for the purpose of receiving information from the public regarding a text amendment to the Beaufort County Zoning and Development Standards Ordinance/ZDSO, Appendix I. Lady's Island Community Preservation Area, Division

2, Lady's Island Expanded Home Business District, Section 2.5B, Limited and Special Use Standards for Gas-Convenience Marts; Division 3, Neighborhood Activity Center, section 3.5, Limited and Special Use Standards for Gas-Convenience Marts; and Division 5, Village Center, Section 5.5, Limited and Special Use Standards for Gas-Convenience Marts, to increase the maximum size of convenience stores in these Districts from 2,500 to 4,000 square feet. After calling three times for public comment and receiving none, the Chairman declared the hearing closed at 6:12 p.m.

It was moved by Mr. Flewelling, as Chairman of the Natural Resources Committee (no second required), that Council approve on second reading a text amendment to the Beaufort County Zoning and Development Standards Ordinance/ZDSO, Appendix I, Lady's Island Community Preservation Area, Division 2, Lady's Island Expanded Home Business District, Section 2.5B, Limited and Special Use Standards for Gas-Convenience Marts; Division 3, Neighborhood Activity Center, section 3.5, Limited and Special Use Standards for Gas-Convenience Marts; and Division 5, Village Center, Section 5.5, Limited and Special Use Standards for Gas-Convenience Marts, to increase the maximum size of convenience stores in these Districts from 2,500 to 4,000 square feet. The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart, Mr. Vaux and Ms. Von Harten. The motion passed.

COMMUNITY DEVELOPMENT BLOCK GRANT - STUART POINT WATER EXTENSION PROJECT

Ms. Holly Crews, Community and Economic Development Specialist, Lowcounty Council of Governments (LCOG), remarked that LCOG has handled several Community Development Block Grant (CDBG) projects for Beaufort County. Beaufort County is applying for \$500,000 in CDBG funds to extend water to approximately 181 homes in the Stuart Point area. With CDBG, you have to qualify based on low-to-moderate income and there are 100 homeowners qualifying as having low-to-moderate incomes. The total budget for the project is \$750,050 with match provided by Beaufort County and Beaufort/Jasper Water and Sewer Authority. The total number of people benefiting from the project is approximately 400 and 51 of those have qualified as low-to-moderate income. Public water along with fire protection will be extended along Stuart Point Road, McNeal Circle, Crystal Street, Bernice Lane, Fred Lane, Gillison Loop, Twelve Oaks, Young Circle, Bessie's Lane, Herbert Lane, Mamas Lane, Pearl Lane, Cornelius Drive, Yarrow Lane, Ballpark Road, Delaney Circle, Cuyler Lane and Creekmore Lane. The application will be submitted April 15, 2013.

The Chairman opened a public hearing at 6:13 p.m. for the purpose of receiving information from the public regarding a Community Development Block Grant (CDBG) application in the amount of \$500,000 to extend water and fire protection in Stuart Point community. After calling three times for public comment and receiving none, the Chairman declared the hearing closed at 6:14 p.m.

PUBLIC COMMENT

There were no requests to speak during public comment.

RESULT OF EXECUTIVE SESSION

It was moved by Mr. Stewart, seconded by Mr. McBride, that Council approve a fee simple absolute acquisition of property known as Pinckney Point located on the Okatie and Colleton Rivers in Beaufort County at 650 Pinckney Colony Road and consisting of 229 acres, more or less (legally identified as PIN: R600 014 000 001A 0000) in the amount of \$6,950,000. Acquisition will be made utilizing funds from the Rural and Critical Lanes Preservation Program. The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. NAYS – Mr. Caporale. ABSENT – Ms. Von Harten. The motion passed.

It was moved by Mr. Flewelling, seconded by Mr. McBride, that Council approve the fee simple absolute acquisition of property located in the Town of Fort Royal adjacent to the Department of Natural Resources boat landing and historic Fort Frederick property, at 601 Old Fort Road (legally identified as PIN: R110 009 000 1421 0000) for \$75,000 and will be used to provide access to Fort Frederick properties. Acquisition will be made utilizing funds from the Rural and Critical Lanes Preservation Program. The vote was: YEAS - Mr. Baer, Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. NAYS – Mr. Caporale. ABSENT – Ms. Von Harten. The motion passed.

ADJOURNMENT

Council adjourned at 6:52 p.m.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

ATTEST _____
Suzanne M. Rainey, Clerk to Council

Ratified:

ADMINISTRATIVE CONSENT AGENDA

Appointments
Boards and Commissions

Governmental Committee

Daufuskie Island Fire District Board

Nominated	Name	Position/Area/Expertise	Reappoint/Appoint	Votes Required
04.08.13	Charles Henry	Fire service area	Reappoint	10 of 11 (3 rd term)
04.08.13	Thomas Dickinson	Fire service area	Reappoint	10 of 11 (3 rd term)

Governmental Committee

Sheldon Fire District Board

Nominated	Name	Position/Area/Expertise	Reappoint/Appoint	Votes Required
04.08.13	John Seno	Fire service area	Appoint	6 of 11 (1 st term)

Public Facilities Committee

Southern Beaufort County Corridor Beautification Board

Nominate	Name	Position/Area/Expertise	Reappoint/Appoint	Votes Required
04.22.13	Douglas Novack	Council District 9	Appoint	6 of 11 (1 st term)
04.22.13	John Michael Brock	Council District 7	Appoint	6 of 11 (1 st term)
04.22.13	Steve Wilson	Council District 11	Appoint	6 of 11 (1 st term)



Memorandum

DATE: April 19, 2013
TO: County Council
FROM: Gary Kubic, County Administrator *Gary Kubic*
SUBJ: County Administrator's Progress Report

The following is a summary of activities that took place April 8, 2013 through April 19, 2013:

April 8, 2013

- Employee orientation
- Meeting with David Starkey, Chief Financial Officer, and Alicia Holland, Controller re: FY 2014 Budget
- Finance Committee meeting
- Council Caucus meeting
- County Council meeting

April 9, 2013

- Guest speaker – Lady's Island Business Professional Association
- Conference call with Councilman Jerry Stewart and County Attorney Josh Gruber re: Island West and Bluffton Parkway Phase 5B Realignment
- Staff meeting re: Kitties' Landing, LLC

April 10, 2013

- State Department of Commerce meeting, Columbia, SC
- Meeting with John Walsh, SCDOT Deputy Secretary of Engineering, and Representative Weston Newton, Columbia, SC

April 11, 2013

- Meeting with Josh Gruber, County Attorney, and Suzanne Gregory, Director of Employee Services Re: Personnel matter

County Council
April 19, 2013
Page 2

- Meeting with Talbert, Bright & Ellington representative and Rob McFee, Division Director of Engineering and Infrastructure re: Hilton Head Island Airport renovations
- Bimonthly meeting with Billy Keyserling, Mayor; Scott Dadson, City Manager; and Paul Sommerville, Council Chairman re: City / County issues

April 12, 2013

- Staff meeting re: Impact of Revised Mil Value / Post Reassessment Analysis
- Meeting with Russell Hightower and Dennis VanEvery, of Waste Management; Jim Minor, Solid Waste and Recycling Supervisor; Josh Gruber, County Attorney; and Eddie Bellamy, Director of Public Works re: Waste Management

April 15, 2013

- Employee orientation
- Staff meeting Re: Funding for Solicitor and Public Defender
- Finance Committee meeting
- Public Facilities Committee meeting

April 16, 2013

- Bluffton Parkway Pre-construction meeting at Bluffton Library
- Staff meeting re: Waste Management negotiations
- Conference call with Russell Hightower and Dennis VanEvery Re: Waste Management

April 17, 2013

- Agenda review with Chairman, Vice Chairman (telephonically) and Executive Staff
- Meeting with Mark Roseneau, Director of Facilities Management, and Craig Molloy Re: Carolina Cleaning contract
- County Assessor bimonthly meeting
- County staff / Library Board of Trustees meeting

April 18, 2013

- Staff meeting Re: Bluffton Fire / EMS / Sun City/ Moss Creek
- Meeting with Bob Woodman re: Property at Beaufort Industrial Village (BIV)
- Meeting with Councilman Steve Baer and staff Re: Library Funding

April 19, 2013

- Meeting with Pamela Ovens, President, Beaufort County Historical Society and Maxine Lutz re: Ideas for use of the Federal Courthouse
- Staff meeting re: LCOG Transportation Model at BIV#2



Memorandum

DATE: April 19, 2013
TO: County Council
FROM: Bryan Hill, Deputy County Administrator *B Hill*
SUBJECT: Deputy County Administrator's Progress Report

The following is a summary of activities that took place April 8, 2013 through April 19, 2013:

April 8, 2013 (Monday):

- PLD

April 9, 2013 (Tuesday)--Bluffton:

- Attend Staff Meeting re: Public Defender and Solicitor Budgets
- Attend Meeting to discuss Kitties Landing Property

April 10, 2013 (Wednesday):

- Meet with Dan Morgan, MIS/GIS Director and Todd Ferguson, Emergency Management Director
- Meet with Joe Penale re: PALS Study
- Meet with Fred Leyda re: Outside Agency Funding
- Meet with Alicia Holland, Controller re: Budget
- Meet with Dan Morgan, MIS/GIS Director
- Meet with Linda Edwards, Esquire re: Personnel Issue

April 11, 2013 (Thursday)--Bluffton:

- Work on Budget
- Meet with Duffie Stone, Solicitor
- Conference call with Gary Kubic, County Administrator and Joshua Gruber, County Attorney re: Personnel

April 10, 2013 (Friday):

- Work on Budget

April 15, 2013 (Monday):

- PLD

April 16, 2013 (Tuesday):

- PLD

April 17, 2013 (Wednesday):

- Meet with Dan Morgan, MIS/GIS Director, and Todd Ferguson, Emergency Management Director re: Fiber
- Agenda Review
- Prepare LMO Letter to Town of Hilton Head Island re: Airport Master Plan
- Meet with Morris Campbell, Community Services Director, and Fred Leyda re: Outside Agency Budget Allocations
- Meet with Todd Ferguson, Emergency Management Director and David Zeoli re: Department Budget
- Meet with Eddie Bellamy, Public Works Director, Jim Minor, Solid Waste Director, and Joshua Gruber, County Attorney re: Waste Management
- Attend County Staff / Library Board of Trustees Meeting

April 18, 2013 (Thursday):

- Meet with Monica Spells, Compliance Officer
- Attend Meeting re: Bluffton Fire/EMS/Sun City/Moss Creek
- Meeting with Gary Kubic, County Administrator and Bob Woodman re: BIV Property
- Attend Library Funding Meeting at Hilton Head Island Government Center

April 19, 2013 (Friday):

- Meet with Fred Leyda re: Outside Funding Agencies
- Meeting with Gary Kubic, County Administrator re: LCOG Transportation Model
- Meet with Alicia Holland, Controller, re: Budget

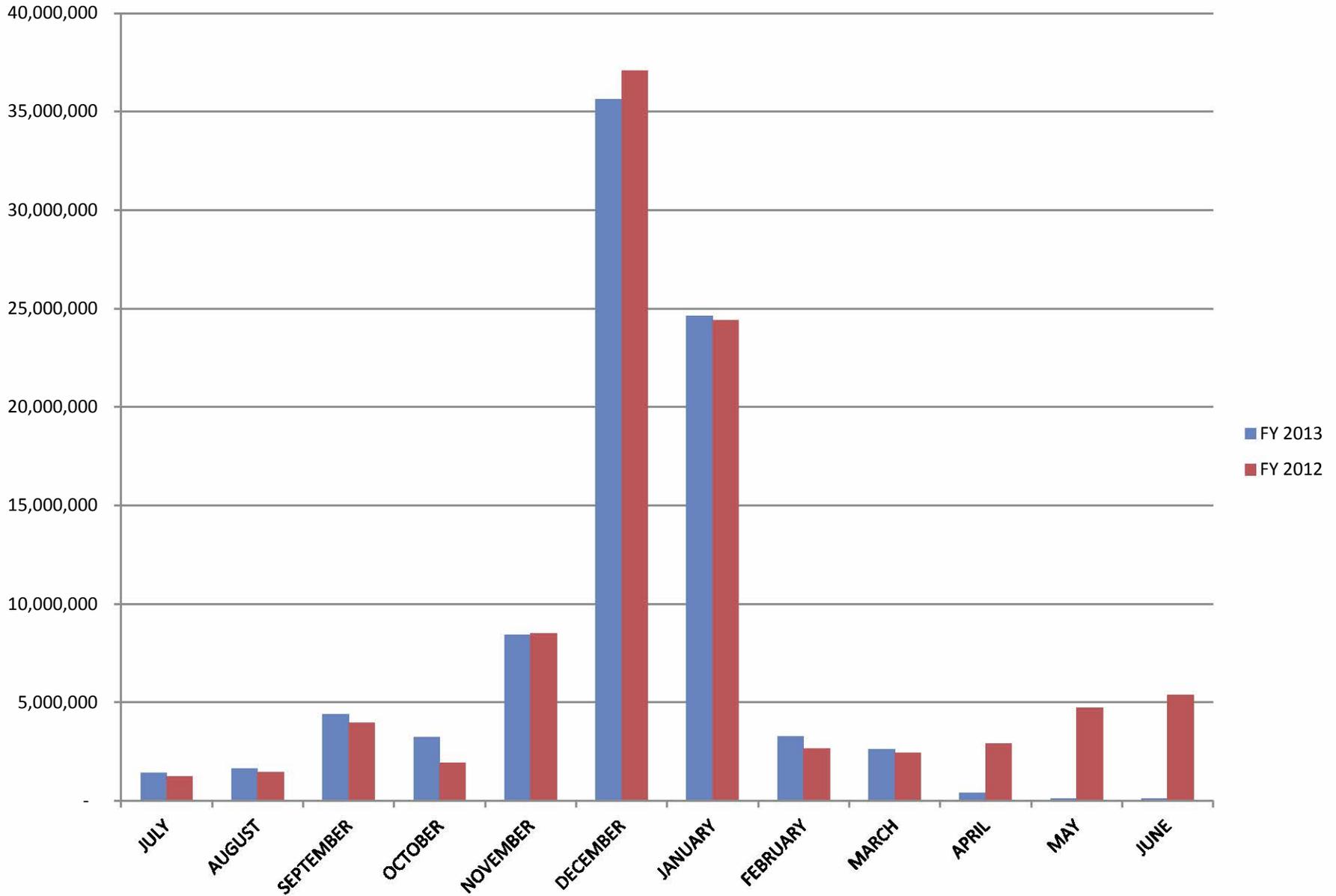
General Fund Monthly Analysis

Revenues

FY 2013	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	FY TOTAL
41	320,318	592,321	939,672	1,991,619	6,784,536	33,036,638	23,491,623	1,226,854	1,298,954	-	-	-	69,682,534
42	97,929	108,950	74,600	118,381	90,856	348,812	126,352	152,124	204,764	152,927	-	-	1,475,695
43	(40,459)	72,374	2,146,766	50,775	42,639	1,296,933	131,549	34,978	60,626	136	-	-	3,796,318
44	632,059	786,103	749,470	798,754	1,396,390	677,095	679,990	1,561,952	837,871	145,216	-	-	8,264,898
45	58,113	78,813	63,788	71,985	50,286	61,349	60,306	68,720	61,040	1,198	-	-	575,599
46	9,197	10,757	29,411	13,328	(26,529)	23,659	2,500	7,282	34,720	0	-	-	104,325
47	13,952	738	47,284	111,608	6,093	78,717	48,635	105,562	32,637	5,755	-	-	450,981
48	-	-	-	-	-	-	-	-	-	-	-	-	-
49	<u>335,500</u>	<u>-</u>	<u>347,664</u>	<u>100,000</u>	<u>100,000</u>	<u>108,233</u>	<u>100,000</u>	<u>100,000</u>	<u>100,000</u>	<u>100,000</u>	<u>100,000</u>	<u>100,000</u>	1,591,397
	<u>1,426,609</u>	<u>1,650,056</u>	<u>4,398,654</u>	<u>3,256,450</u>	<u>8,444,271</u>	<u>35,631,436</u>	<u>24,640,955</u>	<u>3,257,472</u>	<u>2,630,613</u>	<u>405,232</u>	<u>100,000</u>	<u>100,000</u>	85,941,747

