

COUNTY COUNCIL OF BEAUFORT COUNTY

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

D. PAUL SOMMERVILLE
CHAIRMAN

STEWART H. RODMAN
VICE CHAIRMAN

COUNCIL MEMBERS

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, August 12, 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. Discussion of matters relating to the proposed location, expansion or the provision of services encouraging location or expansion of industries or other businesses in Beaufort County; and
2. Discussion of negotiations incident to proposed contractual arrangements and proposed purchase of property; and
3. 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 – Councilman Brian Flewelling

6. ADMINISTRATIVE CONSENT AGENDA

A. Approval of Minutes – July 22, 2013 ([backup](#))

B. Receipt of County Administrator's Three-Week Progress Report ([backup](#))

C. Receipt of Deputy County Administrator's Three-Week Progress Report ([backup](#))

D. Appointments to Boards and Commissions ([backup](#))

7. PUBLIC COMMENT



8. COUNTY ADMINISTRATOR'S REPORT

Mr. Gary Kubic, County Administrator

A. The County Channel / Broadcast Update

B. Update / Haig Point POA

C. Introduction / Tina Gentry, President / CEO, United Way of the Lowcountry

D. Announcement / Bryan Hill Appointed to the United Way of the Lowcountry Board of Directors

9. DEPUTY COUNTY ADMINISTRATOR'S REPORT

Mr. Bryan Hill, Deputy County Administrator

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

B. Lowcountry Council of Governments Regional Transportation Model Update

10. CONSENT AGENDA

A. AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013D, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, OF BEAUFORT COUNTY, SOUTH CAROLINA, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$25,300,000; 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 ([backup](#))

1. Consideration of second reading approval to occur August 12, 2013

2. Public hearing announcement – Monday, August 26, 2013 beginning at 6:00 p.m. in the large meeting room of the Bluffton Branch Library, 120 Palmetto Way, Bluffton, South Carolina

3. Finance Committee discussion occurred August 7, 2013

4. First reading approval occurred July 22, 2013 / Vote 8:0

B. SALE OF COUNTY-OWNED PROPERTY / BLUFFTON TECHNOLOGY PARK IDENTIFIED AS TMP NUMBER: R610 030 000 1649 0000 TO THE BLUFFTON ECONOMIC DEVELOPMENT CORPORATION ([backup](#))

1. Consideration of second reading approval to occur August 12, 2013

2. Public hearing announcement – Monday, August 26, 2013 beginning at 6:00 p.m. in the large meeting room of the Bluffton Branch Library, 120 Palmetto Way, Bluffton, South Carolina

3. Governmental Committee discussion occurred July 30, 2013

4. First reading, by title only approval occurred July 22, 2013 / Vote 8:0

C. AN ORDINANCE TO AMEND THE BEAUFORT COUNTY CODE OF ORDINANCES BY ADDING ARTICLE III, SECTIONS 54-50 TO 54-60, TO CHAPTER 54 OF PART I, ESTABLISHING A REGULATION PROHIBITING THE USE OF A HANDHELD ELECTRONIC COMMUNICATION DEVICES FOR THE REVIEWING, DRAFTING, OR SENDING OF ELECTRONIC COMMUNICATIONS WHILE OPERATING A MOTOR VEHICLE WITHIN THE UNINCORPORATED

AREAS OF BEAUFORT COUNTY; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE ([backup](#))

1. Consideration of first reading approval to occur August 12, 2013
2. Governmental Committee discussion and recommendation to approve occurred July 30, 2013 / Vote 6:0

11. AN ORDINANCE TO AMEND THE FY 2013-2014 BEAUFORT COUNTY BUDGET ORDINANCE SO AS TO PROVIDE A SUPPLEMENTAL APPROPRIATION FROM THE COUNTY'S GENERAL RESERVE FUND IN THE AMOUNT OF \$525,000 TO FUND THE FOLLOWING FIVE LINE ITEMS: SOLICITOR'S OFFICE, TECHNICAL COLLEGE OF THE LOWCOUNTRY, UNIVERSITY OF SOUTH CAROLINA-BEAUFORT, ISLAND RECREATION CENTER, AND BEAUFORT MEMORIAL HOSPITAL ([backup](#))

1. Consideration of second reading approval to occur August 12, 2013
2. Public hearing announcement – Monday, August 26, 2013 beginning at 6:00 p.m. in the large meeting room of the Bluffton Branch Library, 120 Palmetto Way, Bluffton, South Carolina
3. Finance Committee discussion and recommendation to reduce the Solicitor by \$125,000 occurred August 7, 2013 / Vote 3:2
4. First reading, by title only, occurred July 22, 2013 / Vote 8:0
5. Council discussion June 24, 2013

12. PUBLIC HEARINGS

A. NORTHERN BEAUFORT COUNTY ZONING MAP AMENDMENT FOR MARSH VIEW SUBDIVISION (R100-15-64A, 289-326 AND 347-349; 38 RESIDENTIAL LOTS AND ASSOCIATED COMMON AREAS TOTALING 27.46 ACRES; OFF DORCHESTER DRIVE AND TOMOTLEY, WHITEHALL AND MCCALLEY COURTS, IN THE GRAYS HILL AREA), TO BE REZONED FROM RURAL (R) TO RURAL-RESIDENTIAL (RR) ([backup](#))

1. Consideration of third and final reading to occur August 12, 2013
2. Second reading approval occurred July 22, 2013 / Vote 8:0
3. First reading approval occurred June 24, 2013 / Vote 11:0
4. Natural Resources Committee discussion and recommendation to approve occurred June 11, 2013 / Vote 8:0

B. TEXT AMENDMENT TO COUNTY CODE OF ORDINANCES CHAPTER 74— BUILDING AND BUILDING REGULATIONS, SECTION 74-64 – ADOPTION OF BUILDING CODES, SUBPARAGRAPH (1) (AMENDS ORDINANCE TO ADOPT THE 2012 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE) ([backup](#))

1. Consideration of third and final reading to occur July 22, 2013
2. Second reading approval occurred July 22, 2013 / Vote 7:1
3. First reading approval occurred June 24, 2013 / Vote 11:0
4. Public Facilities Committee discussion and recommendation to approve occurred June 17, 2013 / Vote 5:0

C. AN ORDINANCE AUTHORIZING THE COUNTY TO SELL PROPERTY IDENTIFIED AS TMP NUMBER: R200 018 000 054E 0000 (FORMER LADY'S ISLAND CONVENIENCE CENTER) ([backup](#))

1. Consideration of third and final reading to occur August 12, 2013
 2. Second reading approval occurred July 22, 2013 / Vote 8:0
 3. First reading approval occurred June 24, 2013 / Voted 11:0
 4. Executive Session discussion June 24, 2013
- D. AN ORDINANCE PROVIDING HILTON HEAD NO. 1 PUBLIC SERVICE DISTRICT, SOUTH CAROLINA THE AUTHORIZATION TO ISSUE GENERAL OBLIGATION BONDS IN AN AMOUNT NOT TO EXCEED \$3,750,000 AND OTHER MATTERS RELATING THERETO ([backup](#))
1. Consideration of third and final reading to occur August 12, 2013
 2. Second reading approval occurred July 22, 2013 / Vote 8:0
 3. First reading approval occurred June 24, 2013 / 11:0
 4. Finance Committee discussion and recommendation to approve occurred June 24, 2013 / Vote 7:1

13. PUBLIC COMMENT

14. ADJOURNMENT

**Committee Reports
August 12, 2013**

A. COMMITTEES REPORTING

1. Finance

- ① Minutes provided from the [August 7](#) meeting.
- ② Accommodations Tax Board

<i>Nominate</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
08.12.13	Emma Campbell	At-Large	Reappoint	8 of 11 (2 rd term)
08.12.13	Jennifer Kovacs	Hospitality / Lodging	Reappoint	10 of 11 (4 th term)
08.12.13	Olivia Young	Hospitality / Lodging	Reappoint	6 of 11 (1 st term)

2. Governmental

- ① Minutes provided from the [July 30](#) meeting. Action is required. See main agenda item 10C.

3. Natural Resources

- ① Minutes provided from the [August 7](#) meeting.
- ② Rural and Critical Lands Board

<i>Nominate</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
08.12.13	Denise Sullivan	Council District 2	Appoint	6 of 11 (1 st term)

- ③ Solid Waste and Recycling Board

<i>Nominate</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
08.12.13	Kim Corley	Solid Waste District #8 (St. Helena Island / Islands East)	Appoint	6 of 11 (1 st term)

B. COMMITTEE MEETINGS

1. Community Services

William McBride, Chairman
Tabor Vaux, Vice Chairman

➔ Next Meeting – Monday, August 26 at 1:00 p.m., Bluffton Branch Library

2. Executive

Paul Sommerville, Chairman

➔ Next Meeting – Monday, September 9 at 2:30 p.m., ECR

3. Finance

Stu Rodman, Chairman
Rick Caporale, Vice Chairman

➔ Next Meeting – Tuesday, August 20 at 2:00 p.m., BIV #2 (Note: date change **from** August 19)

4. Governmental

Jerry Stewart, Chairman

Laura Von Harten, Vice Chairman

➔ Next Meeting – Wednesday, August 21 at 2:00 p.m., ECR

5. Natural Resources

Brian Flewelling, Chairman

Cynthia Bensch, Vice Chairman

➔ Next Meeting – Monday, September 9 at 1:00 p.m., ECR (Note: date change **from** September 3)

6. Public Facilities

Gerald Dawson, Chairman

➔ Next Meeting – Tuesday, August 20 at 4:00 p.m., BIV (Note: date change **from** August 19)

7. Transportation Advisory Group

Paul Sommerville, Chairman

➔ Next Meeting – To be announced.

FINANCE COMMITTEE

August 7, 2013

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

The Finance Committee met Wednesday, August 7, 2013 at 1:300 p.m., in Executive Conference Room, Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

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

County staff: Allison Coppage, Assistant County Attorney; Alan Eisenman, Financial Supervisor; Joshua Gruber, County Attorney; Doug Henderson, Treasurer; Bryan Hill, Deputy County Administrator; Gary Kubic, County Administrator; and Maria Walls, Deputy Treasurer.

Public: Bill Evans, Board of Education Chairman; Mary Legree, Planning Commissioner; Jean Morgan, Library Board of Trustees; Jeffery Moss, School District Superintendent; Jocelyn Staiger, Government Affairs Director, Board of Realtors; 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. An ordinance to amend the FY 2013-2014 Beaufort County Budget Ordinance so as to provide a supplemental appropriation from the County's General Reserve Fund in the amount of \$525,000 to fund the following five line items: Solicitor's Office, Technical College of The Lowcountry, University of South Carolina-Beaufort, Island Recreation Center, and Beaufort Memorial Hospital**

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

Main motion: It was moved by Mr. Rodman, as Finance Committee Chairman (no second required), that Finance Committee approve and recommend Council approve on second reading an ordinance to amend the FY 2013-2014 Beaufort County Budget Ordinance so as to provide a supplemental appropriation from the County's General Reserve Fund in the amount of \$525,000. to fund the following five line items: Solicitor's Office, Technical College of the

Lowcountry, University of South Carolina-Beaufort, Island Recreation Center, and Beaufort Memorial Hospital.

Motion to amend by deletion: It was moved by Mr. Stewart, seconded by Mr. Flewelling, that Committee reduce the Solicitor by \$125,000. The vote: YEAS – Mr. Flewelling, Mr. McBride, and Mr. Stewart. NAYS – Mr. Caporale and Mr. Rodman. The motion passed.

Vote on the amended motion, which is now the main motion, and includes the motion to amend by deletion: Council approve on second reading an ordinance to amend the FY 2013-2014 Beaufort County Budget Ordinance so as to provide a supplemental appropriation from the County's General Reserve Fund in the amount of \$400,000 to fund the following four line items: Technical College of the Lowcountry, University of South Carolina-Beaufort, Island Recreation Center, and Beaufort Memorial Hospital.

Recommendation: Council approve on second reading an ordinance to amend the FY 2013-2014 Beaufort County Budget Ordinance so as to provide a supplemental appropriation from the County's General Reserve Fund in the amount of \$400,000 to fund the following four line items: Technical College of the Lowcountry, University of South Carolina-Beaufort, Island Recreation Center, and Beaufort Memorial Hospital.

INFORMATION ITEMS

2. Off Agenda – Cash Flow Report

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. McBride, seconded by Mr. Flewelling, that Finance Committee direct administration and elected officials to meet for the purpose of determining which departments have bank accounts that are not tied to the general ledger and to bring those accounts under the auspices of the Treasurer's Office. The vote: YEAS – Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman, and Mr. Stewart. The motion passed.

Status: Committee directed administration and elected officials to meet for the purpose of determining which departments have bank accounts that are not tied to the general ledger and to bring those accounts under the auspices of the Treasurer's Office.

3. Update – Available 2014 2% Accommodations Tax Monies

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. Stewart, that Finance Committee authorized the Accommodations Tax Board to allocate an amount not to exceed \$500,000 at its meeting of August 27, 2013. The vote: YEAS – Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman, and Mr. Stewart. The motion passed.

Status: Committee authorized the Accommodations Tax Board to allocate an amount not to exceed \$500,000 at its meeting of August 27, 2013.

4. Request for Funds – Roadside Signage Entrance to St. Helena Island

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. McBride, seconded by Mr. Flewelling, that Finance Committee authorize the County Administrator to allocate an amount not to exceed \$5,000 to be used for roadside signage at the entrance to St. Helena Island. The vote: YEAS –Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman, and Mr. Stewart. The motion passed.

Status: Committee authorized the County Administrator to allocate an amount not to exceed \$5,000 to be used for roadside signage at the entrance to St. Helena Island.

5. Discussion of Reappointments and Appointments

- **Accommodations (2%) Tax Board**

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. McBride, seconded by Mr. Stewart, that Finance Committee approve and recommend Council nominate Emma Campbell, representing at-large; Jennifer Kovaks, representing hospitality/lodging, and Oliver Young, representing hospitality/lodging, for reappointment to serve as members of the Accommodation (2%) Tax Board. The vote: YEAS –Mr. Caporale, Mr. Flewelling, Mr. McBride, Mr. Rodman, and Mr. Stewart. The motion passed.

Recommendation: Council nominate Emma Campbell, representing at-large; Jennifer Kovaks, representing hospitality/lodging, and Oliver Young, representing hospitality/lodging, for reappointment to serve as members of the Accommodation (2%) Tax Board.

6. Beaufort County School District Update on FY 2014 Budget

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

Discussion: Ms. Phyllis White, School District Operational Services Officer, provides an update on the Beaufort County School District's FY 2014 Budget.

Status: No action required. Information only.

7. Postmortem on County FY 2014 Budget Process

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

Discussion: Committee Chairman Stu Rodman provided the Committee handouts regarding the FY 2014 budget process. Discussion followed.

Status: No action required. Information only.

8. Authorizing The Issuance And Sale Of General Obligation Refunding Bonds, Series 2013d, Or Such Other Appropriate Series Designation, Of Beaufort County, South Carolina, In The Principal Amount Of Not Exceeding \$25,300,000

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

Status: No action required. Information only.

DRAFT

GOVERNMENTAL COMMITTEE

July 30, 2013

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

The Governmental Committee met Tuesday, July 30, 2013, at 2:00 p.m. in the Executive Conference Room of the Administration Building, Beaufort, South Carolina.

ATTENDANCE

Chairman Jerry Stewart, Vice Chairman Laura Von Harten, and Committee members Cynthia Bensch, Gerald Dawson, Brian Flewelling and Tabor Vaux. Committee member Rick Caporale absent. Non-Committee members William McBride and Paul Sommerville present.

County Staff: Major Neil Baxley, Sheriff's Office; Phil Foot, Division Director – Public Safety; Joshua Gruber, County Attorney; Bryan Hill, Deputy County Administrator; Gary Kubic, County Administrator; Edra Stephens, Business License; Sheriff P.J. Tanner.