FY 2012	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	FY TOTAL
41	320,500	498,176	1,295,070	770,129	6,783,267	34,842,898	22,428,223	1,207,544	1,279,385	949,903	838,459	1,627,850	72,841,403
42	287,760	187,400	99,790	108,966	82,699	92,638	151,824	384,740	188,563	346,738	438,959	570,132	2,940,209
43	20,672	76,939	1,252,669	80,496	71,671	1,276,315	168,062	28,643	40,712	(1,587)	2,548,892	1,456,703	7,020,188
44	527,628	573,563	855,433	711,730	1,396,865	671,545	1,409,367	778,656	725,644	1,465,905	675,723	1,448,974	11,241,033
45	60,068	69,257	64,062	67,634	63,250	65,493	91,572	80,387	75,115	52,964	83,060	64,911	837,774
46	11,219	8,789	27,687	12,096	3,991	28,312	10,762	2,895	22,853	1,881	1,931	65,230	197,644
47	19,132	37,981	33,810	86,230	16,732	11,968	68,498	68,856	19,257	9,380	50,241	29,414	451,500
48	-	-	-	-	-	-	-	-	-	-	-	-	-
49	<u>-</u>	<u>-</u>	<u>320,414</u>	<u>91,667</u>	<u>91,667</u>	<u>97,917</u>	<u>91,667</u>	<u>91,667</u>	<u>99,680</u>	<u>91,667</u>	<u>91,667</u>	<u>107,390</u>	1,175,401
	<u>1,246,980</u>	<u>1,452,105</u>	<u>3,948,935</u>	<u>1,928,949</u>	<u>8,510,143</u>	<u>37,087,086</u>	<u>24,419,974</u>	<u>2,643,388</u>	<u>2,451,208</u>	<u>2,916,851</u>	<u>4,728,932</u>	<u>5,370,603</u>	96,705,153

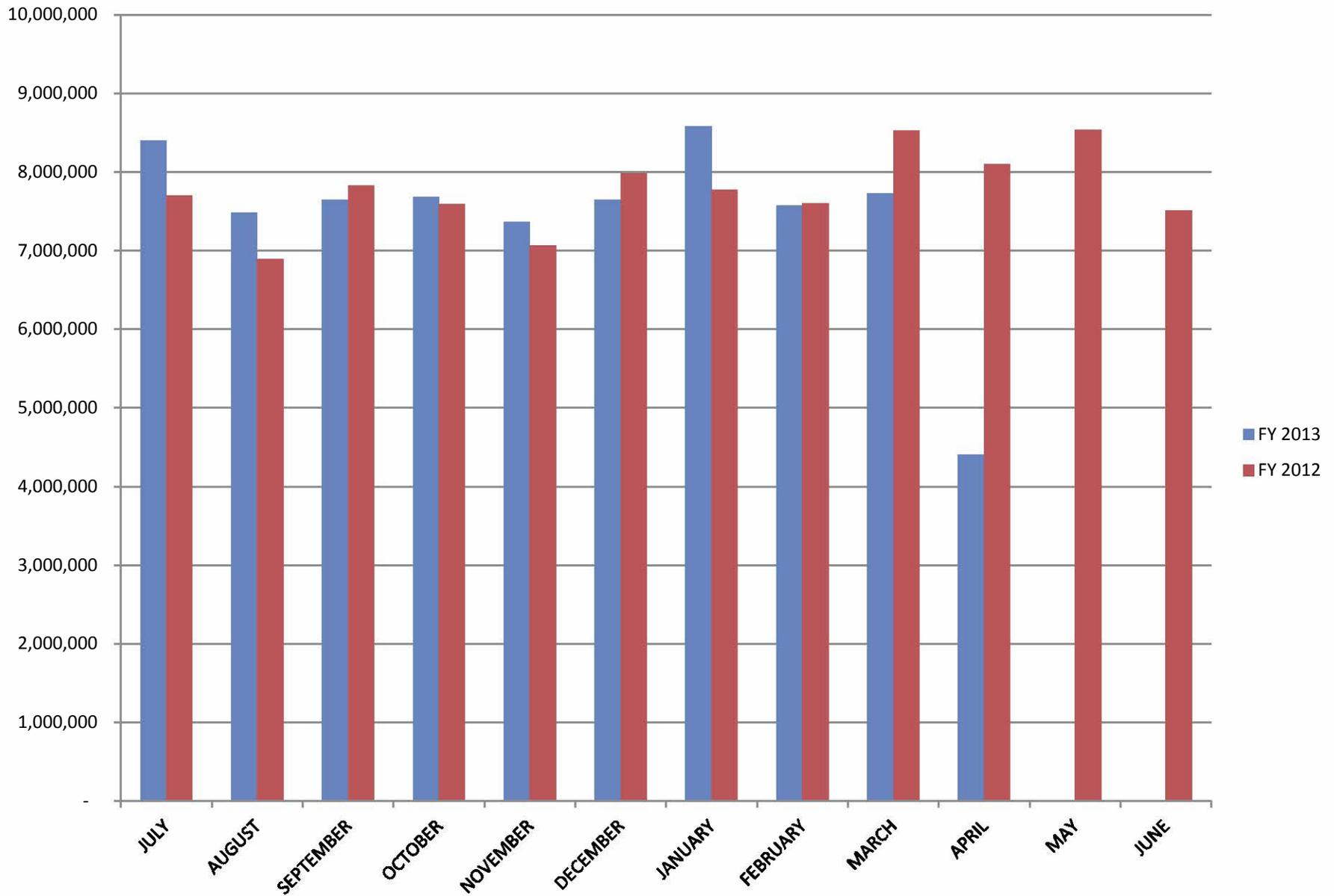
General Fund Revenues



General Fund Monthly Analysis
Expenditures

FY 2013	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	FY TOTAL
50	5,253,155	5,248,782	4,683,594	5,388,058	5,286,762	4,692,847	5,340,665	4,642,055	4,616,700	2,928,913	-	-	48,081,531
51	1,928,005	1,144,721	1,840,711	1,490,345	1,221,002	1,132,788	1,464,892	1,194,782	1,139,449	318,828	5,051	7,106	12,887,680
52	429,557	701,138	354,764	358,817	399,703	267,751	359,732	340,694	418,865	9,957	-	-	3,640,979
53	-	-	-	-	-	-	-	-	-	-	-	-	-
54	71,352	53,615	75,638	5,942	32,565	196,887	79,699	202,711	103,940	2,405	-	-	824,756
55	470,631	89,014	399,728	182,844	170,594	1,100,550	1,050,361	837,361	1,182,494	898,511	-	-	6,382,088
56	-	-	-	-	-	-	-	-	-	-	-	-	-
57	12,028	8,159	11,658	11,310	13,382	12,338	50,202	113,381	23,861	-	-	-	256,318
58	-	-	-	-	-	-	-	-	-	-	-	-	-
59	<u>238,122</u>	<u>237,677</u>	<u>278,980</u>	<u>245,466</u>	<u>237,677</u>	<u>237,677</u>	<u>237,677</u>	<u>237,677</u>	<u>237,677</u>	<u>247,677</u>	-	-	2,436,309
	8,402,850	7,483,106	7,645,072	7,682,782	7,361,686	7,640,839	8,583,229	7,568,661	7,722,987	4,406,292	5,051	7,106	74,509,660
FY 2012	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	FY TOTAL
50	4,876,199	5,074,867	4,863,277	4,810,507	4,998,680	4,803,269	5,120,378	4,682,933	4,585,676	4,777,481	5,120,837	4,597,594	58,311,700
51	1,881,711	1,133,048	1,615,436	1,674,794	1,287,334	1,331,188	1,097,590	1,430,173	1,074,272	1,694,877	1,470,112	1,401,692	17,092,227
52	446,383	482,868	448,020	368,725	372,308	297,039	487,564	310,480	508,743	440,355	567,423	459,631	5,189,539
53	-	-	-	-	-	-	-	-	-	-	-	-	-
54	89,268	32,030	8,144	121,022	5,756	1,364	(138,126)	27,842	65,705	92,573	232,712	578,321	1,116,610
55	398,891	160,736	260,236	396,492	174,445	1,304,445	873,365	867,492	1,313,269	880,691	922,695	134,569	7,687,325
56	-	-	-	-	-	-	-	-	-	-	-	-	-
57	11,314	11,494	16,884	14,651	19,854	13,868	128,248	65,790	16,277	12,775	18,939	8,942	339,035
58	-	-	-	-	-	-	-	-	-	-	-	-	-
59	-	-	<u>612,770</u>	<u>204,257</u>	<u>204,257</u>	<u>226,354</u>	<u>206,729</u>	<u>219,257</u>	<u>958,116</u>	<u>204,257</u>	<u>204,257</u>	<u>329,895</u>	3,370,146
	7,703,766	6,895,044	7,824,766	7,590,447	7,062,632	7,977,526	7,775,748	7,603,967	8,522,058	8,103,008	8,536,974	7,510,644	93,106,581

General Fund Expenditures



Budget FY 2013
As of 4/18/2013

Actual Year to Date Comparison
For the Period Ending March 31st

April 18, 2013
Actual to Date

Adopted
Budget

Description	Organization	ORG	FY 2010	FY 2011	FY 2012	FY 2013	FY 2013	FY 2013	
	Taxes	41000	(69,814,171)	(69,614,374)	(69,425,191)	(69,682,534)	(69,682,534)	(72,323,941)	
	Licenses & Permits	42000	(1,331,766)	(1,270,188)	(1,584,381)	(1,322,768)	(1,475,695)	(2,680,000)	
	Intergovernmental	43000	(3,073,792)	(2,854,497)	(3,016,181)	(3,796,182)	(3,796,318)	(8,000,000)	
	Charges for Services	44000	(6,881,412)	(7,521,677)	(7,650,430)	(8,119,682)	(8,264,899)	(11,175,589)	
	Fines & Forfeitures	45000	(881,984)	(651,970)	(636,839)	(574,400)	(575,599)	(860,000)	
	Interest	46000	(92,397)	(78,324)	(128,603)	(104,325)	(104,325)	(175,100)	
	Miscellaneous	47000	(474,649)	(593,735)	(362,464)	(445,226)	(450,981)	(675,500)	
	Other Financing Sources	48000	(1,256,799)	(882,274)	(884,678)	(1,291,397)	(1,591,397)	(1,260,000)	
	General Fund Revenue		(83,806,970)	(83,467,039)	(83,688,767)	(85,336,514)	(85,941,748)	(97,150,130)	
General	Elected	COUNTY COUNCIL	11000	475,731	507,039	428,664	498,741	516,219	603,520
General	Elected	AUDITOR	11010	476,423	409,913	377,912	370,557	390,993	600,704
General	Elected	TREASURER	11020	685,864	640,253	546,405	872,893	892,813	677,760
General	Elected	TREASURER TAX BILLS & CC FEES	11021	599,892	444,197	318,053	-	-	340,000
General	Elected	CLERK OF COURT	11030	712,880	634,208	600,539	596,708	623,187	822,751
General	Elected	FAMILY COURT	11031	255,160	175,800	151,275	149,069	157,214	232,615
General	Elected	PROBATE COURT	11040	638,772	541,380	547,502	511,979	538,688	760,699
General	Elected	CORONER	11060	277,483	226,809	276,468	316,544	325,426	435,571
General	State	HILTON HEAD MAGISTRATE	11100	32,609	567	-	-	-	-
General	State	BEAUFORT MAGISTRATE	11101	507,069	501,389	555,638	546,623	564,774	742,215
General	State	BLUFFTON MAGISTRATE	11102	388,365	282,435	292,830	248,943	261,256	372,615
General	State	SHELDON MAGISTRATE	11103	47,706	49,448	49,673	52,379	54,903	71,640
General	State	ST HELENA MAGISTRATE	11104	62,170	65,068	45,327	24,044	27,506	104,923
General	State	MAGISTRATE BOND COURT	11105	64,183	60,413	69,476	74,279	77,844	97,515
General	State	MAGISTRATE AT-LARGE	11106	57,465	77,515	90,790	145,164	153,252	140,092
General	State	MASTER IN EQUITY	11110	232,065	215,586	215,365	220,976	230,679	297,848
General	Allocation	GEN GOVT DIRECT SUBSIDIES	11199	1,311,635	982,143	774,155	861,013	943,024	1,234,129
General	Admin	COUNTY ADMINISTRATOR	12000	4,464	23,500	367,542	429,599	448,188	509,119
General	Admin	HOUSING	12003	-	-	-	-	-	-
General	Admin	PUBLIC INFORMATION OFFICER	12005	303,525	73,893	69,193	106,518	111,638	148,529
General	Admin	BROADCAST SERVICES	12006	-	138,942	155,586	178,078	185,218	223,431
General	Admin	STAFF ATTORNEY	12010	451,450	417,743	464,671	136,342	135,080	400,063
General	Admin	INTERNAL AUDITOR	12015	84,143	30,398	42,313	-	-	-
General	State	PUBLIC DEFENDER	12020	150	-	-	-	-	-
General	Admin	VOTER REGISTRATION/ELECTIONS	12030	446,200	447,643	462,656	539,729	623,596	634,703
General	Admin	ELECTION WORKERS	12031	(1,050)	211	940	1,074	1,194	-
General	Admin	ASSESSOR	12040	1,846,468	1,419,176	1,294,075	1,336,656	1,402,991	2,069,589
General	Admin	REGISTER OF DEEDS	12050	427,468	356,779	339,027	375,105	389,032	475,359
General	Admin	RISK MANAGEMENT	12060	99,510	71,139	68,044	71,623	75,540	103,691
General	State	LEGISLATIVE DELEGATION	12080	63,082	50,447	50,890	56,758	59,384	69,304