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

Public: Roland King, Bluffton Development Corporation Board; and Roberts Vaux, Vaux & Marscher, P.A.

Mr. Stewart chaired the meeting.

ACTION ITEM

1. Discussion - Texting While Driving

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

Discussion: Sheriff P.J. Tanner supports the idea of banning texting while driving. He suggests modeling a county ordinance, which would be in effect in unincorporated areas, after the Town of Hilton Head Island ordinance. Emergency services personnel need to use electronic communication devices in the performance of duty. He would be in support of the ordinance once it is revised to exempt first responders.

Motion: It was moved by Mrs. Bensch, seconded Mr. Von Harten, that Governmental Committee approve and recommend to Council approval on first reading an ordinance to amend the Beaufort County Code of Ordinances by adding Article III, Sections 54-50 to 54-60, to Chapter 54 of Part I, Establishing a Regulation Prohibiting the Use of Handheld Electronic Communication Devices for the Reviewing, Drafting, or Sending of Electronic Communications while operating a Motor Vehicle Within the Unincorporated Areas of Beaufort County; and Providing for Severability

and an Effective Date. The vote was: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. Stewart, Mr. Vaux and Ms. Von Harten. ABSENT - Mr. Caporale. The motion passed.

Recommendation: Council approve on first reading an ordinance to amend the Beaufort County Code of Ordinances by adding Article III, Sections 54-50 to 54-60, to Chapter 54 of Part I, Establishing a Regulation Prohibiting the Use of Handheld Electronic Communication Devices for the Reviewing, Drafting, or Sending of Electronic Communications While Operating a Motor Vehicle Within the Unincorporated Areas of Beaufort County; and Providing for Severability and an Effective Date.

INFORMATION ITEMS

2. Discussion / Business License Fees

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

Discussion: Members discussed changes to the business license fees ordinance. These fees raise approximately \$1,400,000 in revenue annually. Therefore, its elimination would have to provide alternative revenue sources.

Status: Information only.

3. Request For Discussion Topics / Legislative Policy Issues

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

Discussion: Committee Chairman Jerry Stewart circulated a list of issues of importance to the County which are likely to come before the 2014-2015 legislative session. Members reviewed the list and agreed to support or oppose the several issues:

Support:

- Authorizing a local option motor fuel user fee that would provide counties with a local option funding mechanism for road maintenance that would operate similar to the capital project sales tax mechanism. (SCAC recommendation)
- Allowing military families to enroll in a Medicaid home and community based waiver program in this state if South Carolina is their state of legal residence, and to allow them to maintain enrollment if the family is stationed outside of South Carolina. (S.0756; Davis)
- Enacting the “Competitive Insurance Act” relating to duties of the Chief Insurance Commissioner, to provide that the Director must engage in efforts to provide market assistance and promote consumer education to coastal residential property insurance consumers. (S.0569; Davis)

Oppose:

- Authorizing a municipal capital projects sales tax, as it would dilute the ability of counties and other municipalities to enjoy the benefits of this revenue.
- Passing an ordinance that restricts solid waste disposal at a permitted facility or impedes the development or implementation of a recycling program (flow control). H.3290

Status: Information only

4. Executive Session - Discussion of Negotiations Incident to Proposed Contractual Arrangements and Proposed Purchase or Sale of Property

Motion: It was moved by Mr. Flewelling, seconded by Mrs. Bensch, to go immediately into executive session for the purpose of discussing negotiations incident to proposed contractual arrangements and proposed purchase or sale of property. The vote was: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. Stewart, Mr. Vaux and Ms. Von Harten. Absent - Mr. Caporale. The motion passed.

NATURAL RESOURCES COMMITTEE

August 7, 2013

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

The Natural Resources Committee met Wednesday, August 7, 2013 beginning at 3:30 p.m. in the Executive Conference Room of the Administration Building, Beaufort, South Carolina.

ATTENDANCE

Committee Chairman Brian Flewelling, Vice Chairman Cynthia Bensch, and members Gerald Dawson, William McBride, Jerry Stewart, Laura Von Harten and Tabor Vaux present. Non-Committee member Paul Sommerville was also present.

County Staff: Tony Criscitiello, Division Director – Planning and Development; Allison Coppage, Assistant County Attorney; Joshua Gruber, County Attorney; Daniel Polk, Inspector - Stormwater Management Utility Department.

Media: Suzanne Larson, *Lowcountry Inside Track*.

Public: None.

Mr. Flewelling chaired the meeting.

ACTION ITEMS

1. Consideration of Reappointments and Appointments

- **Rural and Critical Lands Preservation Board**

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

Recommendation: Committee nominate Denise Sullivan, representing Council District 2, for appointment to serve as a member of the Rural and Critical Lands Preservation Board.

2. Consideration of Reappointments and Appointments

- **Solid Waste and Recycling Board**

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

Recommendation: Committee nominate Kim Corley, representing Solid Waste District 8 (St. Helena Island/Island East), for appointment to serve as a member of the Solid Waste and Recycling Board.

INFORMATION ITEMS

3. Water Budget Assistance Agreement with South Carolina Department of Natural Resources (SCDNR) through Clemson Extension—Hydrology Watershed Study, Additional \$5,000 Expenditure

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

Discussion: In August 2012 the Natural Resources Committee approved the acceptance of a SC Department of Natural Resources (SCDNR) proposal for Quantifying Water Budget in Beaufort County in the amount of \$50,000. This proposal included hydrologic studies for the purpose of developing water budgets for watersheds for the developed Okatie River and the undeveloped New River. Clemson University provided the technical assistance for the studies on an annual basis of \$25,000 for two year. The \$50,000 fee was paid over a two-year period. An additional \$5,000 was acquired for the monitoring equipment that was not included in the original proposal of \$50,000. Funding for the additional \$5,000 expenditure will come from the Stormwater Utility Budget Professional Account #5025001-51160.

Status: Information only.

4. Development Agreement for Bluffton Gateway

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

Discussion: The Development Agreement Subcommittee is not ready to bring forth an actual agreement at this time. In principle, the committee agreed to the demands made by the developer:

- Exclusion of commercial signage from the total calculation amount on a monument sign.
- Manicure landscape space of 25 feet that may be used for planting grass or other types of landscaping beautification.
- Ability to use available monies from building permits fees to offset the cost of things such as the infrastructure of roads.

Mr. Flewelling stated that an actual agreement would be presented at the next Natural Resources committee meeting.

Status: Informational purposes only.

5. Consideration of Reappointments and Appointments

• **Southern Corridor Review Board**

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

Status: This Board currently has two vacancies -- a representative for Town of Bluffton and landscape architect in Beaufort County.

6. Consideration of Reappointments and Appointments

• **Stormwater Management Utility Board**

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

Status: This Board currently has no vacancy -- a representative for Stormwater District 9 – Unincorporated Bluffton Township and Daufuskie Island.

DRAFT

Official Proceedings
County Council of Beaufort County
July 22, 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, July 22, 2013 in the Executive Conference Room of the Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

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

The Vice Chairman Rodman chaired the meeting.

CALL OF EXECUTIVE SESSION

It was moved by Mr. Caporale, seconded by Ms. Von Harten, that Council go immediately into executive session for the purpose of receiving information regarding matters relating to the proposed location, expansion or the provision of services encouraging location or expansion of industries or other businesses in Beaufort County; negotiations incident to proposed contractual arrangements and proposed purchase of property; and receipt of legal advice relating to pending and potential claims covered by the attorney-client privilege. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Rodman, Mr. Stewart, Mr. Vaux and Ms. Von Harten. ABSENT – Mr. Baer, Mr. McBride and Mr. Sommerville. The motion passed.

EXECUTIVE SESSION

RECONVENE OF CAUCUS

Topics discussed during caucus included numerous contract awards. Given the fact that Council held no committee meetings during July, these issues are before Council today.

- Renewal of Public Safety Communications Maintenance Service Agreement Contract for Emergency Management Department;
- Renewal of annual food service contract for Detention Center;
- Renewal of Employee Health Benefit Consulting Services;
- Renewal of Uniform Rental and Cleaning Contract for Public Works, Facility Management, Stormwater Management, and Mosquito Control Departments;
- Renewal of E-911 Service Agreement Contract for Emergency Management Department;

- Renewal of Hardware and Software Maintenance Contract for Beaufort County Board of Elections and Registration (July 1, 2013 - June 30, 2014);
- Renewal of Mapping Software Maintenance Service Contract for GIS Department;
- Renewal of Collaborative Organization of Services for Youth (COSY) Family Group Conferencing Project;
- Purchase of VMware View Equipment for Emergency Management Department;
- An ordinance authorizing the issuance and sale of General Obligation Refunding Bonds, Series 2013D, or such other appropriate series designation, of Beaufort County, South Carolina, in the principal amount of not exceeding \$25,300,000.

REGULAR SESSION

The regularly scheduled meeting of the County Council of Beaufort County was held at 5:00 p.m., Monday, July 22, 2013 in Council Chambers of the Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

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

The Vice Chairman Rodman chaired in meeting.

PLEDGE OF ALLEGIANCE

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

INVOCATION

Councilman Dawson gave the Invocation.

PROCLAMATION

The Vice Chairman declared July 27 through August 4, 2013, as “Gullah / Geechee Nation Appreciation Week” in Beaufort County. Queen Quet accepted the proclamation.

ADMINISTRATIVE CONSENT AGENDA

Review of Proceedings of the Regular Meeting held June 24, 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 June 24, 2013. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr.

Dawson, Mr. Flewelling, Mr. Rodman, Mr. Stewart, Mr. Vaux and Ms. Von Harten. ABSENT – Mr. Baer, Mr. McBride and Mr. Sommerville. The motion passed.

County Administrator’s Two-Week Progress Report

This item comes before Council under the Administrative Consent Agenda.

Mr. Gary Kubic, County Administrator, presented his Three-Week Progress Report, which summarized his activities from June 24, 2013 through July 19, 2013.

Deputy County Administrator’s Two-Week Progress Report

This item comes before Council under the Administrative Consent Agenda.

Mr. Bryan Hill, Deputy County Administrator, presented his Three-Week Progress Report, which summarized his activities from June 24, 2013 through July 19, 2013.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Community Services Committee

Library Board

Anna Marie Tabernik

The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Rodman, Mr. Stewart, Mr. Vaux and Ms. Von Harten. ABSENT – Mr. Baer, Mr. McBride and Mr. Sommerville. Ms. Tabernik, representing Council District 6, was appointed to serve as a member of the Library Board after garnering the six votes required to appoint.

Finance Committee

Tax Equalization Board

Gloria Criscuolo

The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Rodman, Mr. Stewart, Mr. Vaux and Ms. Von Harten. ABSENT – Mr. Baer, Mr. McBride and Mr. Sommerville. Mrs. Criscuolo, representing Council District 9, was appointed to serve as a member of the Tax Equalization Board after garnering the six votes required to appoint.

Kenneth Joy

The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Rodman, Mr. Stewart, Mr. Vaux and Ms. Von Harten. ABSENT – Mr. Baer, Mr. McBride and Mr.

Sommerville. Mr. Joy, representing Council District 3, was appointed to serve as a member of the Tax Equalization Board after garnering the six votes required to appoint.

PUBLIC COMMENT

The Chairman recognized Mr. Alick Lewis, representing the Beaufort Club of the SC Family and Community Leaders, who stated the organization meets once monthly at the Charles Lind Brown Activity Center, but will need to find an alternate location now that Bridges Preparatory School is leasing the facility.

Mr. Fred Washington, Jr., a resident of the City of Beaufort, stated as a community we need to talk about race and color given the recent verdict in the Joseph Zimmerman / Trayvon Martin lawsuit. He encourages Council to take a leadership role in facilitating some mechanism / plan of action to address race and color in our community.

Mr. Jere Ayers, a resident of Spring Island, spoke against locating the proposed trash transfer station in the Chechessee community.

Mr. Patrick Parkinson, a resident of Okatie, expressed opposition to the proposed trash transfer station in the Chechessee community. A transfer station belongs in an industrial area, not residential. The County has handled this issue poorly from the beginning.

Mr. Parker Sutler, a resident of Okatie, stated that Chechessee Road is the wrong place to put a trash transfer station. This property should become part of the Rural and Critical Lands Preservation Program.

Mr. Chuck Ford, a Spring Island resident and President of the Property Owners Association and Club Board, stated Council's decision is flawed. The decision to locate a trash transfer station in the Chechessee community could have an adverse effect on County taxes.

Mr. Tom Noyes, a resident of Bluffton and general manager of Spring Island, presented a petition to Council bearing 184 signatures asking Council to continue to pursue alternative locations for a trash transfer station and to remove the Chechessee Road property as an option.

Ms. Katherine Ternan, representing Callawassie Island, presented a petition to Council bearing 257 signatures asking Council to continue to pursue alternatives for a possible future transfer station and remove the Chechessee Road property, recently purchased Beaufort County, as an option.

Ms. Lisa Gravit, a resident of the Chechessee community, presented a petition to Council bearing 204 asking Council to pursue alternatives for a possible trash transfer station and removing the Chechessee Road property, recently purchased by Beaufort County, as an option.

Mr. Robert Drake, who lives in the Callawassie community, urged Council to find another site for a proposed trash transfer station in the Chechessee community.

Mr. Floyd Washburn, a resident of the Chechessee community, stated the trash transfer station should be located in an industrial area, not in a private community.

Mr. Thomas Mike, a resident of Okatie, remarked that Chechessee Road is not the area to build a trash transfer station.

Mr. Herbert Glaze, founder and president of Citizens Against Violence Everywhere (CAVE), said the organization is hosting an event July 27, 2013 at Beaufort High School. The topic is “Never Give Up.” Save the children; stop the funerals.

COUNTY ADMINISTRATOR AND DEPUTY COUNTY ADMINISTRATOR’S REPORT

The County Channel / Broadcast Update

Mr. Bryan Hill, Deputy County Administrator, said The County Channel has all programs, events and meetings available to watch online, on-demand at www.bcgov.net. Our 2014 Rural and Critical Lands Preservation Calendar Photo contest is underway. This year, the theme is “The Sky’s The Limit.” Photographers are encouraged to submit photos inspired by our own County logo. The County Channel continues its series of Beaufort County Moments. The latest one features the County logo inspired by our calendar contest. The video highlights the history behind the county seal, the images featured, and what they represent.

The 2013 Dixie Ponytails Traditional World Series will play at Oscar J. Frazier Park in Bluffton the end of July. Opening ceremonies begin July 26 with the first pitch thrown July 27. The tournament is to last through July 31 if the weather cooperates. The County Channel will broadcast all of the games on television and stream the games online allowing viewers to watch the players all across the world.

Monthly Budget Summary

Mr. Bryan Hill, Deputy County Administrator, stated the county is in the final stages of the FY 2013 budget process. Staff is awaiting final allocations from the Local Government Fund as well as some outstanding revenue from the Town of Hilton Head Island. Once we have those figures, we will provide a year-end revenue report by category. The Finance Team believes we will be within one percent of our revenue budget. Once the final numbers are available, we will request a meeting of the Finance Committee to discuss each budget line item if necessary. Due to our 90-day accrual process, completion of the final expenditures will occur prior to the end of September 2013. Validation of our final numbers as well as completion of our Comprehensive Annual Financial Report (CAFR) is anticipated the end of November 2013. We are completing our CAFR at the same speed and pace as in previous years.

As outlined in the budget ordinance, administration is required to report all transfers among and within accounts in excess of \$25,000 to Council. The County Treasurer has transferred \$53,000

from the Execution Fund to the General Fund account to cover printing (\$4,000) and postage (\$49,000) expenses.

Construction Project Updates

Mr. Rob McFee, Division-Director Engineering and Infrastructure, narrated a video highlighting the status of various construction projects: U.S. Highway 278 Construction Project, S.C. Highway 170, and Bluffton Parkway 5A, Courthouse Reskin Project and the Coroner's facility.