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Description	Organization	ORG	FY 2010	FY 2011	FY 2012	FY 2013	FY 2013	FY 2013	
General	Admin	ZONING & DEVELOPMENT ADM	13330	180,926	145,598	141,379	121,518	127,713	161,054
General	Admin	PLANNING	13340	648,689	539,237	528,187	465,399	485,585	698,539
General	Admin	COMPREHENSIVE PLAN	13341	5,438	351,662	138,829	-	-	7,100
General	Admin	AUTOMATED MAPPING/GIS	13350	369,158	296,762	244,863	258,627	269,721	420,926
General	Admin	DIRECTOR OF COMMUNITY SERVICES	14000	136,675	99,159	90,320	93,453	97,396	146,040
General	Admin	STAFF SERVICES	14010	304,958	288,548	215,812	-	-	-
General	Admin	EMPLOYEE SERVICES	14020	719,606	712,995	719,989	725,121	765,403	676,856
General	Admin	RECORDS MANAGEMENT	14030	152,748	116,571	174,637	242,307	250,427	401,975
General	Admin	FINANCE DEPARTMENT	15010	405,533	412,688	449,426	464,250	484,455	600,202
General	Admin	PURCHASING	15040	195,276	164,041	160,895	124,699	129,770	234,987
General	Admin	BUSINESS LICENSES	15050	363,894	142,771	38,561	34,320	35,755	67,127
General	Admin	MANAGEMENT INFORMATION SYSTEMS	15060	1,831,634	1,610,371	1,469,642	1,643,208	1,700,907	2,229,809
General	Admin	MANAGEMENT INFORMATION SYSTEMS	15061	1,128	-	-	-	-	-
General	Admin	DIRECTOR OF PUBLIC SERVICES	17000	199,072	159,126	157,132	160,971	169,230	205,747
General	Fringe	GENERAL GOVT BENEFITS POOL	19199	-	1,741,085	1,567,085	1,780,846	2,001,022	2,486,724
Public Safety	Elected	SHERIFF	21051	5,187,819	5,387,701	4,608,020	5,047,510	5,288,849	6,536,306
Public Safety	Elected	SHERIFF	21052	8,778,315	9,433,320	7,926,869	7,898,657	8,225,842	11,018,434
Public Safety	Elected	SHERIFF	21053	-	-	432,488	458,995	476,668	641,414
Public Safety	Elected	SHERIFF	21055	1,011,296	965,198	842,288	803,635	840,514	1,161,829
Public Safety	Admin	EMERGENCY MANAGEMENT	23140	533,657	368,480	345,092	331,689	344,822	419,151
Public Safety	Admin	EMERGENCY MANAGEMENT	23142	-	115,399	74,848	13,031	13,684	16,558
Public Safety	Admin	EMERGENCY MANAGEMENT - Comm	23150	3,104,698	3,048,236	3,796,829	4,075,322	4,303,980	5,450,504
Public Safety	Admin	EMERGENCY MANAGEMENT - DATA	23155	526,475	378,480	417,983	368,000	381,631	523,912
Public Safety	Admin	EMERGENCY MEDICAL SERVICE	23160	4,638,839	3,902,574	3,704,075	3,802,935	3,972,052	4,728,752
Public Safety	Admin	DETENTION CENTER	23170	4,927,018	4,245,884	3,787,623	3,884,817	4,078,608	5,473,854
Public Safety	Admin	TRAFFIC - Signal Management	23322	209,013	169,993	219,797	328,711	350,650	438,601
Public Safety	Admin	TRAFFIC - Signal Management	23323	87,903	93,585	99,686	88,965	89,015	126,900
Public Safety	Admin	BUILDING CODES	23360	1,005,854	725,587	506,746	420,558	446,893	638,407
Public Safety	Admin	BUILDING CODES ENFORCEMENT	23361	-	-	136,827	180,856	188,689	218,468
Public Safety	Fringe	PUBLIC SAFETY BENEFITS POOL	29299	-	2,223,650	3,668,728	3,616,768	4,107,984	5,239,864
Public Works	Admin	FACILITIES MANAGEMENT	33020	1,728,341	1,553,575	1,264,507	1,378,710	1,386,736	1,872,952
Public Works	Admin	BUILDINGS MAINTENANCE	33030	757,497	847,208	771,023	702,756	728,940	1,099,344
Public Works	Admin	GROUPS MAINTENANCE - NORTH	33040	1,017,627	833,791	913,092	1,360,292	1,408,549	2,103,038
Public Works	Admin	GROUPS MAINTENANCE - SOUTH	33042	864,183	691,706	434,134	-	-	-
Public Works	Admin	PUBLIC WORKS GEN SUPPORT	33300	762,018	523,177	516,180	457,551	471,638	669,996
Public Works	Admin	ROADS/DRAINAGE - NORTH	33301	781,631	670,355	589,924	689,945	710,726	814,177
Public Works	Admin	ROADS/DRAINAGE - SOUTH	33302	515,903	474,927	343,254	328,953	339,003	465,388
Public Works	Admin	PUBLIC WORKS ADMINISTRATION	33305	285,618	212,028	203,095	214,036	222,562	294,241
Public Works	Admin	ENGINEERING	33320	337,191	242,954	186,439	258,431	270,829	501,977

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Description	Organization	ORG	FY 2010	FY 2011	FY 2012	FY 2013	FY 2013	FY 2013	
Public Works	Admin	SWR ADMINISTRATION	33390	3,453,736	3,027,681	2,825,558	3,157,470	3,172,961	4,338,807
Public Works	Admin	SWR HILTON HEAD	33393	77,344	80,640	76,950	76,005	79,888	100,594
Public Works	Admin	SWR BLUFFTON	33394	122,361	111,334	111,827	114,616	120,156	165,731
Public Works	Admin	SWR BURTON	33395	117,606	124,724	105,420	98,656	102,649	148,518
Public Works	Admin	SWR DAUFUSKIE	33396	33,475	203	-	-	-	7,200
Public Works	Admin	SWR ST HELENA	33397	107,907	102,951	108,112	122,625	128,098	183,078
Public Works	Admin	SWR SHELDON	33398	84,934	83,917	76,968	87,122	91,613	107,588
Public Works	Fringe	PUBLIC WORKS BENEFITS POOL	39399	-	1,265,954	963,243	1,042,178	1,176,219	1,511,164
Public Health	Admin	ANIMAL SHELTER & CONTROL	43180	667,293	573,411	603,393	725,406	751,147	834,369
Public Health	Admin	MOSQUITO CONTROL	43190	1,377,467	855,775	833,543	1,014,487	1,037,125	1,369,461
Public Health	Allocation	PUBLIC HEALTH DIRECT SUBSIDIES	44199	2,155,295	2,131,052	1,631,356	1,313,534	1,440,284	1,741,785
Public Health	Fringe	PUBLIC HEALTH BENEFITS POOL	49499	-	281,804	217,136	276,838	317,239	412,938
Public Welfare	Admin	VETERANS AFFAIRS	54050	151,049	105,290	104,870	106,753	113,650	181,207
Public Welfare	State	DEPT OF SOCIAL SERVICES	54060	154,331	146,404	151,423	142,268	148,851	170,700
Public Welfare	Allocation	PUBLIC WELFARE DIRECT SUBSIDIES	54299	480,820	493,330	422,943	355,613	372,113	435,000
Public Welfare	Fringe	PUBLIC WELFARE BENEFITS POOL	59599	-	31,800	21,216	22,717	25,636	32,514
Cultural	Admin	PALS CENTRAL ADMINISTRATION	63310	308,549	287,657	184,285	235,157	242,475	362,550
Cultural	Admin	PALS SUMMER PROGRAM	63311	94,825	104,438	94,600	135,536	135,536	114,500
Cultural	Admin	PALS AQUATICS PROGRAM	63312	897,633	797,086	724,707	742,703	806,824	1,147,382
Cultural	Admin	PALS HILTON HEAD PROGRAMS	63313	57,916	60,000	60,000	60,000	60,000	80,000
Cultural	Admin	PALS BLUFFTON PROGRAMS	63314	675,726	584,082	72,161	72,710	74,145	122,000
Cultural	Admin	PALS ATHLETIC PROGRAMS	63316	364,867	303,917	528,064	471,515	491,345	912,649
Cultural	Admin	PALS RECREATION CENTERS	63317	671,958	473,537	444,119	434,307	443,897	548,272
Cultural	Admin	LIBRARY ADMINISTRATION	64070	651,885	477,090	475,701	496,678	523,146	626,166
Cultural	Admin	LIBRARY BEAUFORT BRANCH	64071	503,977	386,932	367,835	337,812	350,668	533,606
Cultural	Admin	LIBRARY BLUFFTON BRANCH	64072	593,276	448,016	333,827	346,385	363,481	531,912
Cultural	Admin	LIBRARY HILTON HEAD BRANCH	64073	537,192	479,134	400,255	370,046	385,462	574,105
Cultural	Admin	LIBRARY LOBECO BRANCH	64074	163,038	85,225	91,611	93,819	97,150	133,782
Cultural	Admin	LIBRARY ST HELENA BRANCH	64075	70,379	71,105	68,076	255,821	272,534	552,327
Cultural	Admin	LIBRARY TECHNICAL SERVICES	64078	648,027	505,134	349,809	359,306	367,868	482,525
Cultural	Admin	LIBRARY SC ROOM	64079	83,205	74,268	73,232	74,118	77,568	99,591
Cultural	Fringe	CULTURAL & RECRE BENEFITS POOL	69699	-	764,936	593,997	545,893	614,407	776,442
General Fund Expenditures				68,432,584	68,051,273	63,657,550	65,235,330	68,740,022	90,298,001

Budget FY 2013
As of 4/18/2013

Actual Year to Date Comparison
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April 18, 2013
Actual to Date

Adopted
Budget

Description	Organization	ORG	FY 2010	FY 2011	FY 2012	FY 2013	FY 2013	FY 2013
Transfers	Allocation	GENERAL FUND XFERS OUT	99100					
		Miscellaneous Grant	59200	-	-	-	-	-
		Daufuskie Ferry	59202	56,250	75,000	75,000	75,000	83,333
		Public Safety Grants	59206	-	61,180	2,472	7,788	7,788
		EMS Grants	59207	4,500	4,500	4,500	-	-
		Energy Grant	59225	-	-	-	444	444
		Tire Recycling	59226	3,000	-	-	-	-
		Real Property	59209	-	-	333,859	-	-
		Dale Water Line	59229	-	34,939	-	-	-
		PALS Programs Fund	59231	-	2,999	-	-	-
		DSN Programs Fund	59241	1,398,147	1,215,459	1,019,625	1,275,000	1,416,667
		A&D Programs Fund	59261	367,848	273,422	224,765	262,500	291,667
		DNA Laboratory	59270	238,813	249,370	-	-	-
		Victims Assistance	59271	225,945	70,376	80,726	89,467	99,408
		School Resource Officer	59273	86,275	109,391	100,088	107,129	119,033
		Sheriff Grant	59274	6,311	20,411	3,605	-	-
		Sheriff's Vehicles	59277	500,000	-	-	-	-
		DNA Grant Fund	59280	-	-	22,097	-	-
		COSY Program	59281	97,500	97,500	125,000	105,000	116,667
		Solid Waste	59290	-	-	-	-	-
		Debt Service Fund	59300	-	-	400,000	-	-
		LI Airport	59570	75,000	-	-	-	-
		HHI Airport	59580	112,500	12,500	-	-	-
		Treasurer's Execution Fund	59603	-	-	-	41,302	41,302
		Clerk of Court	59619	-	-	-	-	-
		Public Defender	59651	490,022	377,125	225,000	225,000	250,000
		Sheriff's Trust	59663	-	10,000	15,000	-	10,000
		Total General Fund Transfers Out		3,662,111	2,614,172	2,631,737	2,188,630	2,436,309
Education	Education	Education Allocation	64399	3,144,200	3,144,200	2,666,667	2,666,667	3,333,333
		General Fund Expenditures (including Transfers and Education Allocation)		75,238,895	73,809,645	68,955,954	70,090,627	74,509,664
		Net (Surplus)/Deficit		(8,568,075)	(9,657,394)	(14,732,813)	(15,245,887)	(11,432,084)

ORDINANCE NO. 2013 / __

AN ORDINANCE TO AMEND THE FY 2012-2013 BEAUFORT COUNTY COUNCIL BUDGET, SECTION 4, COUNTY OPERATIONS APPROPRIATION, SECTION 11 COUNTY ADMINISTRATION OPERATIONS, PARAGRAPH M. GENERAL GOVERNMENT SUBSIDIES (TO APPROPRIATE \$152,817 TO THE SOLICITOR'S BUDGET).

Be it resolved, that County Council hereby appropriate \$152,817 to the FY 2012-2013 Solicitor's budget, account 10001198-55230.