RESULT OF EXECUTIVE SESSION

It was moved by Mr. Dawson, seconded by Ms. Von Harten, that Council adopt a resolution authorizing the County Administrator to enter such agreements as may be necessary in order to accept the grant funding awarded by the South Carolina Department of Commerce and to pass that funding on to project H2O for such purposes as specified in its grant funding application. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Rodman, Mr. Stewart, Mr. Vaux and Ms. Von Harten. ABSENT – Mr. Baer, Mr. McBride and Mr. Sommerville. The motion passed.

CONSENT AGENDA

NORTHERN BEAUFORT COUNTY ZONING MAP AMENDMENT FOR MARSH VIEW SUBDIVISION (R100-15-64A, 289-326 AND 347-349; 38 RESIDENTIAL LOTS AND ASSOCIATED COMMON AREAS TOTALING 27.46 ACRES; OFF DORCHESTER DRIVE AND TOMOTLEY, WHITEHALL AND MCCALLEY COURTS, IN THE GRAYS HILL AREA), TO BE REZONED FROM RURAL (R) TO RURAL-RESIDENTIAL (RR)

This item comes before Council under the Consent Agenda. Discussion occurred at the June 11, 2013 meeting of the Natural Resources Committee.

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council approve on second reading a Northern Beaufort County Zoning Map amendment for Marsh View Subdivision (R100-15-64A, 289-326 and 347-349; 38 residential lots and associated common areas totaling 27.46 acres; off Dorchester Drive and Tomotley, Whitehall and McCalley Courts, in the Grays Hill Area), to be rezoned from Rural (R) to Rural-Residential (RR). The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Rodman, Mr. Stewart, Mr. Vaux and Ms. Von Harten. ABSENT – Mr. Baer, Mr. McBride and Mr. Sommerville. The motion passed.

The Vice Chairman announced a public hearing Monday, August 12, 2013 beginning at 6:00 p.m. in Council Chambers of the Administration Building, Government Center, 100 Ribaut Road, Beaufort.

AN ORDINANCE AUTHORIZING THE COUNTY TO SELL PROPERTY IDENTIFIED AS TMP NUMBER: R200 018 000 054E 0000 (FORMER LADY’S ISLAND CONVENIENCE CENTER)

This item comes before Council under the Consent Agenda. Discussion occurred during executive session of the June 24, 2013 meeting of Council.

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council approve on second reading an ordinance authorizing the county to sell property identified as TMP Number: R200 018 000 054E 0000 (former Lady’s Island Convenience Center). The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Rodman, Mr. Stewart, Mr. Vaux and Ms. Von Harten. ABSENT – Mr. Baer, Mr. McBride and Mr. Sommerville. The motion passed.

The Vice Chairman announced a public hearing Monday, August 12, 2013 beginning at 6:00 p.m. in Council Chambers of the Administration Building, Government Center, 100 Ribaut Road, Beaufort.

A RESOLUTION CALLING FOR A PUBLIC HEARING TO BE HELD UPON THE QUESTION OF THE ISSUANCE OF NOT EXCEEDING \$3,750,000 OF GENERAL OBLIGATION BONDS OF THE HILTON HEAD NO. 1 PUBLIC SERVICE DISTRICT, SOUTH CAROLINA; PROVIDING FOR THE PUBLICATION OF THE NOTICE OF SUCH PUBLIC HEARING; AND OTHER MATTERS RELATING THERETO

This item comes before Council under the Consent Agenda. Discussion occurred at the June 24, 2013 meeting of the Finance Committee.

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council adopt a resolution calling for a public hearing to be held upon the question of the issuance of not exceeding \$3,750,000 of general obligation bonds of the Hilton Head No. 1 Public Service District, South Carolina; providing for the publication of the notice of such public hearing; and other matters relating thereto. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Rodman, Mr. Stewart, Mr. Vaux and Ms. Von Harten. ABSENT – Mr. Baer, Mr. McBride and Mr. Sommerville. The motion passed.

AN ORDINANCE PROVIDING HILTON HEAD NO. 1 PUBLIC SERVICE DISTRICT, SOUTH CAROLINA THE AUTHORIZATION TO ISSUE GENERAL OBLIGATION BONDS IN AN AMOUNT NOT TO EXCEED \$3,750,000 AND OTHER MATTERS RELATING THERETO

This item comes before Council under the Consent Agenda. Discussion occurred at the June 24, 2013 meeting of the Finance Committee.

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council approve on second reading an ordinance providing Hilton Head No. 1 Public Service District, South Carolina the authorization to issue general obligation bonds in an amount not to exceed \$3,750,000 and other

matters relating thereto. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Rodman, Mr. Stewart, Mr. Vaux and Ms. Von Harten. ABSENT – Mr. Baer, Mr. McBride and Mr. Sommerville. The motion passed.

The Vice Chairman announced a public hearing Monday, August 12, 2013 beginning at 6:00 p.m. in Council Chambers of the Administration Building, Government Center, 100 Ribaut Road, Beaufort.

RENEWAL OF PUBLIC SAFETY COMMUNICATIONS MAINTENANCE SERVICE AGREEMENT CONTRACT FOR EMERGENCY MANAGEMENT DEPARTMENT

This item comes before Council under the Consent Agenda. Discussion occurred during caucus of the July 22, 2013 meeting of County Council.

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council award a contract renewal to Motorola, Schaumburg, Illinois in the amount of \$1,497,600 for the Public Safety Communications Maintenance Service Agreement Contract for the Emergency Management Department. The source of funding is Account 100001220-51110, Communications, Maintenance Contracts. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Rodman, Mr. Stewart, Mr. Vaux and Ms. Von Harten. ABSENT – Mr. Baer, Mr. McBride and Mr. Sommerville. The motion passed.

RENEWAL OF ANNUAL FOOD SERVICE CONTRACT FOR DETENTION CENTER

This item comes before Council under the Consent Agenda. Discussion occurred during caucus of the July 22, 2013 meeting of County Council.

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council award a contract renewal to ABL Management, Inc., Baton Rouge, Louisiana in the amount of \$300,000 for the annual food service contract for the Detention Center. The source of funding is Account 10001250-51200, Detention Center, Meals/Contracted Services. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Rodman, Mr. Stewart, Mr. Vaux and Ms. Von Harten. ABSENT – Mr. Baer, Mr. McBride and Mr. Sommerville. The motion passed.

RENEWAL OF EMPLOYEE HEALTH BENEFIT CONSULTING SERVICES

This item comes before Council under the Consent Agenda. Discussion occurred during caucus of the July 22, 2013 meeting of County Council.

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council award a contract renewal to Gallagher Benefit Services, Inc., Charlotte, North Carolina in the amount of \$85,000 for employee health benefit consulting services. The source of funding is Account 10001160-51160, Employee Services, Professional Services. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Rodman, Mr. Stewart, Mr. Vaux and Ms. Von Harten. ABSENT – Mr. Baer, Mr. McBride and Mr. Sommerville. The motion passed.

RENEWAL OF UNIFORM RENTAL AND CLEANING CONTRACT FOR PUBLIC WORKS, FACILITY MANAGEMENT, STORMWATER MANAGEMENT, AND MOSQUITO CONTROL DEPARTMENTS

This item comes before Council under the Consent Agenda. Discussion occurred during caucus of the July 22, 2013 meeting of County Council.

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council award a contract renewal to Rental Uniform Services, Florence, South Carolina in the amount of \$69,912 for the uniform rental and cleaning contract for Public Works, Facility Management, Stormwater Management, and Mosquito Control Departments. The source of funding is Public Works, Facility Management, Stormwater Management, and Mosquito Control Departments. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Rodman, Mr. Stewart, Mr. Vaux and Ms. Von Harten. ABSENT – Mr. Baer, Mr. McBride and Mr. Sommerville. The motion passed.

RENEWAL OF E-911 SERVICE AGREEMENT CONTRACT FOR EMERGENCY MANAGEMENT DEPARTMENT

This item comes before Council under the Consent Agenda. Discussion occurred during caucus of the July 22, 2013 meeting of County Council.

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council award a contract renewal to Motorola, Schaumburg, Illinois in the amount of \$56,999 for the E-911 Service Agreement Contract to the Emergency Management Department. The source of funding is Account 22010011-51110, E-911 Fund, Maintenance Contracts. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Rodman, Mr. Stewart, Mr. Vaux and Ms. Von Harten. ABSENT – Mr. Baer, Mr. McBride and Mr. Sommerville. The motion passed.

RENEWAL OF HARDWARE AND SOFTWARE MAINTENANCE CONTRACT FOR BEAUFORT COUNTY BOARD OF ELECTIONS AND REGISTRATION (JULY 1, 2013 - JUNE 30, 2014)

This item comes before Council under the Consent Agenda. Discussion occurred during caucus of the July 22, 2013 meeting of County Council.

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council award a contract renewal to Election Systems and Software, Chicago, Illinois in the amount of \$34,408 for the Hardware and Software Maintenance Contract for Beaufort County Board of Elections and Registration (July 1, 2013 - June 30, 2014). The source of funding is Account 10001143-51110, Voter Registration, Maintenance Contracts. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Rodman, Mr. Stewart, Mr. Vaux and Ms. Von Harten. ABSENT – Mr. Baer, Mr. McBride and Mr. Sommerville. The motion passed.

RENEWAL OF MAPPING SOFTWARE MAINTENANCE SERVICE CONTRACT FOR GIS DEPARTMENT

This item comes before Council under the Consent Agenda. Discussion occurred during caucus of the July 22, 2013 meeting of County Council.

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council award a contract renewal to ESRI, Inc., Broomfield, Colorado in the amount of \$32,860 for the Mapping Software Maintenance Service Contract for the GIS Department. The source of funding is Account 10001152-51110, Automated Mapping/GIS, Maintenance Contracts. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Rodman, Mr. Stewart, Mr. Vaux and Ms. Von Harten. ABSENT – Mr. Baer, Mr. McBride and Mr. Sommerville. The motion passed.

RENEWAL OF COLLABORATIVE ORGANIZATION OF SERVICES FOR YOUTH (COSY) FAMILY GROUP CONFERENCING PROJECT

This item comes before Council under the Consent Agenda. Discussion occurred during caucus of the July 22, 2013 meeting of County Council.

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council award a contract renewal to Next Step, St. Helena Island, South Carolina in the amount of \$28,080 for the Collaborative Organization of Services for Youth (COSY) Family Group Conferencing Project. The source of funding is Account 25030011-51170, COSY Fund, Maintenance Contracts. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Rodman, Mr. Stewart, Mr. Vaux and Ms. Von Harten. ABSENT – Mr. Baer, Mr. McBride and Mr. Sommerville. The motion passed.

PURCHASE OF VMWARE VIEW EQUIPMENT FOR EMERGENCY MANAGEMENT DEPARTMENT

This item comes before Council under the Consent Agenda. Discussion occurred during caucus of the July 22, 2013 meeting of County Council.

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council purchase VMware View equipment in the amount of \$27,203 for the Emergency Management Department. The funding source is Account 27100011-54110 12EMPG01 Public Safety Grant, Data Processing Equipment. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Rodman, Mr. Stewart, Mr. Vaux and Ms. Von Harten. ABSENT – Mr. Baer, Mr. McBride and Mr. Sommerville. The motion passed.

AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013D, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, OF BEAUFORT COUNTY, SOUTH CAROLINA, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$25,300,000; 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

This item comes before Council under the Consent Agenda. Discussion occurred during caucus of the July 22, 2013 meeting of County Council.

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council approve on first reading an ordinance authorizing the issuance and sale of general obligation refunding bonds, Series 2013D, or such other appropriate series designation, of Beaufort County, South Carolina, in the principal amount of not exceeding \$25,300,000; 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: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Rodman, Mr. Stewart, Mr. Vaux and Ms. Von Harten. ABSENT – Mr. Baer, Mr. McBride and Mr. Sommerville. The motion passed.

TEXT AMENDMENT TO COUNTY CODE OF ORDINANCES CHAPTER 74— BUILDING AND BUILDING REGULATIONS, SECTION 74-64 – ADOPTION OF BUILDING CODES, SUBPARAGRAPH (1) (AMENDS ORDINANCE TO ADOPT THE 2012 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE)

This item comes before Council under the Consent Agenda. Discussion occurred at the June 17, 2013 meeting of the Public Facilities Committee.

Main motion: It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council approve on second reading a text amendment to the *Beaufort County Code of Ordinances*, Chapter 74— Building and Building Regulations, Section 74-64 – Adoption of Building Codes, Subparagraph (1) (amends ordinance to adopt the 2012 Edition of the International Residential Code).

Motion to amend by substitution: It was moved by Mrs. Bensch, seconded by Ms. Von Harten, that Council delay implementation of the ordinance until June 2014 (an approximate ten-month deferral). The vote: YEAS – Mrs. Bensch. NAYS - Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Rodman, Mr. Stewart, Mr. Vaux and Ms. Von Harten. ABSENT – Mr. Baer, Mr. McBride and Mr. Sommerville. The motion failed.

Mr. Josh Gruber, County Attorney, commented that according to Act No. 65, Joints Acts and Resolutions, “Section 501.3 of the 2012 International Residential Code, which establishes the use of fireproof materials to protect the underside of floors, must not be enforced at any time before July 1, 2015. Also, the legislation adds that new wood-burning fireplaces shall have tight-fitting flue dampers and outdoor combustion air, conforming with the 2012 International Energy Conservation Code rather than the 2009 IECC.” Whatever the State adopts, we are mandated to adopt.

Vote on the main motion: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Rodman, Mr. Stewart, Mr. Vaux and Ms. Von Harten. NAYS - Mrs. Bensch. ABSENT – Mr. Baer, Mr. McBride and Mr. Sommerville. The motion passed.

The Vice Chairman announced a public hearing Monday, August 12, 2013 beginning at 6:00 p.m. in Council Chambers of the Administration Building, Government Center, 100 Ribaut Road, Beaufort.

FY 2014 BUDGET AMENDMENT SUPPLEMENTAL IN THE AMOUNT OF \$525,000 TO BE USED TO FUND THE FOLLOWING FIVE LINE ITEMS: SOLICITOR'S OFFICE, TECHNICAL COLLEGE OF THE LOWCOUNTRY, UNIVERSITY OF SOUTH CAROLINA-BEAUFORT, ISLAND RECREATION, AND BEAUFORT MEMORIAL HOSPITAL

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council approve on first reading, by title only, an FY 2014 budget amendment supplemental in the amount of \$525,000 to be used to fund the following five line items: Solicitor's Office, Technical College of the Lowcountry, University of South Carolina-Beaufort, Island Recreation, and Beaufort Memorial Hospital. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Rodman, Mr. Stewart, Mr. Vaux and Ms. Von Harten. ABSENT – Mr. Baer, Mr. McBride and Mr. Sommerville. The motion passed.

PUBLIC HEARING

AN ORDINANCE AUTHORIZING BRIDGES PREPARATORY SCHOOL TO LEASE THE CHARLES LIND BROWN COMMUNITY ACTIVITY CENTER

Mr. Josh Gruber, County Attorney, gave an overview of the proposed lease of the Charles Lind Brown Activity Center. The County is in the process of finalizing a lease agreement with Bridges Preparatory School (Bridges). A copy of that document is included in today's data package. The agreement allows Bridges use of the facility from 7:00 a.m. to 4:00 p.m. Monday through Friday for such days that the school may be in session according to their school calendar. In exchange, Bridges will be paying the County a monthly rent of \$3,000, paying a contribution towards utility costs, and providing some of the general routine maintenance. The gymnasium and classrooms are included in the agreement, not the swimming pool. The terms are for one year with an option to renew for up to three years. The County has not reached out to any specific group / organization and told them they were no longer able to use the facility. The County has no leases with any other organization other than Community Circle of Hope that uses the facility in the evenings from 6:00 p.m. to 8:00 p.m. The County would have use of the facility any time outside of 4:00 p.m. Weekends and evenings would be available for use by any community organization. Additionally, the Parks and Leisure Services Department has a number of facilities that are within the general surrounding area that could potentially serve as an alternative site for use.