Adopted this ___ day of _____, 2013.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Joshua A. Gruber, Staff Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

First Reading, By Title Only: April 8, 2013
Second Reading:
Public Hearing:
Third and Final Reading:

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ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE MEMBERSHIP AND COMPOSITION OF THE BEAUFORT COUNTY TAX EQUALIZATION BOARD AND TO ESTABLISH THE TERMS OF SERVICE FOR SUCH MEMBERS

WHEREAS, Act Number 1623 of 1972 of the South Carolina General Assembly created the Beaufort County Tax Equalization Board and authorized appointment to the Board by Beaufort County Council; and

WHEREAS, Beaufort County Council subsequently adopted a charter for the Tax Equalization Board that defined the membership of the Board and its powers and duties based upon the language contained within Act Number 1623; and

WHEREAS, Act 283 of 1975, The Home Rule Act, vested Beaufort County Council with the independent authority to control all acts and powers of local governmental authority that are not expressly prohibited by South Carolina law; and

WHEREAS, Beaufort County Council believes that it is in the best interests of its citizens to amend the membership and composition of the Beaufort County Tax Equalization Board and to provide for the Terms of Service of such members.

NOW, THEREFORE, BE IT ORDAINED BY BEAUFORT COUNTY COUNCIL, that the Charter for the Beaufort County Tax Equalization Board is hereby amended and replaced with the following:

SECTION 1. Appointive Powers of Council.

Pursuant to section 4-9-170, Code of Laws of South Carolina, 1976, and section 3 of Act 283, (the Home Rule Act), the Beaufort County Council hereby assumes all appointive powers in regard to the Beaufort County Tax Equalization Board.

SECTION 2. Composition; Terms; Vacancies.

The Beaufort County Tax Equalization Board shall be composed of fifteen (15) members to be appointed by Beaufort County Council. The Council shall appoint three members representing the unincorporated areas of Beaufort County, three members from within the geographical boundaries of the City of Beaufort, three members from within the geographical boundaries of the Town of Port Royal, three members from within the geographical boundaries of the Town of Bluffton, and three members from within the geographical boundaries of the Town of Hilton Head. Council will then appoint members to the Board, such that there is a balance as to the geographical residency of the members of the Board and the professions of the members as they relate to the functions of the Board. The terms shall be staggered so that the first eight (8) members appointed to the Board shall serve an initial term of four (4) years. The

next seven members appointed to the Board shall serve an initial term of two (2) years. After such initial appointments, all members appointed to the Board shall serve a term of four (4) years. Members of the Board shall be appointed and serve until their successors are appointed and qualified. All vacancies shall be filled by appointment in the same manner as the original appointment for the remainder of the unexpired term.

Appeals and other hearings may be conducted by panels of five (5) members chosen from among the 15 members of the Board. Three members of the panel shall constitute a quorum, unless the parties agree to a lesser number.

Panels may be chosen by a method or methods determined by the Board to maximize the efficiency and effectiveness of the Board. The method of choosing hearing panels should enable timely consideration of appeals and other matters brought to the Board, and should also involve considerations of members' availability and limiting overburdening individual members with hearings.

Beaufort County Council may amend this article as it deems necessary, to reduce the Board to a lower complement of members. When so amended, unless otherwise specified, the Council may reappoint seven (7) members from among the existing fifteen (15) and establish their respective terms, or may abolish and reconstitute the Board as it sees fit, seeking applicants for the remaining positions.

SECTION 2. Duties.

The Tax Equalization Board shall meet whenever necessary to act on appeals from the assessments of the Auditor or County Assessor as may be provided by law. The Board may change assessments of the Auditor or County Assessor for only the current year appealed from unless otherwise authorized by law and agreed to by the Auditor or County Assessor. Each change shall be certified by the Board to the Auditor or County Assessor and shall be adopted by him/her for the purpose of taxation for the year appealed from. The Tax Equalization Board shall not make a final determination of any assessment until the Auditor or County Assessor has been given an opportunity to present his/her justification for the assessment.

SECTION 3. Officers.

The Tax Equalization Board shall meet and elect a chairperson and secretary. Additionally each hearing panel created by the Board shall elect a chairperson for purposes of efficiently conducting each appeal hearing.

SECTION 4. Minutes of Meetings.

Minutes shall be taken of all meetings of the Tax Equalization Board. The minutes shall be a matter of public record. A copy of the minutes of the Board duly certified by the secretary will be sent to the Auditor and the County Assessor. In lieu of a copy of certified minutes, an audio or video recording of the meeting may be substituted so long as a copy of the recording is made available to the Auditor, Tax Collector, and the general public.

SECTION 5. Availability of Auditor's and Assessor's Records; Attendance of Auditor or Assessor at Meetings

The records of the Auditor's Office and the County Assessor's Office shall be available to the Board and the Board may request the presence of the Auditor or County Assessor at any of their meetings.

SECTION 6. Taxpayer's, Property Owner's Right to Appeal Decisions.

The right is reserved to any property owner, taxpayer or his agent to appeal from the decision of the Beaufort County Tax Equalization Board to the South Carolina Administrative Law Court for such relief as may be available to him/her under the general law.

SECTION 7. EFFECTIVE DATE

This Ordinance shall be effective upon approval at third and final reading by Beaufort County Council.

DONE, this ____ day of May, 2013.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Joshua A. Gruber, Staff Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

First Reading, By Title Only:

Second Reading:

Public Hearing:

Third and Final Reading:



OFFICE OF THE COUNTY ADMINISTRATOR
COUNTY COUNCIL OF BEAUFORT COUNTY

GARY KUBIC
COUNTY ADMINISTRATOR

CHERYL HARRIS
EXECUTIVE ASSISTANT

ADMINISTRATION BUILDING
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BRYAN J. HILL
DEPUTY COUNTY ADMINISTRATOR

JOSHUA A. GRUBER
STAFF ATTORNEY

April 18, 2013

Hon. Lisa Sulka, Mayor
Town of Bluffton
20 Bridge Street
Bluffton, SC 29910

Re: Beaufort County Adoption of Proposed Realignment of Bluffton Parkway Phase 5B

Dear Mayor Sulka:

Thank you for your attendance and presentation of materials at the April 15, 2013, Public Facilities Committee Meeting. As a direct result of that meeting, I have been asked to make contact with the Town, Mr. Reed, and Mr. Robertson to discuss several contingencies that were placed upon the Committee's recommendation that the proposed realignment of the Bluffton Parkway Phase 5B be adopted as the County's preferred design. This letter shall serve to memorialize what I believe those contingencies were that were placed upon the County's recommendation.

First, the County would like to be assured that the necessary right of way for the Town's preferred alignment of the Parkway would be donated to the County free of any consideration and would not be subject to any of the terms and conditions contained with the Buckwalter Development Agreement. As the County is not a signatory party to this Agreement and would not be able to enforce any of its terms nor be able to participate in any amendments that may be subsequently entered into, it is imperative that this property be donated without such restrictions.

As you are aware, there is insufficient funding to allow the County to move forward with this particular phase of the Parkway at this time. Therefore, the County is not presently requesting that the land be deeded over to it. Rather, it is requesting that it receive written assurances from both the Town and Mr. Reed that the property will be donated to under the terms discussed above at such time as funding for the project has become available and Beaufort County Council authorizes the project to move forward.

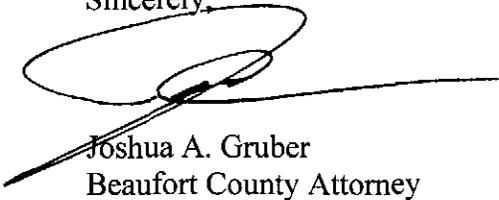
Additionally, the County would like to be provided with information relative to the design and installation of Innovation Drive that will connect to the realigned Bluffton Parkway. Specifically, the County would like to be provided with written assurances identifying which party(ies) will be financially responsible for the roadwork associated with the construction of Innovation Drive

that will need to occur simultaneously with the County's construction of Phase 5B. This will ensure that the County will not be expected to, nor be responsible for, carrying out this function and will eliminate concerns held by several council members regarding access to surrounding properties.

I look forward to working with you to obtain the information requested by the Public Facilities Committee. Until such time as we are able to ensure that the requests contained in the conditional recommendation for adoption of the proposed realignment has been satisfied, I will respectfully request that County Council take no further action on this matter.

Please do not hesitate to contact me if you should have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Joshua A. Gruber". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Joshua A. Gruber
Beaufort County Attorney

cc: Paul Sommerville, Chairman Beaufort County Council
Members of Beaufort County Council
Members of the Town of Bluffton Council
Gary Kubic, Beaufort County Administrator
Anthony Barrett, Town of Bluffton Administrator
Bryan Hill, Beaufort County Deputy Administrator
Rob McFee, Beaufort County Director of Engineering and Infrastructure
John Reed, University Investments, LLC
Lewis Hammet, Lewis J. Hammet, PA
Douglas and Luellen Robertson
Roberts Vaux, Vaux and Marscher, PA

**EXCERPT FROM THE MINUTES
OF THE
JANUARY 14, 2008 MEETING OF COUNTY COUNCIL**

Approval of Preferred Alignments for Phases 5A and 5B of the Bluffton Parkway

It was moved by Mr. Glaze, as Public Services Committee Chairman (no second required), that Council approve the preferred alignments for Phase 5A and Phase 5B of the Bluffton Parkway.

Mr. Kubic, County Administrator, introduced Mr. David Beatty, an engineer with Florence & Hutcheson, Inc., who will give Council a short summary on the recommendation and the preferred alignment for Phases 5A and 5B of the Bluffton Parkway (hereinafter "Parkway"). In attendance today are representatives from the County Engineering Department, representatives from the traffic analysis, and the modeling discipline in this project.

Mr. Beatty stated that Florence & Hutchison, Inc. (hereinafter "F & H") has been contracted by the County to study, and ultimately design, the Bluffton Parkway Phases 5A and 5B (hereinafter "Project"). The purpose of the Bluffton Parkway Phase 5 is to provide an alternative route to US Highway 278 as well as improve safety throughout the greater area. F & H conducted public meetings in August and October 2006. In April 2007 F & H presented the preferred alignment to the public. Mr. Beatty personally presented to the Beaufort Transportation Advisory Group on two separate occasions; and, most recently, to the Council Public Services Committee on December 12, 2007. This Project has been developed in accordance with SCDOT requirements and federal requirements in order to ensure future eligibility of federal or state funds. F & H previously submitted the environmental document to the Federal Highway Administration (hereinafter "FHA") for both Phase 5A and 5B. F & H has received back and addressed FHA and SCDOT comments. F & H will submit the final document on February 1, 2008. As quickly as FHA and SCDOT approves the environmental assessments for Phase 5A and Phase 5B, F & H will make the document available to the public for review and conduct a public hearing. The latter could be held the end of February 2008. At that time, F & H will show the public the same drawings Council viewed today to include some additional detail insofar as the exact construction limits, etc. Once the public hearing is held, F & H can finalize the right-of-way plans / develop the designs, in order to acquire the rights-of-way. Then they will move into design and then final construction.

Phase 5A is the extension of the Parkway from Burnt Church Road to a point near Fording Island Road. A distance of about 3 miles. The study corridors closely follow the powerline easement. The proposed typical sections are proposed to match the existing Parkway, which includes two travel lanes in each direction and a landscaped median with joint use pedestrian / bicycle paths on each side. By way of aerial photography, Mr. Beatty showed several overview slides of the Phase 5A recommended alignment beginning at Burnt Church Road and extended to US Highway 278 near Buckingham Plantation. The new alignment parallels the existing powerline as soon as possible. Santee Cooper owns the existing powerline which measures 150 feet in width. In areas where possible, the alignment parallels the powerline easement and encroaches in it about 20 feet. The 20 feet allows a sharing of the easement without relocating or incurring

a cost for relocating those utilities. In areas such as Heritage Lake, where effort is being made to minimize impacts, commercial on one side and residential on the other, the proposal is to go completely within the powerline easement. That will accomplish minimizing impacts, minimizing the taking of rights-of-way, and requiring Santee Cooper to relocate their two sets of utility towers to three large utility poles, one on each side of the Parkway and one in the median. The majority of the project has been designed to accommodate a speed of 45 miles per hour. In the vicinity of Heritage Lakes, in an effort to minimize impacts, the proposal is to slow traffic down to 35 miles per hour so that a sharper curve can be made. By doing that the roadway has been pulled away from the residences. Also, the median has been reduced from 24 feet in width to 4 feet in an effort to reduce the impact to the homes.

A new signal will be located at Malphrus Road. The proposal is to move the entrance to Heritage Lakes approximately 100 feet towards their existing pond. A new signal is proposed at Buckingham Plantation as well as creating a five-lane section with two lanes in each direction plus a center turn lane. As traffic approaches the intersection at Buckingham Plantation, the two lanes heading towards Hilton Head Island will go through the light and then soon thereafter, approximately 2,000 feet, drop the outside lane, and these two lanes will merge into one lane. At this point the Parkway leaves the mainland. There is one lane of traffic in each direction built upon a structure in the marsh. The structure curves toward US Highway 278 and then two ramps would be created – one lane heading towards Hilton Head Island and a bridge over Fording Island Extension impacting a portion of the BP Gas Station right-of-way, and then that one lane would reach both of the bridges and merge prior to the bridges. Heading from Hilton Head Island to an off-ramp that will fly-over US Highway 278 and then tie back in to the joint two-lane bridge.

Phase 5B is the extension from the current intersection of Phase 4 and Buckwalter Parkway, to the current intersection of Phase 3 and Buck Island Road, for a distance of approximately 2.5 miles. The study corridors closely follow the powerline easement. The proposed typical sections are proposed to match the existing Parkway, which includes two travel lanes in each direction, and a landscaped median with joint use pedestrian / bicycle paths on each side. Phase 5B is much more undeveloped and few design issues to mitigate. The new right-of-way line parallels the utility easement.

Mr. Sommerville would like clarification on the thinking of continuing the Parkway to Buckwalter as opposed to cutting it off in, perhaps, the Malphrus area / Ford Dealership. There is obviously going to be some degradation on the marsh areas as well as degradation in some of the housing developments. It is going to cost a lot more money. There is an economic piece to this. He needs to be comfortable that it really does make sense to run the Parkway to the Buckingham Plantation area i.e., the additional expense is justified and the additional degradation to the housing developments and marsh areas is justified.