The Vice Chairman opened a public hearing beginning at 6:04 p.m. for the purpose of receiving information from the public regarding an ordinance authorizing Bridges Preparatory School to lease the Charles Lind Brown Community Activity Center. After calling three times for public comment and receiving none, the Chairman declared the hearing closed a 6:05 p.m.

It was moved by Mr. Caporale, seconded by Mrs. Bensch, that Council approve on third and final reading an ordinance authorizing Bridges Preparatory School to lease the Charles Lind Brown Community Activity Center. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Rodman, Mr. Stewart, Mr. Vaux and Ms. Von Harten. ABSENT – Mr. Baer, Mr. McBride and Mr. Sommerville. The motion passed.

PUBLIC COMMENT

There were no requests to speak during public comment.

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:



Memorandum

DATE: August 9, 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 July 22, 2013 through August 9, 2013:

July 22, 2013

- Employee orientation
- Caucus meeting
- County Council meeting

July 23, 2013

- Meeting with Bryan Hill, Deputy County Administrator, and Alicia Holland, Interim Chief Financial Officer re: FY 2014 budgetary items

July 24, 2013

- Meeting with Sheriff Tanner re: FY 2014 budget
- Meeting with Elections Board members re: Executive Director's position advertisement
- Meeting with Councilman Jerry Stewart re: Governmental Committee agenda items

July 25, 2013

- Meeting with Carl Ellington and Judy Elder, of Talbert, Bright & Ellington re: Hilton Head Island Airport
- Meeting with Josh Gruber, County Attorney, and Jim Scheider, of Vaux Marscher re: Graves zoning & river parcel valuation
- Bimonthly City / County meeting with Paul Sommerville, Council Chairman, and Scott Dadson, City Manager re: City /County issues

July 26, 2013

- Weekly meeting with Bryan Hill, Deputy County Administrator, and Scott Marshall, Executive Director of Parks and Leisure Services (PALS)

COUNTY COUNCIL

August 9, 2013

Page 2

- Tour of Water Quality Laboratory at USCB, Hilton Head Gateway Campus

July 29, 2013

- Staff meeting with Morris Campbell, Director of Community Services; Mitzi Wagner, Director of Disabilities and Special Needs; Mark Roseneau, Director of Facilities Management; and Rick Dimont, Contract Specialist, Purchasing re: Janitorial services at St. Helena Island Library
- Conference call with Kim Statler, Executive Director of Lowcountry Economic Alliance; Josh Gruber, County Attorney; and Bryan Hill, Deputy County Administrator re: Hargray RDA Economic Grant
- County Assessor bimonthly meeting
- Solid Waste Management meeting with Russ Hightower, Municipal and Community Relations Manager, Waste Management; Eddie Bellamy, Director of Public Works; Josh Gruber, County Attorney; and Jim Minor, Solid Waste Supervisor re: Waste management disposal contract negotiation

July 30, 2013

- Follow-up meeting with Century Link representatives; Bryan Hill, Deputy County Administrator; Daniel Morgan, Director of Management Information System; and Todd Ferguson, Director of Emergency Management re: Century Link
- Governmental Committee meeting
- Scheduled meeting with Weston Newton, Representative; Craig Forrest, SCDOT Commissioner; Rob McFee, Division-Director of Engineering and Infrastructure; and Island West representatives re: Windmill Harbour safety enhancements (*unable to attend due to scheduling conflict*)

July 31, 2013

- Meeting with Bryan Hill, Deputy County Administrator; Scott Marshall, Executive Director of PALS; and Ken Ballard, of Ballard*King & Associates re: PALS Assessment Study
- Development Agreement Subcommittee meeting
- County Joint Code Review Committee meeting

August 1, 2013

- EcoDual meeting
- Conference call with Randy Page, Haig Point General Manager; Board Member Carol Humphries; Morris Campbell, Director of Community Services; and Josh Gruber, County Attorney re: Ferry service to Daufuskie Island
- Meeting with Chief Magistrate Larry McElynn

COUNTY COUNCIL

August 9, 2013

Page 3

August 2, 2013

- Beaufort Regional Chamber of Commerce Military Enhancement Committee meeting
- Staff meeting with Bryan Hill, Deputy County Administrator, and Alicia Holland, Interim Chief Financial Officer re: Bond sizing
- Weekly meeting with Bryan Hill, Deputy County Administrator, and Scott Marshall, Executive Director of Parks and Leisure Services (PALS)

August 5, 2013

- South Carolina Association of Counties Conference
- Meeting with Terry Reynolds, Chairman of Bluffton Township Fire District

August 6, 2013

- Meeting Daniel Morgan, GIS Director, and Ian deNeeve, GIS re: Legislative Delegation precinct maps
- Meeting with Martin Goodman, Executive Director of Small Business Administration
- Meeting with Magistrate Joe Kline, and County Attorney Josh Gruber re: Rental units
- Town of Hilton Head Island Town Council meeting

August 7, 2013

- Meeting with Chairman Paul Sommerville, Vice Chairman Stu Rodman, and Deputy County Administrator Bryan Hill re: Budgetary issues
- Staff meeting re: Hargray RDA Economic Grant application
- Agenda review with Chairman, Vice Chairman, and Executive Staff re: Review draft agenda for August 12, 2013 Council meeting
- Development Agreement Subcommittee meeting re: Pepper Hall
- Finance Committee meeting
- Natural Resources Committee meeting (*unable to attend due to scheduling conflict*)

August 8, 2013

- Staff meeting re: PALS Park Property / Ownership
- Meeting with Jim Curry, Vice President, Village at Battery Creek
- Meeting with Morris Campbell, Director of Community Services, and Mitzi Wagner, Director of Disabilities and Special Needs re: Osprey Village

August 9, 2013

- Meeting with Gallagher representatives and Suzanne Gregory, Director of Employee Services re: Gallagher Healthcare Reform Impact Report / Proposed Legislation



Memorandum

DATE: August 9, 2013
TO: County Council
FROM: Bryan Hill, Deputy County Administrator 
SUBJECT: Deputy County Administrator's Progress Report

The following is a summary of activities that took place July 22, 2013 through August 9, 2013:

July 22, 2013 (Monday):

- Work on County Council Presentations
- Meet with Colin Kinton, Traffic Engineering
- Prepare for County Council Meeting
- Meet with Bernie Kole, United Way Representative
- Meet with Jim Minor, Public Works
- County Council

July 23, 2013 (Tuesday):

- Meeting with Gary Kubic, County Administrator
- Meet with Alicia Holland, Interim CFO
- Bluffton Hours P.M.

July 24, 2013 (Wednesday):

- Bluffton Hours A.M.
- Meet with Alicia Holland, Interim CFO re: Millage and Assessment
- Meet with Joshua Gruber, County Attorney
- Prepare for Ponytails Dixie Tournament

July 25, 2013 (Thursday):

- Meet with Robert McFee, Engineering & Infrastructure Director re: Various Topics
- Meet with Alicia Holland, Interim CFO

July 26, 2013 (Friday):

- Attend PALS Weekly Meeting with Gary Kubic, County Administrator and Scott Marshall, PALS Director
- Attend United Way Retreat in Bluffton

July 27-28, 2013 (Saturday and Sunday):

- Announce Games for the Ponytails Dixie Tournament in Bluffton

July 29, 2013 (Monday):

- Meet with Monica Spells, Compliance Officer re: Various Topics
- Attend Meeting re: Janitorial Services for St. Helena Library
- Conference Call re: Hargray RDA Economic Grant
- Meet with Mark Roseneau, Public Facilities Director and Alicia Holland, Interim CFO re: Future Bonding
- Meet with Waste Management - Disposal Contract Negotiations
- Announce Games for the Ponytails Dixie Tournament in Bluffton

July 30, 2013 (Tuesday):

- Meet with Gary Kubic, County Administrator and Joshua Gruber, County Attorney
- Meet with Gary Kubic, County Administrator and Walt Burnside of Century Link
- Meet with Mark Roseneau, Facilities Maintenance Director, and Alicia Holland, Interim CFO
- Attend Governmental Committee Meeting
- Announce Games for the Ponytails Dixie Tournament in Bluffton

July 31, 2013 (Wednesday):

- Meet with Monica Spells, Compliance Officer and Scott Grooms, Broadcasting re: SCAC Presentations
- Meet with Gary Kubic, County Administrator, and Ken Ballard re: PALS Study Briefing
- Announce Ponytails Dixie Baseball Tournament--Final Game

August 1, 2013 (Thursday):

- Work on SCAC Presentations
- Meet with Alicia Holland, Interim CFO
- Meet with Ken Ballard re: PALS Study Update

August 2, 2013 (Friday):

- Meet with Alicia Holland, Interim CFO
- Meet with Rob McFee, Engineering & Infrastructure Director re: Various Issues

August 5, 2013 (Monday):

- Attend SCAC Conference
- Make Two Presentations on behalf of Beaufort County to SCAC Participants
- Attend Bluffton Township Fire District Meeting

August 6, 2013 (Tuesday)--Bluffton:

- Attend Station #30 Open House on Burnt Church Road in Bluffton
- Work on Reorganization Chart
- Attend HHI Town Council Meeting

August 7, 2013 (Wednesday):

- Meet with Gary Kubic, County Administrator, and Joshua Gruber, County Attorney
- Meet with Gary Kubic, County Administrator re: Hargray RDA Economic Grant Application / Letter
- Attend Agenda Review
- Finance Committee Meeting

August 8, 2013 (Thursday):

- Meet with Gary Kubic to discuss PALS / Beaufort County Park Property / Ownership
- Meet with Monica Spells, Compliance Officer, and Dan Morgan, MIS/GIS Director re: Website Content Management

August 9, 2013 (Friday):

- Meet with Colin Kinton, Traffic Engineer to Review Presentation Slides
- Meet to discuss Gallagher Healthcare Reform Impact Report / Proposed Legislation / Benefits

**Committee Reports
August 12, 2013**

A. COMMITTEES REPORTING

1. Finance

- ① Minutes provided from the August 7 meeting.
- ② Accommodations Tax Board

<i>Nominate</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
08.12.13	Emma Campbell	At-Large	Reappoint	8 of 11 (2 rd term)
08.12.13	Jennifer Kovacs	Hospitality / Lodging	Reappoint	10 of 11 (4 th term)
08.12.13	Olivia Young	Hospitality / Lodging	Reappoint	6 of 11 (1 st term)

2. Governmental

- ① Minutes provided from the July 30 meeting. Action is required. See main agenda item 10C.

3. Natural Resources

- ① Minutes provided from the August 7 meeting.
- ② Rural and Critical Lands Board

<i>Nominate</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
08.12.13	Denise Sullivan	Council District 2	Appoint	6 of 11 (1 st term)

- ③ Solid Waste and Recycling Board

<i>Nominate</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
08.12.13	Kim Corley	Solid Waste District #8 (St. Helena Island / Islands East)	Appoint	6 of 11 (1 st term)

B. COMMITTEE MEETINGS

1. Community Services

William McBride, Chairman
Tabor Vaux, Vice Chairman

➔ Next Meeting – Monday, August 26 at 1:00 p.m., Bluffton Branch Library

2. Executive

Paul Sommerville, Chairman

➔ Next Meeting – Monday, September 9 at 2:30 p.m., ECR

3. Finance

Stu Rodman, Chairman
Rick Caporale, Vice Chairman

➔ Next Meeting – Tuesday, August 20 at 2:00 p.m., BIV #2 (Note: date change **from** August 19)

4. Governmental

Jerry Stewart, Chairman

Laura Von Harten, Vice Chairman

➔ Next Meeting – Wednesday, August 21 at 2:00 p.m., ECR

5. Natural Resources

Brian Flewelling, Chairman

Cynthia Bensch, Vice Chairman

➔ Next Meeting – Monday, September 9 at 1:00 p.m., ECR (Note: date change **from** September 3)

6. Public Facilities

Gerald Dawson, Chairman

➔ Next Meeting – Tuesday, August 20 at 4:00 p.m., BIV (Note: date change **from** August 19)

7. Transportation Advisory Group

Paul Sommerville, Chairman

➔ Next Meeting – To be announced.



Memorandum

DATE: August 9, 2013
TO: County Council
FROM: Bryan Hill, Deputy County Administrator 
SUBJECT: Deputy County Administrator's Progress Report

The following is a summary of activities that took place July 22, 2013 through August 9, 2013:

July 22, 2013 (Monday):

- Work on County Council Presentations
- Meet with Colin Kinton, Traffic Engineering
- Prepare for County Council Meeting
- Meet with Bernie Kole, United Way Representative
- Meet with Jim Minor, Public Works
- County Council

July 23, 2013 (Tuesday):

- Meeting with Gary Kubic, County Administrator
- Meet with Alicia Holland, Interim CFO
- Bluffton Hours P.M.

July 24, 2013 (Wednesday):

- Bluffton Hours A.M.
- Meet with Alicia Holland, Interim CFO re: Millage and Assessment
- Meet with Joshua Gruber, County Attorney
- Prepare for Ponytails Dixie Tournament

July 25, 2013 (Thursday):

- Meet with Robert McFee, Engineering & Infrastructure Director re: Various Topics
- Meet with Alicia Holland, Interim CFO

Budget FY 2013
As of 8/3/2013

Description	Organization	ORG	Actual Year to Date Comparison				Adopted	Adopted	
			FY 2010	FY 2011	FY 2012	FY 2013	Budget FY 2013	Budget FY 2014	
	Taxes	41000	(72,781,606)	(73,219,927)	(72,841,403)	(71,972,743)	(72,323,941)	(75,817,001)	
	Licenses & Permits	42000	(2,406,781)	(2,324,229)	(2,940,209)	(2,755,745)	(2,680,000)	(2,293,000)	
	Intergovernmental	43000	(7,840,692)	(7,209,033)	(7,020,188)	(6,500,898)	(8,000,000)	(7,865,416)	
	Charges for Services	44000	(10,871,665)	(10,960,563)	(11,241,033)	(11,213,560)	(11,175,589)	(10,662,398)	
	Fines & Forfeitures	45000	(1,114,193)	(836,282)	(837,774)	(748,502)	(860,000)	(1,107,531)	
	Interest	46000	(535,064)	(172,209)	(197,644)	(70,346)	(175,100)	(105,000)	
	Miscellaneous	47000	(784,642)	(822,952)	(451,500)	(552,736)	(675,500)	(232,000)	
	Other Financing Sources	48000	(2,754,898)	(1,428,891)	(1,175,401)	(1,644,397)	(1,260,000)	(1,268,750)	
	General Fund Revenue		(99,089,541)	(96,974,086)	(96,705,152)	(95,458,927)	(97,150,130)	(99,351,096)	
General	Elected	COUNTY COUNCIL	1000	635,734	643,954	560,666	640,500	603,520	681,962
General	Elected	AUDITOR	1010	643,652	538,868	489,549	501,027	600,704	558,533
General	Elected	TREASURER	1020	808,954	818,943	682,737	1,102,908	677,760	967,364
General	Elected	TREASURER TAX BILLS & CC FEES	1021	1,327,648	490,214	357,875	-	340,000	-
General	Elected	CLERK OF COURT	1030	963,474	837,312	786,725	799,220	822,751	1,037,944
General	Elected	FAMILY COURT	1031	337,080	215,458	196,491	185,370	232,615	242,574
General	Elected	PROBATE COURT	1040	849,174	730,443	736,309	696,905	760,699	727,213
General	Elected	CORONER	1060	373,890	319,525	391,414	421,459	435,571	444,032
General	State	HILTON HEAD MAGISTRATE	1080	34,356	652	-	-	-	-
General	State	BEAUFORT MAGISTRATE	1081	685,920	660,643	772,450	684,593	742,215	757,189
General	State	BLUFFTON MAGISTRATE	1082	529,107	359,162	397,542	344,464	372,615	415,508
General	State	SHELDON MAGISTRATE	1083	64,207	64,972	69,248	70,900	71,640	73,782
General	State	ST HELENA MAGISTRATE	1084	82,777	82,908	46,276	46,592	104,923	96,100
General	State	MAGISTRATE BOND COURT	1085	84,396	80,201	94,870	97,597	97,515	106,375
General	State	MAGISTRATE AT-LARGE	1086	79,900	102,039	133,706	195,507	140,092	196,760
General	State	MASTER IN EQUITY	1090	309,433	284,317	285,433	287,788	297,848	357,911
General	Elected/Sta	GENERAL GOVT ELECTED BENEFITS POOL	1099	-	-	-	-	-	753,736
General	Allocation	GEN GOVT DIRECT SUBSIDIES	1198	1,631,125	1,364,350	1,020,824	1,259,863	1,234,129	1,496,629
General	Admin	COUNTY ADMINISTRATOR	1100	919,541	591,064	519,420	589,263	509,119	551,121
General	Admin	PUBLIC INFORMATION OFFICER	1101	386,010	96,852	70,860	142,300	148,529	152,919
General	Admin	BROADCAST SERVICES	1102	-	177,022	248,745	267,948	223,431	254,677
General	Admin	COUNTY ATTORNEY	1103	556,119	551,291	507,441	231,001	400,063	319,714
General	Admin	VOTER REGISTRATION/ELECTIONS	1143	694,812	563,717	608,140	808,235	634,703	732,808
General	Admin	ELECTION WORKERS	1144	(1,050)	211	1,060	1,314	-	-
General	Admin	ASSESSOR	1120	2,429,315	1,834,302	1,706,698	1,774,556	2,069,589	2,153,656
General	Admin	REGISTER OF DEEDS	1122	548,074	442,376	446,291	471,131	475,359	482,153