Mr. Beatty replied the public has had more opportunity to comment on this Project than on any other project he has dealt with in his 13 years working on similar projects. Held were three rounds of both Tuesday and Thursday public meetings. The Project started out with the broad corridor, then came back with potential alignments above / below / through the powerline which now, basically, is the preferred alignment. This preferred alignment has been presented twice to

the members of the Transportation Advisory Group and once to the Public Services Committee. F & H has conducted a number of technical environmental studies to include wetlands, threatened and endangered species, noise, hazardous materials, relocations, etc. These studies will be referenced into the overall environmental assessment for each project. When F & H submits the environmental assessment on February 1, 2008, FHA will review the plan, indicate whether or not they approve the plan, whether or not they approve of having a formal public hearing, and once the public comment period has expired, FHA will issue a FNSI – finding of no significant impact. A FNSI is the federal action where FHA finds that there is no significant impact of the Project on the human and natural environment. Once the FSH issues FNSI, at that point they are approving the general alignment and description of the Project. However, minor adjustments can be made to the Project so long as they do not dramatically change the impacts to the human and natural environment.

Mr. Sommerville inquired of the numerous technical environmental studies.

Mr. Beatty replied the wetlands were delineated by a certified biologist. The delineation was submitted to the Corps of Engineers, and they agreed with the wetland designation. F & H has calculated the wetland impacts, the amount of wetlands that will be filled by the roadway. Phase 5A includes two to three acres; Phase 5B approximately seven acres. That would be the amount of wetlands impacted by this Project and would require mitigation during the permitting process by the Corps of Engineers. The US Fish & Wildlife Service, the certifying federal agency, has certified by letter that this project would not adversely affect any threatened or endangered species. Similarly, there has been some discussion about the bridge through the marsh. The concrete piers going down into marsh would have a direct physical impact. Shade can impact plant life and have a direct physical impact. Insofar as roadway runoff, the bridge design will allow that water to either stay on the bridge or collect into a gutter system, and treat that water on dry land before it is outletted into the marsh. This is another permitting requirement of DHEC. The Project impacts businesses and residences by its mere presence. A project of this magnitude as proposed requires zero relocation of residential properties.

Ms. L Von Harten cannot support the preferred alignment because of the wetlands situation and saltmarsh. The County is very strict with the residents about wetlands, marshlands, and building docks 200 feet longer than what is allowed by ordinance. Ms. L. Von Harten realizes this project is for the public good, but there are alternatives that have not been adequately explored within the community.

Mr. Newton noted that more wetlands are impacted by Phase 5B than Phase 5A -- twice as many acres. Council is going to have the same issues in building another bridge across the Beaufort. Should we just not do it? Mr. Newton is as concerned about the environmental impacts of every one of the projects as any Council member. He is also guided by Council's responsibility for public safety. He is guided by the fact that two years were spent and every mayor and every elected official from the municipalities and County, voted to put this question before the voters of Beaufort County, and they approved it. There is no better public hearing than that. Mr. Newton is not delighted about this project. It is in his Council District. He has to tell people who live in his District that this roadway is coming by their house. He does not want to do it. But the fact of the matter is we failed to do what we should have done 20 years ago. We made a

collective decision to put the question before the Town Councils, to put the question before County Council, to put the question before the people, and it all passed. Do we rehash it all today, and spend another year in paralysis of the analysis, or we can move forward to that which we set about doing when the people in November 2006 overwhelmingly said we want this to be done. At Mr. Newton's request, we had more public presentations of this Project than any other project on the penny sales tax list because of its sensitivity, because of where it is, and because of the impact to the residents. Mr. Newton wishes we did not have to do this project, but he drives in that US Highway 278 traffic every day. He was the one who has lobbied for federal money the last five years. The federal government wants to be involved in a project that is an alternative to US Highway 278, which connects from the waterway at the bridges all the way to Interstate-95. The federal government does not want to be a part of a dead end. We looked at stopping it at Buckingham Landing and wiping out all the trees at the Moss Creek light, and that was not really much of an alternative. We looked at the alternative of going through the federal preserve, and that was not an alternative. For two years plus there has been a fairly extensive amount of study on this Project. Mr. Newton is not going to put it off again simply for the idea to restudy the same things that have been studied and voted on by the citizens of Beaufort County. He does not like the Project any better today than he is going to like it two years from now. He is, however, going to appreciate the fact that it gets built sooner rather than later so that fewer people are impacted by the inadequate road system we have in Beaufort County today. This Project was not recommended based on one set of traffic count numbers. If the numbers that went into the traffic model are bad, we don't just attack one project and say the numbers are bad – because it is everything. It is impact fees, \$152 million of penny sales tax projects, and \$100 million of impact fee projects. Everything is layered. We passed an impact fee based on the Project and we charged everyone building a new house to pay toward this Project. The difficulty is this is Monday morning quarterbacking this Project today. We either can continue to debate this Project for two more years or we can do what the people told us to do in November 2006 – get this Project built and do everything we can to minimize the impacts on houses along the roadway. Mr. Newton is going to do everything he possibly can, as the Council representative for this area and as Chairman, to minimize these impacts with sound walls or barriers. He is concerned about public safety. This Project needs to move forward.

Mr. Baer has studied this project quite a bit as an engineer. Especially since another engineer, Mr. Rodman, suggested the traffic numbers may be too high. Mr. Baer thinks the traffic numbers are probably too high. He recognizes there have been a lot of public meetings. Mr. Baer obtained a lot of data from one of the consultants at the Public Services Committee meeting, because that data was not presented at that meeting. Those were numbers. One of those numbers is that even if the traffic flow was lower, as Mr. Rodman suggests, it looks like 39% of the traffic coming to and from the Hilton Head Island bridges, is deflected into the Bluffton Parkway, and that is a good thing. Mr. Baer has paid a lot of attention in the last few weeks while driving that area, he can see cars backing up at Burnt Church attempting to gain access to the Bluffton Parkway. He suspects the 33% or 39% used is probably reasonable. This is very important because there is more and more congestion occurring in the Moss Creek area and Best Buy store area. That area is getting slower and slower and slower. Anything that can be done to divert traffic off that and onto the Bluffton Parkway is a good thing. There is really another short session that Council really deserves with traffic engineers to get some of the data we want. We should not be using average data, but busy hour data and peak loads. He agrees

that a lot of traffic is diverted onto the Bluffton Parkway. We need to verify that model. By his calculation from the printout that number is 39%. That is an important number. If we move 39% off US Highway 278, then that is a good thing. He is very concerned about friction in Phase 5B. If we are not careful with too many traffic lights, parking lots, stores, and developments, this very expensive road that we are building is just going to wind up being an access road to a shopping mall. The slower Phase 5B gets, the less value there is in Phase 5A. The purpose of Phase 5A is to get traffic off US Highway 278. We really need to work on the Access Management Plan and this Council has to use its bully pulpit and minimize the number of traffic lights and curb cuts so that the Bluffton Parkway really is a deflector from US Highway 278. At the same time Council really has to use its bully pulpit to get Phase 6 thought through, and that is the connector to Interstate-95. We really need to understand ways to minimize pain. Mr. Baer is still open-minded about buying out those homes to avoid building that sound wall and putting those people through less pain. He will carry the flag to raise more money if we can do anything to minimize the pain. He will vote for the preferred alignment tonight just to move it along.

Mr. Rodman stated it is quite logical if there are two highways that are running parallel to each other, that there ought to be a way to connect them without having to go through traffic signals and left turns. Approaching Buckingham Landing there are six lanes on US Highway 278 and four lanes on Bluffton Parkway and somehow that is going to narrow down to four lanes on the bridge (ten lanes to four). Focusing on the bridge and understanding what the numbers were on bridge, it is an important discussion in the sense that it does become somewhat of a driver of the model because it is one of the major inputs. This is somewhat of an open issue in his opinion. He does not have too much of a problem with it going forward, but he does reserve the right to question as we go forward. From an overview standpoint and looking at some data, what is happening to the visitors on Hilton Head Island? The numbers are pretty constant / level over the last seven or eight years. From a construction standpoint, given the fact that Hilton Head Island is starting to approach build out, there is a significant decrease in the level of the construction industry. When the School District did their projections, they actually are showing decreasing enrollment going forward in the schools. These are all things that would say maybe the volume is not going to increase. On the other hand, they show more residents both on-Island and off-Island. It is probably a difficult number to actually project with all of those moving factors. Mr. Rodman finds that looking in history is sometimes a pretty good predictor of what is going to happen the future. The volume appears to be pretty level and is more apt to stay level than it is to definitely shoot up. The Wilbur Smith model was presented to Council six years ago. It actually showed 87,000 as the load on the bridges. As you worked away from the bridges, it showed the load declining near SC Highway 170 to approximately 40,000. The current County model is roughly the same 85,000 as the number of trips on the bridges, but it recognizes that there is tremendous growth that is taking place in the other part of the County – this model goes up. If you look at the total of Bluffton Parkway and US Highway 278 as you near SC Highway 170, the volume is approximately 100,000 cars. Therefore, we have one model at 40,000 and one at 100,000. The latter one is probably more accurate. Mr. Rodman is very concerned about whether we really would see the so-called one-third split, or 39% split, that takes place. The vast majority of people are going to want to stay on US Highway 278 based on where they are going. What we have had is an economic shift probably from Hilton Head Island to Bluffton. As Bluffton has grown – a hospital, USC-B, schools, building supply houses – there

is a piece that has happened that we did not necessarily anticipate where a lot of activity has moved off the Island. We really need to understand what happens at the peak. We really need to get a handle on that. Last week Mr. Rodman asked SCDOT to send him the data they have on the road. SCDOT has a collection point on the Island. The data is collected by lanes, directional, by hour, by day, etc. After reviewing the data, Mr. Rodman has two questions. Is the volume going to stay where it is or is it really going up to the 80,000+? Are we going to have that significant amount of people actually wanting to get on the Bluffton Parkway or just stay on US Highway 278? The current number is 80,000+, apply the 39%, the result is about 33,000 and that is in the model and the number trips, i.e., 33,000 people are going off of US Highway 278 at the bridges onto the Bluffton Parkway. If the numbers happen to stay closer to 50,000 and 10% to 15% of those people get off at the bridges, the result is about 8,000. We need to know what we are doing so that we do not end up building something with relatively little traffic on it and then we have a monument to a bad mistake. Mr. Rodman does not question any of the arguments made about why we ought to do this, but he has a very uneasy feeling that we are basing it on the wrong numbers. We are dealing with a model that may be off as much as 60% to 70% because of the volume. From an engineering standpoint, he is not used to having that kind of potential error drive a project.

Mr. Beatty stated in July 2007 at a Transportation Advisory Group meeting, Hilton Head Island Town Mayor Tom Peebles made the statement that the Island was at 85% build out so there is an opportunity for 15% additional build on Hilton Head Island. Even if there is no growth, even if the model is inaccurate, factually, F & H took counts in September 2007 and there were 52,000 cars a day crossing the bridges and that is not peak season. It is not quite factual that off-island traffic is going to generate traffic coming across the bridges. There are current portions of the Bluffton Parkway today that are carrying 17,000 cars a day. If we were to stop the project and just build a bridge, not a flyover, and just provide access to Buckingham Landing, that would do great things for Buckingham Landing, but that would completely kill the purpose of needing the overall project and getting traffic off of US Highway 278. It is possible to stage and construct this project and still maintain federal standards and federal requirements.

Mr. Stewart appreciates the problems and concerns of the people of Buckingham Landing. He, like Mr. Newton, wished that we were not proposing to do this. Mr. Newton and he represent the mainland of southern Beaufort County. Although this Project does not go through it, it greatly impacts most of the people living in the Council District he represents. The people supported the referendum and expect to see these projects moving forward. We have to look at studies, models and accept them for what they are. They are projections. They are looking into the crystal ball and trying to see what the future is going to bring. We have to use our best knowledge and understanding. It is kind of ironic the argument is to stop looking at averages and instead look at peaks. Any way you look at it a peak is always higher than the average. If you use peak hours, you are going to come up with heavier traffic loads and that accentuates the need for going forward. We need to look at the natural habit of the people who are using the roadway, and that is more important, perhaps, than looking at a model or into a crystal ball. Where are we going to go in another ten years if we put this project off? We need this highway. The longer we put it off, the more costly it is going to be, the more difficult it is going to be, impact more people negatively, and displace more people.

Mr. W.R. Von Harten stated the issue today is Phase 5A is basically a way for the Bluffton Parkway to integrate with US Highway 278 on the eastern end. We can talk about volumes, plus or minus, we can talk about use rates, but this is the best solution that we can devise at present. For more than two years Council has been studying this subject. We went through the process of finding the financial mechanisms in order to make it happen. We went to the people asking what projects they want. We went to the professionals to tell us how to go about it. We presented that to the people, and they spoke. The best advice that we can get shows us this preferred alignment. Mr. W.R. Von Harten is in favor of this alignment. Had we done this 10, 12, 15 years ago we would not be facing some of the problems that we are now. If we wait again, we are going to be facing even more problems then. He supports the preferred alignment.

Mr. Newton remarked that Mr. Baer has asked for some information. He has asked Mr. Todd Salvagin, Mr. Beatty and Ms. Jennifer Humphries to meet with Mr. Kubic for the purpose of putting together a data package regarding the formula used in deriving the 39%, the traffic count information, the actual numbers from September, etc. If there are additional questions, we ought to prove those. Please make the data available to all members of Council.

Ms. L. Von Harten does not know where everybody is coming up with this idea that we want to stop this Project from happening. That is not the case at all. She has not heard one person say they want to stop this Project. Shame on Council for implying that. We all know that the voters voted for this Project. We are just saying that there is some problem with the alignment. For Council to act like the Project should not be done at all, she cannot abide by that. No one is trying to stop this Project. We want this Project to happen. The fact of the matter is that the people of Beaufort County voted for a bridge over the Beaufort River, e.g., the McTeer Bridge. They did not vote for a bridge to Buckingham Bridge and a fly-over.

Messrs. Newton and McBride replied the referendum, which the voters approved, did, in fact, include a flyover tying into US Highway 278.

Mr. Kubic stated for the record a representative of Mr. John Reed, who is the other stakeholder, had indicated that they may have some concerns with the placement of the intersection with regards to the intersection and its associated effect of compressing a smaller area of land. A tentative peek of what was being proposed may cause some concern on Phase 5B.