Budget FY 2013
As of 8/3/2013

				Actual Year to Date Comparison				Adopted	Adopted
				For the Period Ending June 30th				Budget	Budget
Description	Organization	ORG	FY 2010	FY 2011	FY 2012	FY 2013	FY 2013	FY 2014	
General	Admin	RISK MANAGEMENT	1115	135,647	92,245	92,579	96,855	103,691	101,689
General	State	LEGISLATIVE DELEGATION	1070	83,625	66,791	69,099	74,002	69,304	72,415
General	Admin	ZONING & DEVELOPMENT ADM	1130	240,290	193,207	180,455	163,057	161,054	171,934
General	Admin	PLANNING	1131	852,797	704,085	703,282	624,665	698,539	551,640
General	Admin	COMPREHENSIVE PLAN	1132	60,253	398,141	138,829	-	7,100	27,270
General	Admin	AUTOMATED MAPPING/GIS	1152	595,825	446,302	383,503	415,965	420,926	441,043
General	Admin	DIRECTOR OF COMMUNITY SERVICES	1140	208,001	122,808	121,216	119,933	146,040	143,025
General	Admin	EMPLOYEE SERVICES	1160	936,766	909,982	965,024	1,010,289	676,856	994,544
General	Admin	RECORDS MANAGEMENT	1154	199,101	146,795	216,186	282,935	401,975	349,872
General	Admin	FINANCE DEPARTMENT	1111	546,441	529,372	592,945	587,837	600,202	648,510
General	Admin	PURCHASING	1116	248,317	228,451	208,750	158,441	234,987	217,754
General	Admin	BUSINESS LICENSES	1134	474,360	153,371	50,585	45,399	67,127	48,161
General	Admin	MANAGEMENT INFORMATION SYSTEMS	1150	2,504,079	1,891,678	2,095,430	2,156,890	2,229,809	2,495,535
General	Admin	DIRECTOR OF PUBLIC SERVICES	1300	256,898	207,698	209,379	214,512	205,747	219,074
General	Fringe	GENERAL GOVT BENEFITS POOL	1199	-	2,101,252	2,064,354	2,402,527	2,486,724	962,073
Public Safety	Elected	SHERIFF	1201	6,935,326	7,111,849	6,399,786	6,798,567	6,536,306	7,579,076
Public Safety	Elected	SHERIFF	1202	12,051,225	12,193,300	10,789,681	10,803,716	11,018,434	11,537,858
Public Safety	Elected	SHERIFF	1203	-	-	576,583	601,636	641,414	686,110
Public Safety	Elected	SHERIFF	1205	1,420,920	1,315,482	1,146,556	1,087,669	1,161,829	1,200,984
Public Safety	Elected	PUB SAFETY ELECTED POOLED BENEFITS	1209	-	-	-	-	-	2,194,754
Public Safety	Admin	EMERGENCY MANAGEMENT	1210	665,401	480,067	385,167	424,957	419,151	463,159
Public Safety	Admin	EMERGENCY MANAGEMENT	1212	5,393	152,585	79,206	17,273	16,558	17,377
Public Safety	Admin	EMERGENCY MANAGEMENT - Comm	1220	4,252,117	4,212,527	5,070,893	5,425,656	5,450,504	5,692,452
Public Safety	Admin	EMERGENCY MANAGEMENT - DATA	1240	1,076,177	819,645	537,506	496,528	523,912	512,768
Public Safety	Admin	EMERGENCY MEDICAL SERVICE	1230	5,959,606	5,078,989	5,224,311	5,443,361	4,728,752	4,972,901
Public Safety	Admin	DETENTION CENTER	1250	6,409,241	5,557,117	5,113,860	5,245,981	5,473,854	5,527,543
Public Safety	Admin	TRAFFIC - Signal Management	1241	303,325	277,246	291,740	451,382	438,601	430,757
Public Safety	Admin	TRAFFIC - Signal Management	1242	128,249	104,007	115,097	106,024	126,900	129,750
Public Safety	Admin	BUILDING CODES	1260	1,311,688	948,365	700,297	570,043	638,407	591,095
Public Safety	Admin	BUILDING CODES ENFORCEMENT	1261	-	-	183,185	236,095	218,468	244,002
Public Safety	Fringe	PUBLIC SAFETY BENEFITS POOL	1299	-	2,447,228	4,858,807	4,926,734	5,239,864	2,494,623
Public Works	Admin	FACILITIES MANAGEMENT	1310	2,443,107	2,112,228	1,767,469	1,898,295	1,872,952	1,944,103
Public Works	Admin	BUILDINGS MAINTENANCE	1311	1,034,490	1,070,415	994,336	975,303	1,099,344	1,107,433
Public Works	Admin	GROUND MAINTENANCE - NORTH	1312	1,328,895	1,061,146	1,250,688	1,847,499	2,103,038	1,914,353
Public Works	Admin	GROUND MAINTENANCE - SOUTH	1313	1,111,226	876,985	567,967	-	-	-
Public Works	Admin	PUBLIC WORKS GEN SUPPORT	1301	990,810	701,598	691,891	684,184	669,996	625,608
Public Works	Admin	ROADS/DRAINAGE - NORTH	1320	1,048,771	873,630	816,164	897,873	814,177	901,384
Public Works	Admin	ROADS/DRAINAGE - SOUTH	1321	706,686	602,956	455,958	443,085	465,388	435,329
Public Works	Admin	PUBLIC WORKS ADMINISTRATION	1302	371,265	279,819	273,040	270,413	294,241	237,329
Public Works	Admin	ENGINEERING	1330	450,071	304,747	279,599	343,035	501,977	348,014

Budget FY 2013
As of 8/3/2013

Budget FY 2013 As of 8/3/2013				Actual Year to Date Comparison For the Period Ending June 30th				Adopted Budget	Adopted Budget
Description	Organization	ORG	FY 2010	FY 2011	FY 2012	FY 2013	FY 2013	FY 2014	
Public Works	Admin	SWR ADMINISTRATION	1340	5,011,077	4,361,167	4,187,121	4,440,514	4,338,807	4,852,684
Public Works	Admin	SWR HILTON HEAD	1343	104,191	108,391	101,345	101,108	100,594	104,112
Public Works	Admin	SWR BLUFFTON	1344	156,074	143,157	148,521	154,622	165,731	170,307
Public Works	Admin	SWR BURTON	1345	156,532	165,616	139,583	127,814	148,518	122,114
Public Works	Admin	SWR DAUFUSKIE	1346	33,298	203	-	-	7,200	7,200
Public Works	Admin	SWR ST HELENA	1347	143,143	137,139	153,245	163,960	183,078	176,420
Public Works	Admin	SWR SHELDON	1348	107,353	109,882	100,525	116,390	107,588	124,214
Public Works	Fringe	PUBLIC WORKS BENEFITS POOL	1399	-	1,382,469	1,273,210	1,419,969	1,511,164	1,217,584
Public Health	Admin	ANIMAL SHELTER & CONTROL	1270	899,340	758,613	799,894	933,441	834,369	561,967
Public Health	Admin	MOSQUITO CONTROL	1400	1,714,086	1,087,606	1,159,244	1,304,745	1,369,461	1,370,377
Public Health	Allocation	PUBLIC HEALTH DIRECT SUBSIDIES	1498	2,630,740	2,582,740	1,914,059	1,637,534	1,741,785	1,697,947
Public Health	Fringe	PUBLIC HEALTH BENEFITS POOL	1499	-	301,388	287,182	380,072	412,938	153,054
Public Welfare	Admin	VETERANS AFFAIRS	1500	194,205	139,703	141,580	143,894	181,207	191,950
Public Welfare	State	DEPT OF SOCIAL SERVICES	1510	196,105	197,450	180,973	170,387	170,700	147,349
Public Welfare	Allocation	PUBLIC WELFARE DIRECT SUBSIDIES	1598	481,320	498,330	438,443	357,613	435,000	598,000
Public Welfare	Fringe	PUBLIC WELFARE BENEFITS POOL	1599	-	37,170	28,045	30,845	32,514	30,644
Cultural	Admin	PALS CENTRAL ADMINISTRATION	1600	407,865	361,055	257,975	308,721	362,550	300,185
Cultural	Admin	PALS SUMMER PROGRAM	1601	143,279	158,241	137,961	202,354	114,500	107,500
Cultural	Admin	PALS AQUATICS PROGRAM	1602	1,177,361	1,041,870	969,921	1,078,344	1,147,382	1,089,007
Cultural	Admin	PALS HILTON HEAD PROGRAMS	1603	80,000	79,980	80,000	80,000	80,000	80,000
Cultural	Admin	PALS BLUFFTON PROGRAMS	1604	900,237	792,306	117,843	122,368	122,000	146,010
Cultural	Admin	PALS ATHLETIC PROGRAMS	1605	523,068	396,397	758,098	692,508	912,649	1,024,870
Cultural	Admin	PALS RECREATION CENTERS	1606	854,749	611,778	589,300	670,201	548,272	515,025
Cultural	Admin	LIBRARY ADMINISTRATION	1620	870,732	639,241	625,724	702,252	626,166	709,546
Cultural	Admin	LIBRARY BEAUFORT BRANCH	1621	651,413	509,425	498,859	455,075	533,606	489,825
Cultural	Admin	LIBRARY BLUFFTON BRANCH	1622	771,287	557,855	436,004	474,217	531,912	570,194
Cultural	Admin	LIBRARY HILTON HEAD BRANCH	1623	707,536	613,103	524,926	499,523	574,105	492,569
Cultural	Admin	LIBRARY LOBECO BRANCH	1624	203,066	111,668	124,457	123,696	133,782	139,474
Cultural	Admin	LIBRARY ST HELENA BRANCH	1625	91,332	92,538	91,799	390,599	552,327	571,647
Cultural	Admin	LIBRARY TECHNICAL SERVICES	1626	888,005	395,537	481,746	466,822	482,525	437,128
Cultural	Admin	LIBRARY SC ROOM	1627	111,974	95,890	95,569	98,501	99,591	101,636
Cultural	Fringe	CULTURAL & RECRE BENEFITS POOL	1699	-	897,015	782,824	740,003	776,442	707,502
General Fund Expenditures				93,078,767	88,399,895	85,736,439	88,557,149	90,298,001	91,802,002

Budget FY 2013
As of 8/3/2013

Actual Year to Date Comparison
For the Period Ending June 30th

Adopted
Budget
FY 2013

Adopted
Budget
FY 2014

Description	Organization	ORG	FY 2010	FY 2011	FY 2012	FY 2013	Adopted Budget FY 2013	Adopted Budget FY 2014
Transfers	Allocation	GENERAL FUND XFERS OUT	1999					
		Miscellaneous Grant	59200	11,301	-	-	-	-
		Daufuskie Ferry	59202	75,000	100,000	100,000	250,000	150,000
		Public Safety Grants	59206	-	61,180	80,874	7,788	-
		EMS Grants	59207	6,352	1,315	6,000	-	-
		Real Property	59209	-	-	333,859	-	-
		Energy Grant	59225	-	-	-	444	-
		Tire Recycling	59226	8,808	14,516	-	-	-
		Dale Water Line	59229	-	31,524	3,805	-	-
		PALS Programs Fund	59231	15,452	2,999	-	-	-
		DSN Programs Fund	59241	1,438,099	1,620,612	1,387,515	1,700,000	2,000,000
		A&D Programs Fund	59261	251,615	364,563	299,687	350,000	400,000
		DNA Laboratory	59270	318,417	332,494	-	-	-
		Victims Assistance	59271	303,364	93,834	107,635	119,290	119,516
		School Resource Officer	59273	115,033	145,855	133,451	142,839	129,322
		Sheriff Grant	59274	6,311	18,528	4,806	-	256
		DNA Grant Fund	59280	-	-	22,097	-	-
		COSY Program	59281	103,000	130,000	160,000	140,000	150,000
		Debt Service Fund	59300	-	-	400,000	-	-
		LI Airport	59570	100,000	-	-	-	-
		HHI Airport	59580	150,000	12,500	-	-	-
		Treasurer's Execution Fund	59603	-	-	-	41,302	-
		Clerk of Court	59619	417,705	-	-	-	-
		Public Defender	59651	653,363	419,028	300,000	300,000	600,000
		Sheriff's Trust	59663	20,000	30,000	30,000	10,000	-
		Total General Fund Transfers Out		3,993,820	3,378,948	3,369,729	3,211,663	2,852,129
Education	Education	Education Allocation	1698	4,716,300	4,716,300	4,000,000	4,000,000	4,000,000
		General Fund Expenditures (including Transfers and Education Allocation)		101,788,887	96,495,143	93,106,168	95,768,812	97,150,130
		Net (Surplus)/Deficit		2,699,346	(478,943)	(3,598,984)	309,885	-

Client: **BCC - Bryan - County Council of Beaufort County**
 Engagement: **Monthly County Council Report**
 Period Ending: **6/30/2013**
 Trial Balance: **1000.05 - FY 2013 TRIAL BALANCE**
 Workpaper: **1500.16 - FY 2013 TRIAL BALANCE Summary of Object Characters - Revenue**