Mr. Gary Wiggin, who works with Mr. John Reed, stated what was presented before was an engineering solution. We had a meeting, since then it has been moved, and we were told we were going to have a chance to take another look at it. Mr. Wiggin is seeing it today for the first time. It seems like it is set to benefit other parties.

Mr. Newton replied the preferred alignment has not changed since it was presented to the Public Services Committee on December 11, 2007, which was based on the Bluffton Town Mayor's recommendation to Council that Mr. John Reed, and his client, Mr. Doug Robinson, had agreed. There was a letter from Bluffton Town Mayor Hank Johnson, supporting the exact preferred alignment Council is looking at today.

Mr. Wiggin stated the letter was based on the other alignment presented at an earlier meeting.

Mr. Kubic stated, for the record, the letter proposed to the two parties may or may not be in the interest of County when compared to the Access Management Plan for Phase 5B. The Access Plan for Phase 5B, once this alignment is approved, is the denominator. It is the driver. Although it is important, vital, and we are interested in learning from the experiences of the two property owners, it is not the determinate here, in Council Chambers. Mr. Kubic suggested Council approve the alignment today and then see whether or not the proposal by Mr. Reed is acceptable or not acceptable to each side, plus the County, when compared to the Access Plan. It may not be. It is not appropriate, in Mr. Kubic's opinion, to have the County Administration render an opinion on it until all of this process comes together at one time.

It was moved by Mr. Rodman, seconded by Ms. L. Von Harten, that Council table for two weeks in order to hold a stakeholders meeting.

Mr. Newton stated it is disingenuous for Ms. L. Von Harten to say she is not attempting to stop the project when she engages in the frivolous motion to stall something for two weeks.

The vote was: FOR – Mr. Rodman and Ms. L. Von Harten. OPPOSED – Mr. Baer, Mr. Dawson, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Sommerville, Mr. Stewart and Mr. W.R. Von Harten. ABSENT – Mr. Caporale. The motion failed.

It was moved by Mr. Glaze, as Public Services Committee Chairman (no second required), that Council approve the preferred alignments for Phase 5A and Phase 5B of the Bluffton Parkway as presented to the Public Services Committee on December 11, 2007 and County Council today, January 14, 2008. The vote was: FOR – Mr. Baer, Mr. Dawson, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart, and Mr. W.R. Von Harten. OPPOSED – Ms. L. Von Harten. ABSENT – Mr. Caporale. The motion passed.



COUNTY COUNCIL OF BEAUFORT COUNTY
PURCHASING DEPARTMENT

102 Industrial Village Road, Bldg 3 Post Office Drawer 1228
Beaufort, South Carolina 29901-1228

David L. Thomas, Purchasing Director
dthomas@bcgov.net 843.255.2353
Richard Dimont, Contract Specialist
rdimont@bcgov.net
843.255.2352 FAX: 843.255.9437

TO: Councilman Gerald Dawson, Chairman, Public Facilities Committee
FROM: Dave Thomas, CPPO, Purchasing Director *get*
SUBJ: RFP# 1311490100217 Engineering Design Services for Spanish Moss Trail-Phase II
DATE: April 10, 2013

BACKGROUND: Beaufort County issued a Request for Proposals (RFP) to firms capable of providing engineering and design services for the Spanish Trail Phase II Project, a 2.1 mile segment of the multi-use Spanish Moss Trail extending from Depot Road to Parris Island Gateway (US-21). The project will consist of a 12' wide concrete trail along the existing abandoned rail bed, and the retrofit of the existing concrete trestle bridge (Ealeys Trestle) over Battery Creek. The evaluation committee consisted of the following five (5) members: Don Smith, Beaufort County Construction Manager; Colin Kinton, Beaufort County Traffic Engineer; Robert Merchant, Beaufort County Planner; Joe Devito, Operations Director, Beaufort Jasper Water and Sewer Authority; and Eliza Hill, Planner, City of Beaufort. The evaluation committee interviewed the top three firms and selected Andrews and Burgess as the number one ranked firm.

The RFP evaluation process differs from a typical construction bid, in that the qualified firms are providing professional services and are selected based upon set evaluation criteria and qualifications, not project cost. After a firm is selected, a not-to-exceed price is negotiated with the number one ranked firm. During negotiations, project budget and value added engineering concepts are considered and discussed with the firm's design team. County staff met with the Andrews and Burgess and negotiated a final contract price not-to-exceed of \$271,579.

FINAL EVALUATION RANKING:

1. Andrews and Burgess, Beaufort, SC
2. Ward Edwards, Bluffton, SC
3. Thomas & Hutton, Savannah, GA
4. Hussey, Gay, Bell & DeYoung, Savannah, GA
5. LowCountry Engineering Consultants, Beaufort, SC
6. The LandPlan Group South, Inc. Mount Pleasant, SC
7. SGA Architecture, North Charleston, SC
8. H & K Engineering Group, Savannah, GA

FUNDING: Account 48060011-54435 Rail Trail Construction. This project is contingent on the contract approval by SCDOT due to federal funding requirements. No funds will be expended until final approval by SCDOT.

FOR ACTION: Public Facilities Committee meeting occurring on April 15, 2013.

RECOMMENDATION: The Public Facilities Committee approve and recommend to County Council approval of the contract award to Andrews and Burgess in the amount of \$271,579 for the engineering and design services for the Spanish Moss Trail Phase II.

CC: Gary Kubic, County Administrator *GKubic*
Bryan Hill, Deputy Administrator *BHill*
David Starkey, Chief Financial Officer *DStarkey*
Robert McFee, Director of Engineering & Infrastructure *RMcFee*
Monica Spells, Compliance Officer *MSpells*
Richard Dimont, Contract Specialist

Att: Summary of Ranking

**Beaufort County
RFP Spanish Moss Trail Design Services Phase 2**

4/10/2013

Proposal Notice No.: 13114904100217

Committee

Member	TLGS	HGBD	LEC	SGA	Ward Edwards	Thomas & Hutton	H & K Eng	Andrews & Burgess
	Points	Points	Points	Points	Points	Points	Points	Points
Joe Devito	68	51	80	63	89	74	69	93
Eliza Hill	70	87	63	62	90	89	70	93
Rob Merchant	79	83	82	85	94	85	72	90
Colin Kinton	83	78	80	75	85	86	70	88
Don Smith	76	81	75	74	82	87	62	84
Totals	376	380	380	359	440	421	343	448

The Evaluation Committee interviewed the top three firms.

Final Ranking:

1. Andrews and Burgess
2. Ward Edwards
3. Thomas & Hutton
4. HGBD
5. LEC
6. TLGS
7. SGA
8. H & K Eng.



**COUNTY COUNCIL OF BEAUFORT COUNTY
BEAUFORT COUNTY ENGINEERING DIVISION
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Telephone: 843-255-2692 Facsimile: 843-255-9420**

TO: Councilman Gerald Dawson, Chairman, Public Facilities Committee

VIA: Gary Kubic, County Administrator
David Starkey, Chief Financial Officer
Robert McFee, PE, Division Director, Engineering and Infrastructure
Josh Gruber, County Staff Attorney

FROM: Robert Klink, PE, County Engineer

SUBJ: **Renewal of Perryclear Drive Easement**

DATE: April 11, 2013

BACKGROUND. On June 4, 1962, the Federal government, through the Department of the Navy, granted a 50-year easement authorizing Beaufort County to “construct, use, maintain, operate and repair” a road, now known as Perryclear Drive, on property owned by the Marine Corps Air Station – Beaufort (MCAS). The location of the easement is more clearly shown on the attached location map and easement survey. That portion of Perryclear Drive subject to the easement is the only means of access to Northview and Perryclear Subdivisions. These residential subdivisions encompass a total of 56 residential lots and 34 permanent residences.

The above described easement expired on June 4, 2012. A request to renew the easement for a period of 50 years was made to the Commanding Officer, MCAS-Beaufort. In response, the Naval Facilities Engineering Command Southeast (NAVFAC SE) has indicated the Navy’s willingness to execute another easement agreement with the provision that the County first submit a payment of \$9,050 to cover the administrative and legal costs associated with the easement renewal.

RECOMMENDATION. The Public Facilities Committee accept the Navy’s demand of \$9,050 in exchange for executing a new easement agreement for a period of 50 years and that it recommend the same to County Council. The funds for the easement would come from Vehicular Tag Fee Funds Acct #2342001T -51160.

REK/EWK/mjh

Attachments: 1) Location Map
2) Original “Grant of Easement”
3) Letter to MCAS-Beaufort dated 2/14/12
4) Letter from NAVFAC SE dated 1/10/13
5) Andrew & Burgess Survey



MCAS

NORTHVIEW
SUBDIVISION

PERRYCLEAR DR

MCAS

MCAS

PERRYCLEAR
SUBDIVISION

All correspondence pertaining
to this easement should include
reference to NY(1)-57260

GRANT OF EASEMENT

THIS INSTRUMENT, made the 4th day of June, 1962

between the United States of America, acting by and through the Department of the Navy, hereinafter referred to as the Government, and Beaufort County, acting by and through the Beaufort County Board of Directors, Beaufort, South Carolina, hereinafter referred to as the Grantee.

WHEREAS, the Government is the owner in fee simple of a parcel of land situate at the Marine Corps Air Station, Beaufort County, South Carolina, hereinafter referred to as the Station; and

WHEREAS, the Grantee has requested the conveyance of an easement for the construction, use, maintenance, operation and repair of a road over and across the aforesaid Government-owned parcel of land, as delineated on the plan annexed hereto; and

WHEREAS, the Secretary of the Navy has found that the grant of an easement on the terms and conditions hereinafter stated will not be against the public interest;

NOW, this Indenture witnesseth that, in consideration of One (\$1.00) Dollar, the sum of which is hereby acknowledged as having been paid and received, the Government, pursuant to the authority of Title 10, U. S. Code, Section 2508, hereby grants unto the said Beaufort County, its representatives, successors, and assigns, for a period of fifty (50) years from the date hereof, an easement for the construction, use, maintenance, operation and repair of a road, hereinafter referred to as the Road, such easement to be confined to the following described land, hereinafter referred to as the Premises:

All that certain tract or parcel of land being and lying in Land Lots Nos. 31, 32, 34, 35, 46 and 48; Section 12; Township 1 North; Range 2 West; Beaufort Township; Beaufort County, South Carolina, more particularly described as follows:

From the southeast corner of Section 12; Township 1 North; Range 2 West; Beaufort Township, Beaufort County, South Carolina; thence N 00° 26' E along the east line of Section 12 a distance of 1968.92 feet to a point of beginning.

Thence continue along the east line of Section 12 N 00° 26' E a distance of 72.47 feet to a point; thence N 63° 11' W a distance of 1070.00 feet to a point; thence N 11° 33' W a distance of 29.30 feet to a point; thence N 42° 05' E a distance of 275.15 feet to a point; thence N 47° 55' W a

distance of 66.00 feet to a point; thence S 42° 05' W a distance of 1350.00 feet to a point; thence S 47° 23' E a distance of 66.00 feet to a point; thence N 42° 25' E a distance of 1109.79 feet to a point; thence N 78° 27' E a distance of 80.32 feet to a point; thence S 67° 11' E a distance of 1125.40 feet to the point of beginning, as shown on T&D Drawing No. 790276, Rev. 2, attached hereto and made a part hereof, marked Exhibit "A" and containing 1.16 acres, more or less.

Also all that certain tract or parcel of land being and lying in Land Lot No. 41, Section 7, Township 1 North, Range 1 West, Beaufort Township, Beaufort County, South Carolina, more particularly described as follows:

From the northeast corner of Section 7, Township 1 North, Range 1 West, Beaufort Township, Beaufort County, South Carolina; thence N 00° 25' E along the west line of Section 7 a distance of 1004.51 feet to a point; thence N 47° 23' E a distance of 194.25 feet to a point; thence N 42° 05' E a distance of 133.00 feet to a point for a point of beginning.

Thence continue N 42° 05' E a distance of 66.53 feet to a point; thence S 67° 11' E a distance of 403.23 feet to a point; thence S 42° 05' W a distance of 66.53 feet to a point; thence N 67° 11' W a distance of 403.23 feet to the point of beginning, as shown on T&D Drawing No. 790276, Rev. 2, attached hereto and made a part hereof, marked Exhibit "A" and containing 0.59 acre, more or less.

THIS EASEMENT is granted subject to the following terms and conditions:

1. That all work in connection with the construction, operation, repair and use of the Road shall be done without cost or expense to the Department of the Navy and in accordance with plans previously approved by the Director, Southeast Division - Bureau of Yards and Docks, hereinafter referred to as the "Director".

2. That the Grantee shall maintain the Road in good condition and shall promptly make all repairs thereto which may be necessary for the operation and the maintenance of said Road.

3. That upon termination of the easement granted herein, if desired by the Government, the Grantee, at its expense, shall remove any and all improvements installed or constructed hereunder and restore the Premises to the same or as good condition as that which existed prior to the exercise by the Grantee of its rights hereunder, such restoration to be effected to the satisfaction of the Director.

4. That the Government reserves the right to make such connections between the Road herein authorized and other roads on the Station

as the Government may consider necessary, and also ~~as~~ ^{as itself} rights-of-way for all purposes across, over, and/or under the right-of-way herein granted; provided, however, that such rights shall be used in a manner that will not unreasonably interfere with the use and enjoyment by the Grantee of the easement rights granted herein.

5. That all or any part of the right-of-way herein granted may be terminated for failure on the part of the Grantee to comply with any of the terms and conditions of this grant. This easement shall terminate upon abandonment of the rights granted herein or upon nonuse of such rights for a period of two consecutive years.

IN WITNESS WHEREOF, the Government, acting by and through the Department of the Navy, has caused this instrument to be executed the day and year first above written.

UNITED STATES OF AMERICA

James Benson
By direction of the Chief, Bureau of Yards and Docks, acting under the direction of the Secretary of the Navy

Dodge L. Whipple
Witness

Elizabeth B. Scott
Witness

STATE OF SOUTH CAROLINA }
COUNTY OF CHARLESTON } ss:

Personally appeared before me Dodge L. Whipple, and made oath that he saw James I. Benson sign, seal and deliver the within conveyance for the uses and purposes therein mentioned, and that he with Elizabeth B. Scott, in the presence of each other, witnessed the due execution thereof.