Account	Description	ORIG APPROP 6/30/2013	FY 2013 PER 12 6/30/2013	FY 2012 PER 12 6/30/2012	FY 2011 PER 12 6/30/2011	FY 2010 PER 12 6/30/2010
Group : [40000]	REVENUES					
41000	Taxes	(72,323,941.00)	(71,972,742.76)	(72,841,402.65)	(73,219,927.09)	(72,781,605.97)
42000	Licenses & Permits	(2,680,000.00)	(2,755,745.10)	(2,940,209.23)	(2,324,229.42)	(2,406,781.26)
43000	Intergovernmental	(8,000,000.00)	(6,500,897.95)	(7,020,188.47)	(7,209,032.80)	(7,840,691.52)
44000	Charges for Services	(11,175,589.00)	(11,213,559.52)	(11,241,032.77)	(10,960,563.48)	(10,871,664.63)
45000	Fines & Forfeitures	(860,000.00)	(748,501.57)	(837,774.40)	(836,282.36)	(1,114,192.84)
46000	Interest	(175,100.00)	(70,345.75)	(197,644.37)	(172,209.42)	(535,064.37)
47000	Miscellaneous	(675,500.00)	(552,736.22)	(451,499.54)	(822,952.38)	(784,641.99)
48000	Other Financing Sources	(1,260,000.00)	(1,644,396.62)	(1,175,401.47)	(1,428,891.10)	(2,754,898.34)
40000 Total		<u>(97,150,130.00)</u>	<u>(95,458,925.49)</u>	<u>(96,705,152.90)</u>	<u>(96,974,088.05)</u>	<u>(99,089,540.92)</u>
	Sum of Account Groups	(97,150,130.00)	(95,458,925.49)	(96,705,152.90)	(96,974,088.05)	(99,089,540.92)

Client: **BCC - Bryan - County Council of Beaufort County**
 Engagement: **Monthly County Council Report**
 Period Ending: **6/30/2013**
 Trial Balance: **1000.05 - FY 2013 TRIAL BALANCE**
 Workpaper: **1500.15 - FY 2013 TRIAL BALANCE Summary of Object Characters**

Account	Description	ORIG APPROP 6/30/2013	FY 2013 PER 12 6/30/2013	FY 2012 PER 12 6/30/2012	FY 2011 PER 12 6/30/2011	FY 2010 PER 12 6/30/2010
40000	REVENUES	(97,150,130.00)	(95,458,925.49)	(96,705,152.90)	(96,974,088.05)	(99,089,540.92)
50000	SALARIES, WAGES, OT, HOLIDAY	43,222,154.00	42,494,164.09	41,427,988.88	41,484,318.18	42,370,799.36
50100	EMPLYR COST OF EE	7,994,572.00	7,815,803.31	7,293,493.63	7,211,666.41	7,285,607.82
50140	POOLED BENEFITS	10,459,646.00	9,900,150.46	9,294,421.12	9,595,564.95	9,645,268.55
50500	EMPLOYEE RECOGNITION AWARD	2,085.00	309,663.26	295,795.91	260,441.98	246,886.12
51000	PURCHASED SVCS	17,924,144.00	17,233,334.88	17,092,227.46	18,140,487.73	19,787,458.84
52000	SUPPLIES	5,292,345.00	5,101,565.12	5,189,538.96	4,522,363.55	5,357,507.78
54000	CAPITAL	1,266,856.00	1,805,227.80	1,116,609.63	1,791,833.32	1,974,992.09
55000	SUBSIDIES	7,739,914.00	7,597,859.61	7,687,325.04	9,638,519.05	9,928,468.65
56000	CONTINGENCY	56,285.00	0.00	0.00	0.00	0.00
57000	UNCLASSIFIED	340,000.00	299,379.83	339,035.05	470,999.00	1,198,078.28
58000	DEPRECIATION	0.00	0.00	0.00	0.00	0.00
59000	TRANSFERS OUT	2,852,129.00	3,211,663.69	3,370,145.57	3,378,949.00	3,993,821.02
Total		0.00	309,886.56	(3,598,571.65)	(478,944.88)	2,699,347.59

ORDINANCE NO. _____

AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013D, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, OF BEAUFORT COUNTY, SOUTH CAROLINA, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$25,300,000; 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.

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

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

(a) Pursuant to Section 4-9-10, Code of Laws of South Carolina 1976, as amended, and the results of a referendum held in accordance therewith, the Council-Administrator form of government was adopted and the County Council constitutes the governing body of the County.

(b) Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended (the "Constitution"), provides that each county shall have the power to incur bonded indebtedness in such manner and upon such terms and conditions as the General Assembly shall prescribe by general law. Such debt must be incurred for a public purpose and a corporate purpose in an amount not exceeding eight percent (8%) of the assessed value of all taxable property of such county.

(c) Pursuant to Title 4, Chapter 15 of the Code (the same being and hereinafter referred to as the "County Bond Act"), the governing bodies of the several counties of the State may each issue general obligation bonds to defray the cost of any authorized purpose and for any amount not exceeding its applicable constitutional limit.

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

(e) In a referendum (the "Referendum") held in the County on November 7, 2006, the following question was submitted to the qualified electors of the County:

Shall the County be empowered to issue, either at one time as a single issue or from time to time as several separate issues, general obligation bonds of the County in the aggregate principal amount not to exceed \$50,000,000, the proceeds of which shall be used for the purpose of defraying the costs of the County Rural and Critical Land Preservation Program which preserves land by purchasing open land, development rights and conversation easements in all areas of Beaufort County, in order to alleviate traffic

congestion in high growth areas and to protect water quality, natural lands, wildlife areas, farmland, parkland, coastal areas, rivers and wetlands, legal fees and costs of issuance of such bonds, provided that all expenditures shall be prioritized based upon the official criteria and ranking system established for the County and subject to annual audit?

The Referendum was duly conducted and a majority of the qualified electors of the County voted in favor of the issuance of the general obligation bonds.

(f) Pursuant to the American Reinvestment and Recovery Act, South Carolina constitutional and statutory authorizations, the Referendum, and Ordinance No. 2010/3 duly enacted by the County Council on February 8, 2010, the County issued its original principal amount \$24,550,000 General Obligation Bonds, Taxable Series 2010B (Build America Bonds – Direct Payment to Issuer) dated March 10, 2010 (the “2010 Bonds”).

(g) Sections 11-21-10 to 11-21-80 of the Code of Laws of South Carolina 1976, as amended, empower any “public agency” to utilize the provisions of Article 5, Chapter 15, Title 11 (the “Refunding Act”) of the Code of Laws of South Carolina 1976, as amended, to effect the refunding of any outstanding general obligation bonds.

(h) The Series 2010 Bonds are currently outstanding in the principal amount of \$24,550,000 (the “Bonds to be Refunded”), and are subject to extraordinary redemption as follows: “The Bonds are subject to redemption by the County, at its option, prior to maturity at any time or times at the redemption price of par plus accrued interest to the redemption date if and to the extent the federal government should not make the subsidy payment equal to 35% of the amount of interest paid on such taxable Bonds pursuant to the ARRA.”

(i) On March 1, 2013, the Federal Government imposed sequestration which includes a reduction in the interest rate subsidy for build America bonds. Upon the reduction in the subsidy for the September, 2013, payment, the County Administrator, based on advice from the County’s financial advisor and bond counsel, shall determine whether to issue the bonds.

(j) Pursuant to Ordinance No. 2012/10 adopted on August 13, 2012, the County Council adopted Written Procedures related to Tax-Exempt Debt.

(k) It is now in the best interest of the County for County Council to provide for the issuance and sale of not exceeding \$25,300,000 principal amount general obligation refunding bonds of the County to provide funds for (i) refunding the Bonds to be Refunded; (ii) costs of issuance of the Bonds (hereinafter defined); and (iii) such other lawful purposes as the County Council shall determine.

SECTION 2. Authorization and Details of Bonds. Pursuant to the aforesaid provisions of the Constitution and laws of the State, there is hereby authorized to be issued not exceeding \$25,300,000 aggregate principal amount of general obligation refunding bonds of the County to be designated “\$25,300,000 (or such lesser amount issued) General Obligation Refunding Bonds, (appropriate series designation), of Beaufort County, South Carolina” (the “Bonds”), for the purpose set forth in Section 1(k) and other costs incidental thereto, including without limiting the generality of such other costs, engineering, financial and legal fees.

The refunding of the Bonds to be Refunded shall be effected with a portion of the proceeds of the Bonds which proceeds shall be used for the payment of the principal of such Bonds to be Refunded are called for redemption in accordance with the provisions of the 2010 Ordinance and interest on such Bonds to be Refunded as and when the same becomes due. If necessary, notice of the aforesaid refunding for which a portion of the proceeds of the Bonds will be used shall be given in a financial paper published in the City of New York, State of New York.

Upon the delivery of the Bonds, the principal proceeds thereof, less issuance expenses, shall be deposited with the Paying Agent for the 2010 Bonds and used to redeem the Bonds to be Refunded.

The Bonds shall be issued as fully registered bonds registrable as to principal and interest; shall be dated their date of delivery to the initial purchaser(s) thereof; shall be in denominations of \$5,000 or any integral multiple thereof not exceeding the principal amount of Bonds maturing each year; shall be subject to redemption if such provision is in the best interest of the County; shall be numbered from R-1 upward; shall bear interest from their date payable at such times as hereinafter designated by the County Administrator and/or his lawfully-authorized designee at such rate or rates as may be determined at the time of the sale thereof; and shall mature serially in successive annual installments as determined by the County Administrator and/or his lawfully-authorized designee.

Wells Fargo Bank, N.A., Atlanta, Georgia, will serve as Registrar/Paying Agent for the Bonds.

SECTION 3. Delegation of Authority to Determine Certain Matters Relating to the Bonds. The County Council hereby delegates to the County Administrator or his lawfully-authorized designee the authority to: (a) determine the par amount of the Bonds; (b) determine the maturity dates of the Bonds and the respective principal amounts maturing on such dates; (c) determine the interest payment dates of the Bonds; (d) determine the redemption provisions, if any, for the Bonds; (e) determine the date and time of sale of the Bonds; (f) receive bids on behalf of the County Council; (g) determine the date of redemption for the Bonds to be Refunded, and (h) award the sale of the Bonds to the lowest bidder therefor in accordance with the terms of the Notice of Sale for the Bonds.

After the sale of the Bonds, the County Administrator and/or his lawfully-authorized designee shall submit a written report to County Council setting forth the details of the Bonds as set forth in this paragraph.

SECTION 4. Registration, Transfer and Exchange of Bonds. The County shall cause books (herein referred to as the "registry books") to be kept at the offices of the Registrar/Paying Agent, for the registration and transfer of the Bonds. Upon presentation at its office for such purpose the Registrar/Paying Agent shall register or transfer, or cause to be registered or transferred, on such registry books, the Bonds under such reasonable regulations as the Registrar/Paying Agent may prescribe.

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

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

SECTION 5. Record Date. The County hereby establishes a record date for the payment of interest or for the giving of notice of any proposed redemption of Bonds, and such record date shall be the fifteenth (15th) day (whether or not a business day) preceding an interest payment date on such Bond or in the case of any proposed redemption of Bonds, such record date shall be the fifteenth (15th) day (whether or not a business day) prior to the giving of notice of redemption of bonds.

SECTION 6. Mutilation, Loss, Theft or Destruction of Bonds. In case any Bond shall at any time become mutilated in whole or in part, or be lost, stolen or destroyed, or be so defaced as to impair the value thereof to the owner, the County shall execute and the Registrar shall authenticate and deliver at the principal office of the Registrar, or send by registered mail to the owner thereof at his request, risk and expense a new Bond of the same series, interest rate and maturity and of like tenor and effect in exchange or substitution for and upon the surrender for cancellation of such defaced, mutilated or partly destroyed Bond, or in lieu of or in substitution for such lost, stolen or destroyed Bond. In any such event the applicant for the issuance of a substitute Bond shall furnish the County and the Registrar evidence or proof satisfactory to the County and the Registrar of the loss, destruction, mutilation, defacement or theft of the original Bond, and of the ownership thereof, and also such security and indemnity in an amount as may be required by the laws of the State of South Carolina or such greater amount as may be required by the County and the Registrar. Any duplicate Bond issued under the provisions of this Section in exchange and substitution for any defaced, mutilated or partly destroyed Bond or in substitution for any allegedly lost, stolen or wholly destroyed Bond shall be entitled to the identical benefits under this Ordinance as was the original Bond in lieu of which such duplicate Bond is issued, and shall be entitled to equal and proportionate benefits with all the other Bonds of the same series issued hereunder.

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

SECTION 7. Execution of Bonds. The Bonds shall be executed in the name of the County with the manual or facsimile signature of the Chairman of the County Council attested by the manual or facsimile signature of the Clerk to the County Council under a facsimile of the seal of the County impressed, imprinted or reproduced thereon; provided, however, the facsimile signatures appearing on the Bonds may be those of the officers who are in office on the date of enactment of this Ordinance. The execution of the Bonds in such fashion shall be valid and effectual, notwithstanding any subsequent change in such offices. The Bonds shall not be valid or become obligatory for any purpose unless there shall have been endorsed thereon a certificate of authentication. Each Bond shall bear a certificate of authentication manually executed by the Registrar in substantially the form set forth herein.

SECTION 8. Form of Bonds. The Bonds and the certificate of authentication shall be in substantially the form set forth in Exhibit A attached hereto and incorporated herein by reference.

SECTION 9. Security for Bonds. The full faith, credit, and taxing power of the County are hereby irrevocably pledged for the payment of the principal of and interest on the Bonds as they respectively mature, and for the creation of such sinking fund as may be necessary therefor. There shall be levied annually by the County Auditor and collected by the County Treasurer, in the same manner as other county taxes are levied and collected, a tax, without limit, on all taxable property in the County sufficient to pay the principal of and interest on the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

The County Council shall give the County Auditor and County Treasurer written notice of the delivery of and payment for the Bonds and they are hereby directed to levy and collect annually, on all taxable property in the County, a tax, without limit, sufficient to pay the principal of and interest on the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 10. Notice of Public Hearing. The County Council hereby ratifies and approves the publication of a notice of public hearing regarding the Bonds and this Ordinance, such notice in substantially the form attached hereto as Exhibit B, having been published in *The Island Packet* and *The Beaufort Gazette*, newspapers of general circulation in the County, not less than 15 days prior to the date of such public hearing.

SECTION 11. Exemption from State Taxes. Both the principal of and interest on the Bonds shall be exempt, in accordance with the provisions of Section 12-2-50 of the Code of Laws of South Carolina 1976, as amended, from all State, county, municipal, County and all other taxes or assessments, except estate or other transfer taxes, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

SECTION 12. Tax Covenants. The County hereby covenants and agrees with the holders of the Bonds that it will not take any action which will, or fail to take any action which failure will, cause interest on the Bonds to become includable in the gross income of the holders of the Bonds for federal income tax purposes pursuant to the provisions of the Code and regulations promulgated thereunder in effect on the date of original issuance of the Bonds. The County further covenants and agrees with the holders of the Bonds that no use of the proceeds of the Bonds shall be made which, if such use had been reasonably expected on the date of issue of the Bonds would have caused the Bonds to be "arbitrage bonds," as defined in Section 148 of the Code, and to that end the County hereby shall:

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

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

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

SECTION 13. Book-Entry System. The Bonds initially issued (the “Initial Bonds”) will be eligible securities for the purposes of the book-entry system of transfer maintained by The Depository Trust Company, New York, New York (“DTC”), and transfers of beneficial ownership of the Initial Bonds shall be made only through DTC and its participants in accordance with rules specified by DTC. Such beneficial ownership must be of \$5,000 principal amount of Bonds of the same maturity or any integral multiple of \$5,000.

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

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

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

If the County is unable to retain a qualified successor to DTC or the County has determined that it is in its best interest not to continue the book-entry system of transfer or that interests of the beneficial owners of the Bonds might be adversely affected if the book-entry system of transfer is continued (the County undertakes no obligation to make any investigation to determine the occurrence of any events that would permit it to make any such determination), and has made provision to so notify beneficial owners of the Bonds by mailing an appropriate notice to DTC, upon receipt by the County the Initial Bonds together with an assignment duly executed by DTC, the County shall execute, authenticate and deliver to the DTC participants Bonds in fully-registered form, in substantially the form set forth in Section 8 of this Ordinance in the denomination of \$5,000 or any integral multiple thereof.

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

SECTION 14. Sale of Bonds, Form of Notice of Sale. The Bonds shall be offered for public sale on the date and at the time designated by the County Administrator and/or his lawfully-authorized designee. A Notice of Sale in substantially the form set forth as Exhibit C attached hereto and incorporated herein by reference shall be distributed to prospective bidders and a summary of such Notice of Sale shall be published in a newspaper of general circulation in the State of South Carolina and/or in a financial publication published in the City of New York not less than seven (7) days prior to the date set for such sale.

SECTION 15. Preliminary and Final Official Statement. The County Council hereby authorizes and directs the County Administrator and/or his lawfully-authorized designee to prepare, or cause to be prepared, a Preliminary Official Statement to be distributed to prospective purchasers of the Bonds together with the Notice of Sale. The County Council authorizes the County Administrator to designate the Preliminary Official Statement as “final” for purposes of Rule 15c2-12 of the Securities Exchange

Commission. The County Administrator and/or his lawfully-authorized designee are further authorized to see to the completion of the final form of the Official Statement upon the sale of the Bonds so that it may be provided to the purchaser of the Bonds.

SECTION 16. Filings with Central Repository. In compliance with Section 11-1-85, South Carolina Code of Laws 1976, as amended, the County covenants that it will file or cause to be filed with a central repository for availability in the secondary bond market when requested: (a) a copy of the annual financial report of the County within thirty (30) days from the County's receipt thereof; and (b) within thirty (30) days of the occurrence thereof, relevant information of an event which adversely affects more than five (5%) percent of the revenues of the County or the County's tax base.

SECTION 17. Continuing Disclosure. In compliance with the Securities and Exchange Commission Rule 15c2-12 (the "Rule") the County covenants and agrees for the benefit of the holders from time to time of the Bonds to execute and deliver prior to closing, and to thereafter comply with the terms of a Disclosure Dissemination Agent Agreement in substantially the form appearing as Exhibit D attached to this Ordinance. In the event of a failure of the County to comply with any of the provisions of the Disclosure Dissemination Agent Agreement, an event of default under this Ordinance shall not be deemed to have occurred. In such event, the sole remedy of any bondholder or beneficial owner shall be an action to compel performance by this Ordinance.

SECTION 18. Deposit and Use of Proceeds. The proceeds derived from the sale of the Bonds necessary to refund the Bonds to be Refunded shall be deposited with the Paying Agent for the 2010 Bonds and used to redeem the Bonds to be Refunded. The remaining proceeds, if any, shall be deposited at the direction of the County Treasurer in a special fund to the credit of the County and shall be applied solely to the purposes for which the Bonds have been issued, including payment of costs of issuance of the Bonds.

SECTION 20. Defeasance. The obligations of the County under this Ordinance and the pledges, covenants and agreements of the County herein made or provided for, shall be fully discharged and satisfied as to any portion of the Bonds, and such Bond or Bonds shall no longer be deemed to be outstanding hereunder when:

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

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

“Government Obligations” shall mean any of the following:

- (a) direct obligations of the United States of America or agencies thereof or obligations, the payment of principal or interest on which, in the opinion of the Attorney General of the United States, is fully and unconditionally guaranteed by the United States of America;
- (b) non-callable, U. S. Treasury Securities - State and Local Government Series (“SLGS”); and
- (c) general obligation bonds of the State, its institutions, agencies, counties and political subdivisions.

SECTION 21. Miscellaneous. The County Council hereby authorizes the County Administrator, Chair of the County Council, the Clerk to the County Council and County Attorney to execute such documents and instruments as necessary to effect the issuance of the Bonds. The County Council hereby retains McNair Law Firm, P.A., as bond counsel and First SouthWest, as financial advisor in connection with the issuance of the Bonds. The County Administrator is further authorized to execute such contracts, documents or engagement letters as may be necessary and appropriate to effectuate these engagements.

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

Enacted this ____ day of _____, 2013.

BEAUFORT COUNTY, SOUTH CAROLINA

Chair, County Council

(SEAL)

ATTEST:

Clerk, County Council

First Reading: July 22, 2013

Second Reading:

Public Hearing:

Third and Final Reading:

FORM OF BOND

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT
GENERAL OBLIGATION REFUNDING BOND, SERIES 2013_

No. R-

<u>INTEREST</u>	<u>MATURITY</u>	<u>ORIGINAL</u>	
<u>RATE</u>	<u>DATE</u>	<u>ISSUE DATE</u>	<u>CUSIP</u>

REGISTERED HOLDER:

PRINCIPAL AMOUNT: DOLLARS

KNOW ALL MEN BY THESE PRESENTS, that Beaufort County, South Carolina (the "County"), is justly indebted and, for value received, hereby promises to pay to the registered holder specified above, or registered assigns, the principal amount specified above on the maturity date specified above, upon presentation and surrender of this Bond at the principal office of Wells Fargo Bank, N.A. in Atlanta, Georgia (the "Paying Agent"), and to pay interest on such principal amount from the date hereof at the rate per annum specified above until this Bond matures. Interest on this Bond is payable _____ 1, 20__, and semiannually on _____ 1 and _____ 1 of each year thereafter, until this Bond matures, and shall be payable by check or draft mailed to the person in whose name this Bond is registered on the registration books of the County maintained by the registrar, presently Wells Fargo Bank, N.A. in Atlanta, Georgia (the "Registrar"), at the close of business on the fifteenth (15th) day of the calendar month preceding each semiannual interest payment date. The principal of and interest on this Bond are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts; provided, however, that interest on this fully registered Bond shall be paid by check or draft as set forth above.

This Bond shall not be entitled to any benefit under the Ordinance (hereafter defined), nor become valid or obligatory for any purpose, until the certificate of authentication hereon shall have been duly executed by the Registrar.

For the payment hereof, both principal and interest, as they respectively mature and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the County are irrevocably pledged and there shall be levied annually by the Auditor of the County and collected by the Treasurer of the County, in the same manner as other county taxes are levied and collected, a tax, without limit, on all taxable property in the County sufficient to pay the principal of and interest on this Bond as they respectively mature and to create such sinking fund as may be necessary therefor.

This Bond is one of a series of Bonds of like date of original issue, tenor and effect, except as to number, denomination, date of maturity, redemption provisions, and rate of interest, aggregating _____ Dollars (\$ _____), issued pursuant to and in accordance with the Constitution and laws of the State of South Carolina, including Article X of the Constitution of the State of South Carolina, 1895, as amended; Title 4, Chapter 15, Code of Laws of South Carolina 1976, as amended; Title 11, Chapters 15 and 27, Code of Laws of South Carolina 1976, as amended; the favorable results of a referendum; and Ordinance No. _____ duly enacted by the County Council on _____, 2013.

[Redemption Provisions]

This Bond is transferable as provided in the Ordinance, only upon the books of the County kept for that purpose at the principal office of the Registrar by the registered holder in person or by his duly authorized attorney upon surrender of this Bond together with a written instrument of transfer satisfactory to the Registrar duly executed by the registered holder or his duly authorized attorney. Thereupon a new fully registered Bond or Bonds of the same aggregate principal amount, interest rate redemption provisions, if any, and maturity shall be issued to the transferee in exchange therefor as provided in the Ordinance. The County, the Registrar and the Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal hereof and interest due hereon and for all other purposes.

Under the laws of the State of South Carolina, this Bond and the interest hereon are exempt from all State, county, municipal, County and all other taxes or assessments, except estate or other transfer taxes, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of the State of South Carolina to exist, to happen and to be performed precedent to or in the issuance of this Bond exist, have happened and have been performed in regular and due time, form and manner as required by law; that the amount of this Bond, together with all other indebtedness of the County, does not exceed the applicable limitation of indebtedness under the laws of the State of South Carolina; and that provision has been made for the levy and collection of a tax, without limit, on all taxable property in the County sufficient to pay the principal of and interest on this Bond as the same shall respectively mature and to create such sinking fund as may be necessary therefor.

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

BEAUFORT COUNTY, SOUTH CAROLINA

Chair of County Council

(SEAL)

ATTEST:

Clerk of County Council

[FORM OF REGISTRAR'S CERTIFICATE OF AUTHENTICATION]

Date of Authentication:

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

_____ as Registrar

By: _____ Authorized Officer

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

TEN COM - As tenants in common

UNIF GIFT MIN. ACT

TEN ENT - As tenants by the entireties

_____ Custodian _____
(Cust.) (Minor)

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

under Uniform Gifts to Minors

_____ (State)

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

[FORM OF ASSIGNMENT]

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

_____ (Name and address of Transferee)

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

Dated:

Signature Guaranteed:

(Authorizing Officer)

Signature(s) must be guaranteed by an institution which is a participant in the Securities Transfer Agents Medallion Program ("STAMP") or similar program.

NOTICE: The signature to this agreement this agreement must correspond with the name of the registered holder as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

A copy of the final approving opinion to be rendered shall be attached to each Bond and preceding the same a certificate shall appear, which shall be signed on behalf of the County with a manual or facsimile signature of the Clerk to the County Council. The certificate shall be in substantially the following form:

[FORM OF CERTIFICATE]

IT IS HEREBY CERTIFIED that the following is a true and correct copy of the complete final approving opinion (except for date and letterhead) of McNair Law Firm, P.A., Columbia, South Carolina, approving the issue of Bonds of which the within Bond is one, the original of which opinion was manually executed, dated and issued as of the date of delivery of and payment for the Bonds and a copy of which is on file with the County Council of Beaufort County, South Carolina.

BEAUFORT COUNTY, SOUTH CAROLINA

By: _____
Clerk of County Council

FORM OF NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the County Council of Beaufort County, South Carolina (the "County"), County Administration Building, 100 Ribaut Road, Beaufort, South Carolina, at 6:00 p.m. on _____, 2013.

The purpose of the public hearing is to consider an Ordinance providing for the issuance and sale of General Obligation Refunding Bonds of Beaufort County, South Carolina, in the principal amount of not exceeding \$_____ (the "Series 2013__ Bonds"). The proceeds of the bonds will be used for the following purposes: (i

The full faith, credit, and taxing power of the County will be pledged for the payment of the principal of and interest on the Series 2013__ Bonds and a tax, without limit, will be levied on and collected annually, in the same manner other County taxes are levied and collected, on all taxable property of the County sufficient to pay to principal of and interest on the Series 2013__ Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

At the public hearing all taxpayers and residents of the County and any other interested persons who appear will be given an opportunity to express their views for or against the Ordinance and the issuance of the Series 2013__ Bonds.

COUNTY COUNCIL OF BEAUFORT COUNTY,
SOUTH CAROLINA

FORM OF NOTICE OF SALE

OFFICIAL NOTICE OF SALE

\$ _____ GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013 __,
OF BEAUFORT COUNTY, SOUTH CAROLINA

Time and Place of Sale: NOTICE IS HEREBY GIVEN that sealed bids, facsimile bids and electronic bids will be received on behalf of Beaufort County, South Carolina (the "County"), 100 Ribaut Road, Beaufort, South Carolina, until 11:00 a.m, South Carolina time, on _____, _____, 2013, at which time said proposals will be publicly opened for the purchase of \$ _____ General Obligation Refunding Bonds, Series 2013 __, of the County (the "Series 2013 __ Bonds").

Sealed Bids: Each hand delivered proposal shall be enclosed in a sealed envelope marked "Proposal for \$ _____ General Obligation Refunding Bonds, Series 2013 __, Beaufort County, South Carolina" and should be directed to the County Administrator at the address in the first paragraph hereof.

Facsimile Bids: The County will accept the facsimile transmission of a manually signed Official Bid Form at the risk of the Bidder. The County shall not be responsible for the confidentiality of bids submitted by facsimile transmission. Any delay in receipt of a facsimile bid, and any incompleteness or illegible portions of such bid are the responsibility of the bidder. Bids by facsimile should be transmitted to the attention of the County Administrator, fax number (843) _____.

Electronic Bids: Electronic proposals must be submitted through i-Deal's Parity Electronic Bid Submission System ("Parity"). No electronic bids from any other providers of electronic bidding services will be accepted. Information about the electronic bidding services of Parity may be obtained from i-Deal, 1359 Broadway, 2nd Floor, New York, New York 10018, Customer Support, telephone (212) 849-5021.

PROPOSALS MAY BE DELIVERED BY HAND, BY MAIL, BY FACSIMILE TRANSMISSION OR BY ELECTRONIC BID, BUT NO PROPOSAL SHALL BE CONSIDERED WHICH IS NOT ACTUALLY RECEIVED BY THE COUNTY AT THE PLACE, DATE AND TIME APPOINTED, AND THE COUNTY SHALL NOT BE RESPONSIBLE FOR ANY FAILURE, MISDIRECTION, DELAY OR ERROR RESULTING FROM THE SELECTION BY ANY BIDDER OF ANY PARTICULAR MEANS OF DELIVERY OF BIDS.

Book-Entry-Only Series 2013 __ Bonds: The Series 2013 __ Bonds will be issued in fully-registered form. One Series 2013 __ Bond representing each maturity will be issued to and registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), as registered owner of the Series 2013 __ Bonds and each such Series 2013 __ Bond will be immobilized in the custody of DTC. DTC will act as securities depository for the Series 2013 __ Bonds. Individual purchases will be made in book-entry form only, in the principal amount of \$5,000 or any integral multiple thereof not exceeding the principal amount of Series 2013 __ Bonds maturing each year; Purchasers will not receive physical delivery of certificates representing their interest in the Series 2013 __ Bonds purchased. The winning bidder, as a condition to delivery of the Series 2013 __ Bonds, will be required to deposit the Series 2013 __ Bond certificates representing each maturity with DTC.

The Series 2013__ Bonds will be issued in fully-registered form registered as to principal and interest; will be dated _____, 2013; will be in denominations of \$5,000 or any integral multiple thereof not exceeding the principal amount of Series 2013__ Bonds maturing in each year; and will mature serially in successive annual installments on _____ in each of the years and in the principal amounts as follows:

<u>Year</u>	<u>Principal Amount*</u>	<u>Year</u>	<u>Principal Amount*</u>
-------------	--------------------------	-------------	--------------------------

*Preliminary, subject to adjustment.

Adjustment of Maturity Schedule. The County reserves the right, in its sole discretion, either to decrease or increase the principal amount of the Series 2013__ Bonds maturing in any year (all calculations to be rounded to the near \$5,000), provided that any such decrease or increase shall not exceed 10% of the Series 2013__ Bonds. Such adjustment(s), if any, shall be made within twenty-four (24) hours of the award of the Series 2013__ Bonds. In order to calculate the yield on the Series 2013__ Bonds for federal tax law purposes and as a condition precedent to the award of the Series 2013__ Bonds, bidders must disclose to the County in connection with their respective bids the price (or yield to maturity) at which each maturity of the Series 2013__ Bonds will be reoffered to the public.

In the event of any adjustment of the maturity schedule for the Series 2013__ Bonds as described herein, no rebidding or recalculation of the proposals submitted will be required or permitted. Nevertheless, the award of the Series 2013__ Bonds will be made to the bidder whose proposal produces the lowest true interest cost solely on the basis of the Series 2013__ Bonds offered, without taking into account any adjustment in the amount of the Series 2013__ Bonds pursuant to this paragraph.

The Series 2013__ Bonds will bear interest from the date thereof payable semiannually on _____ and _____ of each year, commencing _____, until they mature.

[Redemption Provisions]

Registrar/Paying Agent: Wells Fargo Bank, N.A., will serve as Registrar/Paying Agent for the Series 2013__ Bonds.

Bid Requirements: Bidders shall specify the rate or rates of interest per annum which the Series 2013__ Bonds are to bear, to be expressed in multiples of 1/20 or 1/8 of 1% and the interest rate specified for any maturity shall not be lower than the interest rate specified for any previous maturity. Bidders are not limited as to the number of rates of interest named, but the rate of interest on each separate maturity must be the same single rate for all Series 2013__ Bonds of that maturity from their date to such maturity date. A bid for less than all the Series 2013__ Bonds, a bid at a price less than par or a bid which includes a premium in excess of 10% of the par amount of the Series 2013__ Bonds will not be considered. In addition to the bid price, the successful bidder must pay accrued interest from the date of the Series 2013__ Bonds to the date of full payment of the purchase price.