Dodge L. Whipple

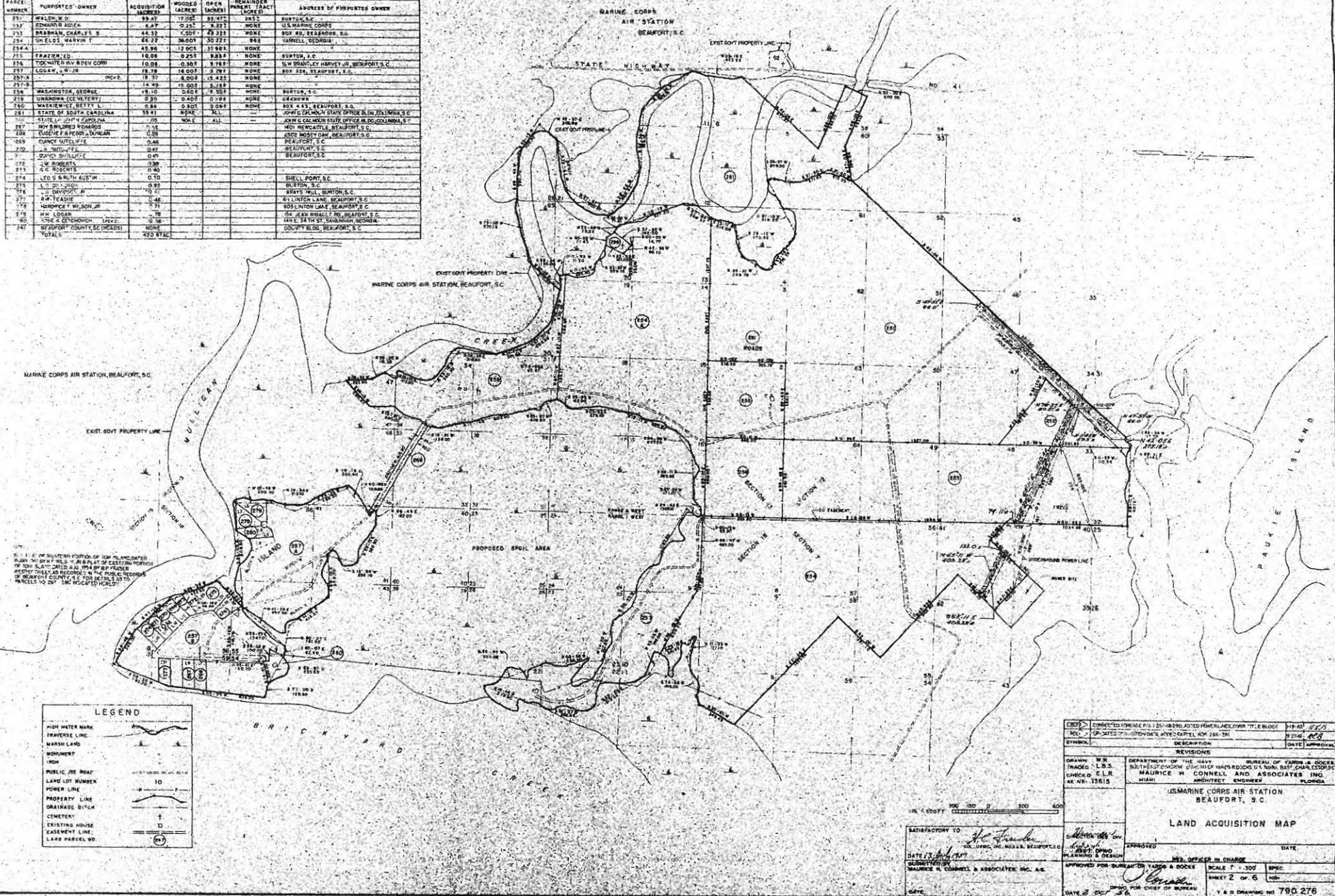
Sworn to before me the 4th day of June, 1962.

Elizabeth B. Scott
Notary Public for South Carolina

My commission expires at the pleasure of the Governor.

SCHEDULE OF LAND PARCELS

PARCEL NUMBER	SUPPOSED OWNER	ACQUISITION (ACRES)	WOODS (ACRES)	OPEN (ACRES)	REMAINDER PARENT TRACT (ACRES)	ADDRESS OF SUPPOSED OWNER
251	WALSH, W.S.	89.87	17.005	82.472	2853	BURTON, S.C.
252	STONOR, BOB	44.19	0.252	43.937	NONE	113 MARINE CORPS
253	BRANHAM, CHARLES E.	44.19	0.001	44.187	NONE	BOX 89, BEAUFORT, S.C.
254	SHIELDS, WARREN T.	64.77	36.001	30.222	842	HANELL, GEORGIA
254A	FRANZ, ED.	45.96	12.002	37.958	NONE	BURTON, S.C.
255	FRANZ, ED.	18.08	0.253	18.283	NONE	514 BRANTLEY HARVEY RD., BEAUFORT, S.C.
256	TOD-WATER RIVER CORP.	10.08	0.501	9.787	NONE	514 BRANTLEY HARVEY RD., BEAUFORT, S.C.
257	LOGAN, J.W., JR.	18.78	18.007	3.781	NONE	BOX 224, BEAUFORT, S.C.
257A	LOGAN, J.W., JR.	18.77	8.008	10.443	NONE	BEAUFORT, S.C.
257B	LOGAN, J.W., JR.	14.49	15.002	3.187	NONE	BEAUFORT, S.C.
258	WASHINGTON, GEORGE	18.10	0.002	18.102	NONE	BURTON, S.C.
259	CONROVER, GEORGE W.	2.50	0.002	0.148	NONE	VIEWHORN
260	WASKIEWICZ, BETTY L.	0.84	0.802	0.038	NONE	BOX 443, BEAUFORT, S.C.
261	STATE OF SOUTH CAROLINA	53.41	0.001	53.409	ALL	JOHN C. CALHOUN STATE OFFICE BLDG., COLUMBIA, S.C.
262	STATE OF SOUTH CAROLINA	0.95	0.001	0.949	ALL	JOHN C. CALHOUN STATE OFFICE BLDG., COLUMBIA, S.C.
267	BYE, EMILIO RICHARDS	0.18	0.001	0.179	NONE	1401 REICHAUSE, BEAUFORT, S.C.
268	EUGENE F. BROWN, DUNCAN	0.28	0.001	0.279	NONE	1401 REICHAUSE, BEAUFORT, S.C.
269	CONROY, NITEL F.	0.46	0.001	0.459	NONE	BEAUFORT, S.C.
270	CONROY, NITEL F.	0.47	0.001	0.469	NONE	BEAUFORT, S.C.
271	ZAPD, SHIRAZEE	0.47	0.001	0.469	NONE	BEAUFORT, S.C.
272	L.W. ROBERTS	3.98	0.001	3.979	NONE	BEAUFORT, S.C.
273	A.C. ROBERTS	0.40	0.001	0.399	NONE	BEAUFORT, S.C.
274	LEO S. WIRTH, AUSTIN	0.10	0.001	0.099	NONE	SHELL, PORT, S.C.
275	L.S. DE LOUVO	0.83	0.001	0.829	NONE	BURTON, S.C.
276	J. DAVIDSON, JR.	0.21	0.001	0.209	NONE	GRAY'S HILL, BURTON, S.C.
277	R.P. TRADIE	0.46	0.001	0.459	NONE	61 LINTON LANE, BEAUFORT, S.C.
278	SHAWNEE, WILSON, JR.	0.71	0.001	0.709	NONE	ROSLINGTON LAKE, BEAUFORT, S.C.
279	M.W. LOGAN	0.78	0.001	0.779	NONE	64 JEAN MARIE, BEAUFORT, S.C.
280	LOGAN, J.W., JR.	0.16	0.001	0.159	NONE	DATE 24 7th ST. BEAUFORT, S.C.
281	BEAUFORT COUNTY, S.C. (DEEDS)	425.876	0.000	425.876	0.000	COUNTY BLDG., BEAUFORT, S.C.
TOTAL						



LEGEND

HIGH WATER MARK	
TRANSVERSE LINE	
MARSH LAND	
MONUMENT	
PUBLIC USE ROAD	
LAND LOT NUMBER	
POWER LINE	
PROPERTY LINE	
DRAINAGE DITCH	
CONCRETE	
EXISTING HOUSE	
EASEMENT LINE	
LAND PARCEL NO.	

SATISFACTORY TO *[Signature]*

DATE *1/14/77*

BY *[Signature]*

PLANNING & DESIGN

MAURICE S. CONNELL & ASSOCIATES, INC. A.E.

DATE *1/14/77*

CHIEF	CONDUCTED SURVEY FILE 125-188-870 ADDED PARCELS UNDER TITLE BLOCK	DATE <i>1/14/77</i>
DEPT.	REVISIONS	BY <i>[Signature]</i>
BY <i>[Signature]</i>	DESCRIPTION	DATE APPROVAL
DEPARTMENTS OF THE NAVY BUREAU OF YARDS & DOCKS SIXTH FLOOR, 3101 W. MAPLEWOOD AVE., N. MIAMI BEACH, FLORIDA CHECKED BY <i>[Signature]</i> MIAH JAN. 1975		
US MARINE CORPS AIR STATION BEAUFORT, S.C.		
LAND ACQUISITION MAP		
APPROVED FOR BUREAU OF YARDS & DOCKS	SCALE 1" = 300'	SHEET 2 OF 6
DATE <i>1/14/77</i>	BY <i>[Signature]</i>	DATE <i>1/14/77</i>
U.S. DRAWING NO. 790 276		

OFFICE OF THE COUNTY ADMINISTRATOR
COUNTY COUNCIL OF BEAUFORT COUNTY

GARY T. KUBIC
COUNTY ADMINISTRATOR

CHERYL HARRIS
EXECUTIVE ASSISTANT

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

BRYAN J. HILL
DEPUTY COUNTY ADMINISTRATOR

JOSHUA A. GRUBER
STAFF ATTORNEY

February 14, 2012

Colonel Brian Murtha
Commanding Officer
Marine Corps Air Station- Beaufort
P.O. Box 55001
Beaufort, SC 29904-5001

Re: Base: MCAS Beaufort, SC
Special Area:
Type of Action: Out Easement
Contact Number: NOY (R) – 57260
Party Involved: Beaufort County
Date of Action: 4-Jun -1962

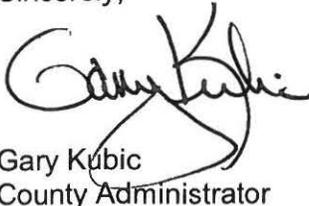
Dear Colonel Murtha:

The easement agreement referenced above, a copy of which is enclosed, authorized Beaufort County to "construct, use, maintain, operate and repair" a road, now known as Perryclear Drive, on MCAS property. This easement is set to expire on 4 June 2012. It is my purpose here to request, on behalf of Beaufort County, that a new easement, identical to the original, be granted.

Please note that Perryclear Drive serves as the only means of access to Northview and Perryclear subdivisions which together encompass 56 parcels and 34 permanent residences.

Thank you for your time and consideration.

Sincerely,



Gary Kubic
County Administrator

GK/EWK

Enclosures: Easement Agreement Document
Aerial Photo/Map

cc: Robert McFee



DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND SOUTHEAST
JACKSONVILLE, FL 32212-0030

11011
Ser OPZBMB/0008
January 10, 2013

Mr. Gary Kubic
Beaufort County Administrator
PO Box 1228
Beaufort, SC 29901

Dear Mr. Kubic:

Subj: COST ESTIMATE FOR PERRYCLEAR DRIVE EASEMENT

Naval Facilities Engineering Command Southeast (NAVFAC SE) has received a copy of Marine Corps Air Station Beaufort's request to renew the grant of easement # NOY(R)-57260 to Beaufort County for Perryclear Drive. NAVFAC SE is ready to start execution on this agreement; however, the Department of the Navy (DON) does not appropriate funding for the costs associated with real estate support in the disposal, transfer, and/or out-granting of real property other than those of its own initiative. Therefore, for projects requested by non-federal entities, the requestors must reimburse the administrative costs.

In turn, NAVFAC SE is providing the below information outlining the various real estate actions required to execute the easement to Beaufort County for Perryclear Drive and the associated costs.

The actions and services include but are not limited to:

1. Administrative support by a Project Manager including negotiations, meetings, teleconferences, and document preparation.
2. Plat of Survey required for the legal description.
3. Environmental Condition of Property and NEPA reports conducted by the installation environmental staff and approved by the regional environmental staff.
4. Post execution administration, follow up, and documentation.

11011
Ser OPZBMB/0008
January 10, 2013

5. Legal support including document review, teleconferences, and meetings as necessary for agreement execution.

6. Real Estate Contracting Officer services.

The following outlines the associated costs for the actions listed above. Should the actual cost be less than the below estimate, the Government will refund to you any unused funds.

Product Services Labor	\$ 9,050.00
Plat of Survey	\$15,000.00
Total	\$24,050.00

Please prepare a check payable to The US Treasury in the amount of \$22,425.00 and mail to:

Commanding Officer
NAVFAC SE
ATTN: Real Estate Contracting Officer
PO Box 30, BLDG 903, Room 260
Jacksonville, FL 32212-0030

While we shall work with you to complete the easement in an expeditious manner, since the DON does not have funding to support this action, we are unable to proceed until your organization has furnished the required funds.

My point of contact is Mr. Michael Brooks, Realty Specialist, who can be contacted by telephone at (904)542-6219 or e-mail at michael.brooks3@navy.mil.

Sincerely,



CASSANDRA (S.) NORRIS
Asset Management Team Lead
Real Estate Contracting Officer

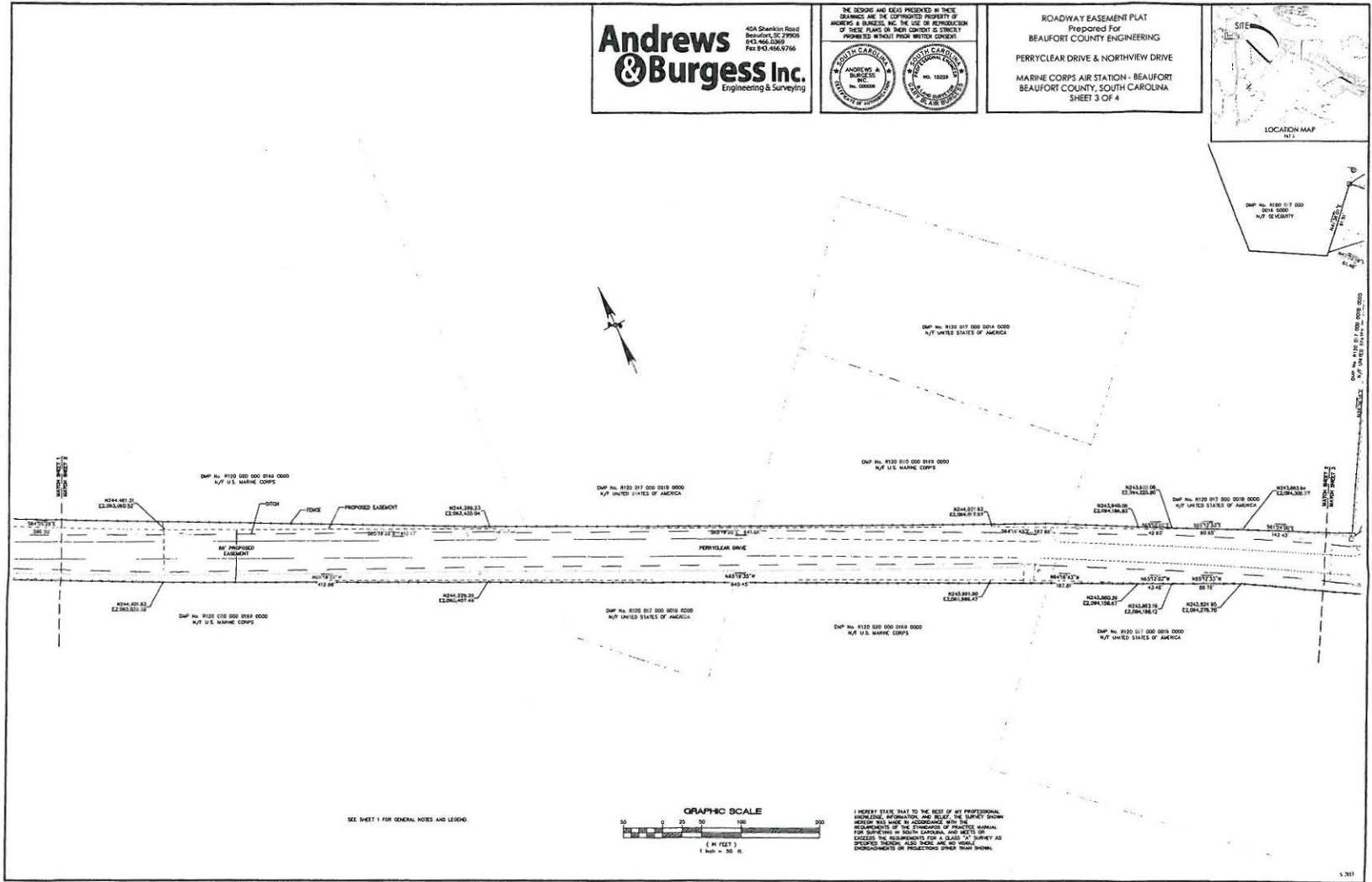
Copy to: MCAS Beaufort, CPLO

Andrews & Burgess Inc.
Engineering & Surveying

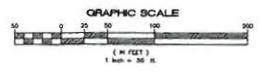
1614 Charleston Road
Beaufort, NC 29906
P: 813-466-2299
F: 813-466-9766



ROADWAY EASEMENT PLAT
Prepared For
BEAUFORT COUNTY ENGINEERING
PERRYCLEAR DRIVE & NORTHVIEW DRIVE
MARINE CORPS AIR STATION - BEAUFORT
BEAUFORT COUNTY, SOUTH CAROLINA
SHEET 3 OF 4



SEE SHEET 1 FOR GENERAL NOTES AND LEGEND



I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ENGINEERING AND SURVEYING ACT OF 1968 IN THE STATE OF SOUTH CAROLINA, AND THAT I EXCEEDED THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN, AND THAT THERE ARE NO OTHER DISBURSEMENTS OR PROJECTIONS OTHER THAN SHOWN.

3 of 4



**COUNTY COUNCIL OF BEAUFORT COUNTY
BEAUFORT COUNTY ENGINEERING DIVISION
102 Industrial Village Road, Building #3, Beaufort, SC 29906
Post Office Drawer 1228, Beaufort, SC 29901-1228
Telephone: 843-255-2700 Facsimile: 843-255-9420**

TO: Councilman Gerald Dawson, Chairman, Public Facilities Committee

VIA: Gary Kubic, County Administrator *GKubic*
Robert McFee, Director, Engineering & Infrastructure Division *JRMcFee*
Josh Gruber, County Staff Attorney *JGruber*

FROM: Bob Klink, County Engineer *BKlink*

SUBJ: **Condemnation of "Old Miller Road – Lake Point Drive Connector"**

DATE: March 5, 2013

BACKGROUND: The connection between the termini of Old Miller Road and Lake Point Drive has been planned for many years and is included in both the Beaufort County Comprehensive Plan and Road CIP. This connection was also provided for in the original Grande Oaks PUD Agreement. The right-of-way needed to make the connection is approximately 2,770' in length x 66' in width and contains roughly 4.2 acres. The connection will be a paved, two-lane roadway constructed by the County.

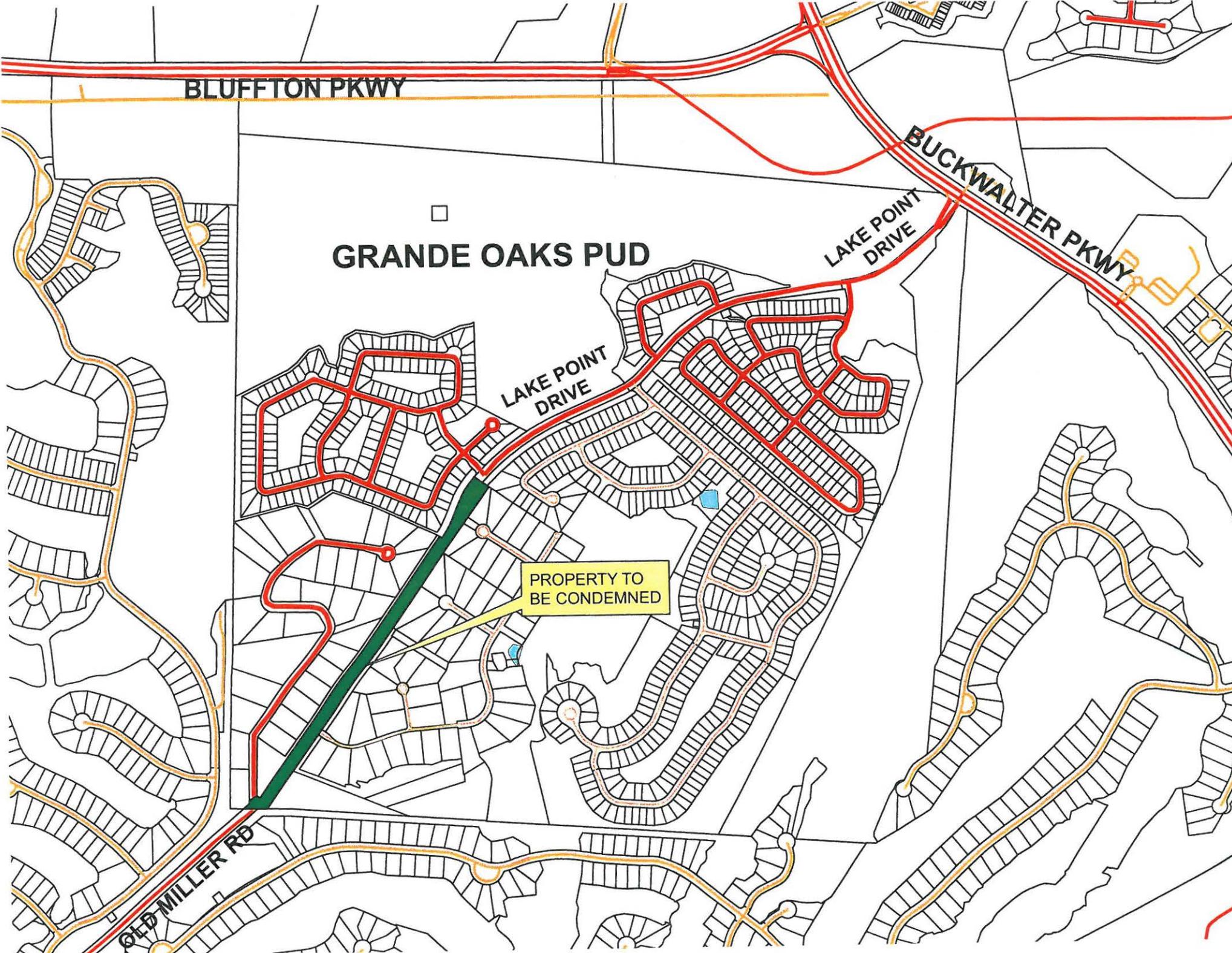
It is anticipated that this connection will (1) distribute traffic in a more efficient manner, (2) improve network inter-connectivity, and (3) reduce vehicle miles of travel. For example, the connection would provide a much shorter alternate route to the Buckwalter Parkway for residents living in the various phases of Grande Oaks Subdivision. Additionally, it would allow traffic from SC Hwy. 46 (May River Road) to access the Buckwalter Parkway through the PUD via Old Miller Road and Lake Point Drive and vice versa.

The County's efforts to acquire the right-of-way have not been successful. After having conducted exhaustive negotiations with the property owners, it is now felt that it will be necessary to use the County's power of eminent domain to make the acquisition.

RECOMMENDATION: The Public Facilities Committee approve and recommend to County Council that a right-of-way between the termini of Old Miller Road and Lake Point Drive, as described above, be condemned.

REK/EWK/cvs

Attachments: Map (2)



BLUFFTON PKWY

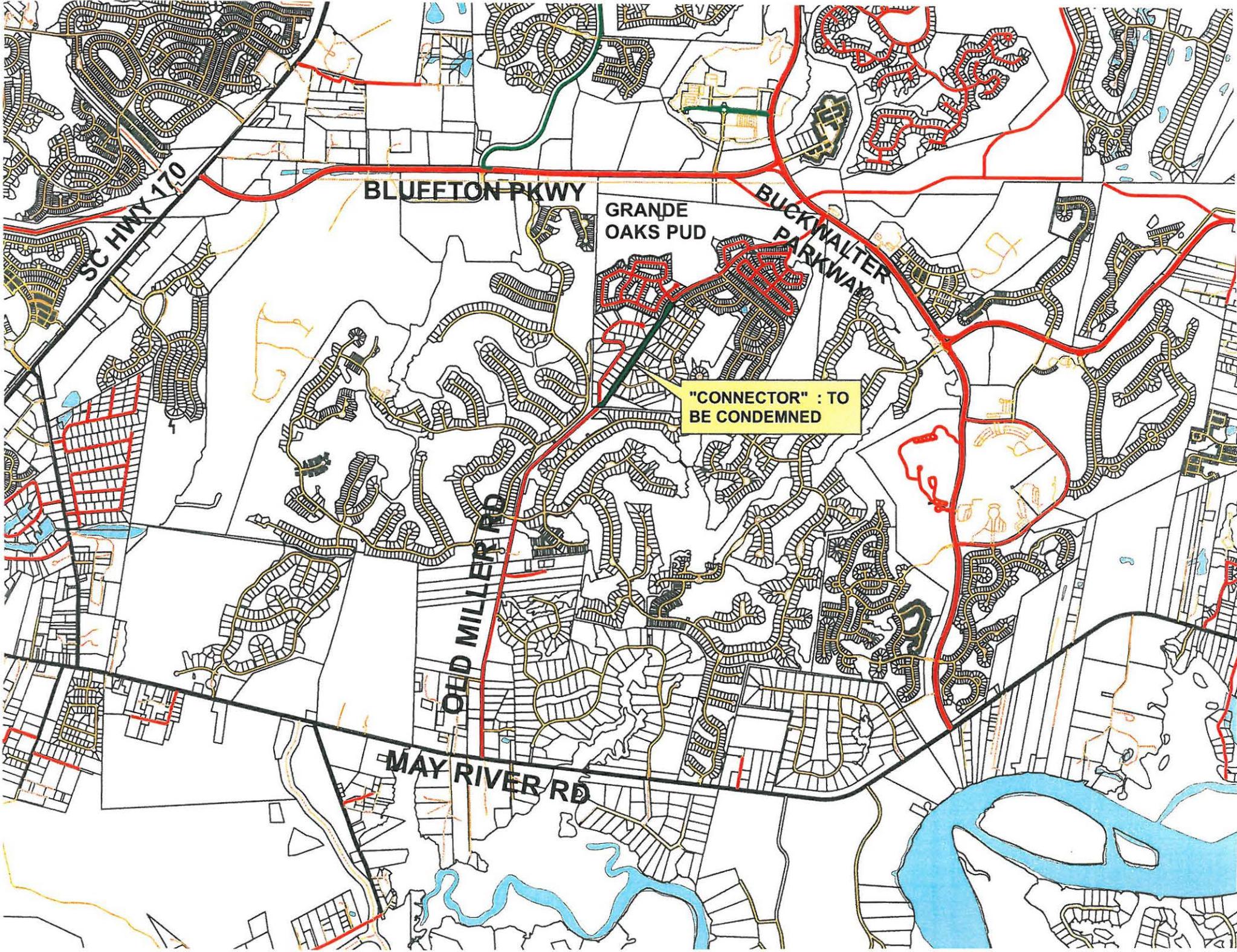
GRANDE OAKS PUD

BUCKWALTER PKWY
LAKE POINT DRIVE

LAKE POINT DRIVE

PROPERTY TO BE CONDEMNED

OLD MILLER RD



SC HWY 170

BLUEFTON PKWY

GRANDE OAKS PUD

BUCKWALTER PARKWAY

"CONNECTOR" : TO BE CONDEMNED

OLD MILLER RD

MAY RIVER RD