Award of Bid. The Series 2013__ Bonds will be awarded to the bidder or bidders offering to purchase the Series 2013__ Bonds at the lowest true interest cost (TIC) to the County. The TIC will be the nominal interest rate which, when compounded semiannually and used to discount all debt service payments on the Series 2013__ Bonds (computed at the interest rates specified in the bid and on the basis

of a 360-day year of twelve 30-day months) to the dated date of the Series 2013__ Bonds, results in an amount equal to the price bid for the Series 2013__ Bonds. In the case of a tie bid, the winning bid will be awarded by lot. The County reserves the right to reject any and all bids or to waive irregularities in any bid. Bids will be accepted or rejected no later than 3:00 p.m., South Carolina time, on the date of the sale.

Security: The full faith, credit, and taxing power of the County are hereby irrevocably pledged for the payment of the principal of and interest on the Series 2013__ Bonds as they respectively mature, and for the creation of such sinking fund as may be necessary therefor. There shall be levied annually by the Auditor of the County and collected by the Treasurer of the County, in the same manner as other county taxes are levied and collected, an ad valorem tax, without limit, on all taxable property in the County sufficient to pay the principal and interest of the Series 2013__ Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

Good Faith Deposit: No good faith deposit is required.

Bid Form: Proposals should be enclosed in a separate sealed envelope marked "Proposal for \$_____ General Obligation Refunding Bonds, Series 2013__ of Beaufort County, South Carolina" and should be directed to the County Administrator at the address in the first paragraph hereof. It is requested but not required that you submit your bid on the Proposal for Purchase of Series 2013__ Bonds supplied with the Official Statement.

Official Statement: Upon the award of the Series 2013__ Bonds, the County will prepare an official statement (the "Official Statement") in substantially the same form as the preliminary official statement subject to minor additions, deletions and revisions as required to complete the Official Statement. Within seven (7) business days after the award of the Series 2013__ Bonds, the County will deliver the Official Statement to the successful bidder in sufficient quantity to comply with Rule G-32 of the Municipal Securities Rulemaking Board. The successful bidder agrees to supply to the County all necessary pricing information and any Underwriter identification necessary to complete the Official Statement within 24 hours after the award of the Series 2013__ Bonds.

Continuing Disclosure: In order to assist the bidders in complying with S.E.C. Rule 15c2-12(b)(5), the County will undertake, pursuant to an ordinance and a disclosure dissemination agent agreement, to provide certain annual financial information and notices of the occurrence of certain events, if material. A description of this undertaking is set forth in the Preliminary Official Statement and will also be set forth in the final Official Statement.

Legal Opinion: The County Council shall furnish upon delivery of the Series 2013__ Bonds the final approving opinion of McNair Law Firm, P.A., Columbia, South Carolina, which opinion shall accompany each Series 2013__ Bond, together with the usual closing documents, including a certificate of the County that no litigation is pending affecting the Series 2013__ Bonds.

Certificate as to Issue Price: The successful bidder must provide a certificate to the County by the date of delivery of the Series 2013__ Bonds, stating the initial reoffering price of the Series 2013__ Bonds to the public (excluding bond houses and brokers) and the price at which a substantial amount of the Series 2013__ Bonds were sold to the public, in form satisfactory to Bond Counsel. A sample copy of such a certificate may be obtained from Bond Counsel.

Delivery: The Series 2013__ Bonds will be delivered on or about _____, 2013, in New York, New York, at the expense of the County. The balance of the purchase price then due, including the amount of accrued interest, must be paid in federal funds or other immediately available funds.

BEAUFORT COUNTY, SOUTH CAROLINA

FORM OF DISCLOSURE DISSEMINATION AGENT AGREEMENT

This Disclosure Dissemination Agent Agreement (the “Disclosure Agreement”), dated as of _____, 2013, is executed and delivered by Beaufort County, South Carolina (the “Issuer”) and Digital Assurance Certification, L.L.C., as exclusive Disclosure Dissemination Agent (the “Disclosure Dissemination Agent” or “DAC”) for the benefit of the Holders (hereinafter defined) of the Series 2013__ Bonds (hereinafter defined) and in order to provide certain continuing disclosure with respect to the Series 2013__ Bonds in accordance with Rule 15c2-12 of the United States Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time (the “Rule”).

The services provided under this Disclosure Agreement solely relate to the execution of instructions received from the Issuer through use of the DAC system and do not constitute “advice” within the meaning of the Dodd-Frank Wall Street Reform and Consumer Protection Act (the “Act”). DAC will not provide any advice or recommendation to the Issuer or anyone on the Issuer’s behalf regarding the “issuance of municipal securities” or any “municipal financial product” as defined in the Act and nothing in this Disclosure Agreement shall be interpreted to the contrary.

SECTION 1. Definitions. Capitalized terms not otherwise defined in this Disclosure Agreement shall have the meaning assigned in the Rule or, to the extent not in conflict with the Rule, in the Official Statement (hereinafter defined). The capitalized terms shall have the following meanings:

“Annual Report” means an Annual Report described in and consistent with Section 3 of this Disclosure Agreement.

“Annual Filing Date” means the date, set in Sections 2(a) and 2(f), by which the Annual Report is to be filed with the MSRB.

“Annual Financial Information” means annual financial information as such term is used in paragraph (b)(5)(i) of the Rule and specified in Section 3(a) of this Disclosure Agreement.

“Audited Financial Statements” means the financial statements (if any) of the Issuer for the prior fiscal year, certified by an independent auditor as prepared in accordance with generally accepted accounting principles or otherwise, as such term is used in paragraph (b)(5)(i) of the Rule and specified in Section 3(b) of this Disclosure Agreement.

“Bonds” means the bonds as listed on the attached Exhibit A, with the 9-digit CUSIP numbers relating thereto.

“Certification” means a written certification of compliance signed by the Disclosure Representative stating that the Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure delivered to the Disclosure Dissemination Agent is the Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure required to be submitted to the MSRB under this Disclosure Agreement. A Certification shall accompany each such document submitted to the Disclosure Dissemination Agent by the Issuer and include the full name of the Series 2013__ Bonds and the 9-digit CUSIP numbers for all Bonds to which the document applies.

“Disclosure Representative” means the Finance Director, or his or her designee, or such other person as the Issuer shall designate in writing to the Disclosure Dissemination Agent from time to time as the person responsible for providing Information to the Disclosure Dissemination Agent.

“Disclosure Dissemination Agent” means Digital Assurance Certification, L.L.C, acting in its capacity as Disclosure Dissemination Agent hereunder, or any successor Disclosure Dissemination Agent designated in writing by the Issuer pursuant to Section 9 hereof.

“Failure to File Event” means the Issuer’s failure to file an Annual Report on or before the Annual Filing Date.

“Force Majeure Event” means: (i) acts of God, war, or terrorist action; (ii) failure or shut-down of the Electronic Municipal Market Access system maintained by the MSRB; or (iii) to the extent beyond the Disclosure Dissemination Agent’s reasonable control, interruptions in telecommunications or utilities services, failure, malfunction or error of any telecommunications, computer or other electrical, mechanical or technological application, service or system, computer virus, interruptions in Internet service or telephone service (including due to a virus, electrical delivery problem or similar occurrence) that affect Internet users generally, or in the local area in which the Disclosure Dissemination Agent or the MSRB is located, or acts of any government, regulatory or any other competent authority the effect of which is to prohibit the Disclosure Dissemination Agent from performance of its obligations under this Disclosure Agreement.

“Holder” means any person (a) having the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries) or (b) treated as the owner of any Bonds for federal income tax purposes.

“Information” means, collectively, the Annual Reports, the Audited Financial Statements (if any), the Notice Event notices, the Failure to File Event notices, the Voluntary Event Disclosures and the Voluntary Financial Disclosures.

“MSRB” means the Municipal Securities Rulemaking Board established pursuant to Section 15B(b)(1) of the Securities Exchange Act of 1934.

“Notice Event” means any of the events enumerated in paragraph (b)(5)(i)(C) of the Rule and listed in Section 4(a) of this Disclosure Agreement.

“Obligated Person” means any person, including the Issuer, who is either generally or through an enterprise, fund, or account of such person committed by contract or other arrangement to support payment of all, or part of the obligations on the Series 2013__ Bonds (other than providers of municipal bond insurance, letters of credit, or other liquidity facilities), as shown on Exhibit A.

“Official Statement” means that Official Statement prepared by the Issuer in connection with the Series 2013__ Bonds, as listed on Appendix A.

“Trustee” means the institution, if any, identified as such in the document under which the Series 2013__ Bonds were issued.

“Voluntary Event Disclosure” means information of the category specified in any of subsections (e)(vi)(1) through (e)(vi)(11) of Section 2 of this Disclosure Agreement that is accompanied by a

Certification of the Disclosure Representative containing the information prescribed by Section 7(a) of this Disclosure Agreement.

“Voluntary Financial Disclosure” means information of the category specified in any of subsections (e)(vii)(1) through (e)(vii)(9) of Section 2 of this Disclosure Agreement that is accompanied by a Certification of the Disclosure Representative containing the information prescribed by Section 7(b) of this Disclosure Agreement.

SECTION 2. Provision of Annual Reports.

(a) The Issuer shall provide, annually, an electronic copy of the Annual Report and Certification to the Disclosure Dissemination Agent, together with a copy for the Trustee, not later than the Annual Filing Date. Promptly upon receipt of an electronic copy of the Annual Report and the Certification, the Disclosure Dissemination Agent shall provide an Annual Report to the MSRB not later than the next February 1 after the end of each fiscal year of the Issuer, commencing with the fiscal year ending June 30, 2013. Such date and each anniversary thereof is the Annual Filing Date. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 3 of this Disclosure Agreement.

(b) If on the fifteenth (15th) day prior to the Annual Filing Date, the Disclosure Dissemination Agent has not received a copy of the Annual Report and Certification, the Disclosure Dissemination Agent shall contact the Disclosure Representative by telephone and in writing (which may be by e-mail) to remind the Issuer of its undertaking to provide the Annual Report pursuant to Section 2(a). Upon such reminder, the Disclosure Representative shall either (i) provide the Disclosure Dissemination Agent with an electronic copy of the Annual Report and the Certification no later than two (2) business days prior to the Annual Filing Date, or (ii) instruct the Disclosure Dissemination Agent in writing that the Issuer will not be able to file the Annual Report within the time required under this Disclosure Agreement, state the date by which the Annual Report for such year will be provided and instruct the Disclosure Dissemination Agent that a Failure to File Event has occurred and to immediately send a notice to the MSRB in substantially the form attached as Exhibit B, accompanied by a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-1.

(c) If the Disclosure Dissemination Agent has not received an Annual Report and Certification by 6:00 p.m. Eastern time on Annual Filing Date (or, if such Annual Filing Date falls on a Saturday, Sunday or holiday, then the first business day thereafter) for the Annual Report, a Failure to File Event shall have occurred and the Issuer irrevocably directs the Disclosure Dissemination Agent to immediately send a notice to the MSRB in substantially the form attached as Exhibit B without reference to the anticipated filing date for the Annual Report, accompanied by a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-1.

(d) If Audited Financial Statements of the Issuer are prepared but not available prior to the Annual Filing Date, the Issuer shall, when the Audited Financial Statements are available, provide in a timely manner an electronic copy to the Disclosure Dissemination Agent, accompanied by a Certification, together with a copy for the Trustee, for filing with the MSRB.

(e) The Disclosure Dissemination Agent shall:

- (i) verify the filing specifications of the MSRB each year prior to the Annual Filing Date;

- (ii) upon receipt, promptly file each Annual Report received under Sections 2(a) and 2(b) with the MSRB;
- (iii) upon receipt, promptly file each Audited Financial Statement received under Section 2(d) with the MSRB;
- (iv) upon receipt, promptly file the text of each Notice Event received under Sections 4(a) and 4(b)(ii) with the MSRB, identifying the Notice Event as instructed by the Issuer pursuant to Section 4(a) or 4(b)(ii) (being any of the categories set forth below) when filing pursuant to Section 4(c) of this Disclosure Agreement:

“Principal and interest payment delinquencies;”

“Non-Payment related defaults, if material;”

“Unscheduled draws on debt service reserves reflecting financial difficulties;”

“Unscheduled draws on credit enhancements reflecting financial difficulties;”

“Substitution of credit or liquidity providers, or their failure to perform;”

“Adverse tax opinions, IRS notices or events affecting the tax status of the security;”

“Modifications to rights of securities holders, if material;”

“Bond calls, if material;”

“Defeasances;”

“Release, substitution, or sale of property securing repayment of the securities, if material;”

“Rating changes;”

“Tender offers;”

“Bankruptcy, insolvency, receivership or similar event of the obligated person;”

“Merger, consolidation, or acquisition of the obligated person, if material;” and

“Appointment of a successor or additional trustee, or the change of name of a trustee, if material;”

- (v) upon receipt (or irrevocable direction pursuant to Section 2(c) of this Disclosure Agreement, as applicable), promptly file a completed copy of Exhibit B to this Disclosure Agreement with the MSRB, identifying the filing as “Failure to provide annual financial information as required” when filing pursuant to Section 2(b)(ii) or Section 2(c) of this Disclosure Agreement;

(vi) upon receipt, promptly file the text of each Voluntary Event Disclosure received under Section 7(a) with the MSRB, identifying the Voluntary Event Disclosure as instructed by the Issuer pursuant to Section 7(a) (being any of the categories set forth below) when filing pursuant to Section 7(a) of this Disclosure Agreement:

1. “amendment to continuing disclosure undertaking;”
2. “change in obligated person;”
3. “notice to investors pursuant to bond documents;”
4. “certain communications from the Internal Revenue Service;”
5. “secondary market purchases;”
6. “bid for auction rate or other securities;”
7. “capital or other financing plan;”
8. “litigation/enforcement action;”
9. “change of tender agent, remarketing agent, or other on-going party;”
10. “derivative or other similar transaction;” and
11. “other event-based disclosures;”

(vii) upon receipt, promptly file the text of each Voluntary Financial Disclosure received under Section 7(b) with the MSRB, identifying the Voluntary Financial Disclosure as instructed by the Issuer pursuant to Section 7(b) (being any of the categories set forth below) when filing pursuant to Section 7(b) of this Disclosure Agreement:

1. “quarterly/monthly financial information;”
2. “change in fiscal year/timing of annual disclosure;”
3. “change in accounting standard;”
4. “interim/additional financial information/operating data;”
5. “budget;”
6. “investment/debt/financial policy;”
7. “information provided to rating agency, credit/liquidity provider or other third party;”
8. “consultant reports;” and
9. “other financial/operating data.”

- (viii) provide the Issuer evidence of the filings of each of the above when made, which shall be by means of the DAC system, for so long as DAC is the Disclosure Dissemination Agent under this Disclosure Agreement.

(f) The Issuer may adjust the Annual Filing Date upon change of its fiscal year by providing written notice of such change and the new Annual Filing Date to the Disclosure Dissemination Agent, Trustee (if any) and the MSRB, provided that the period between the existing Annual Filing Date and new Annual Filing Date shall not exceed one year.

(g) Any Information received by the Disclosure Dissemination Agent before 6:00 p.m. Eastern time on any business day that it is required to file with the MSRB pursuant to the terms of this Disclosure Agreement and that is accompanied by a Certification and all other information required by the terms of this Disclosure Agreement will be filed by the Disclosure Dissemination Agent with the MSRB no later than 11:59 p.m. Eastern time on the same business day; provided, however, the Disclosure Dissemination Agent shall have no liability for any delay in filing with the MSRB if such delay is caused by a Force Majeure Event provided that the Disclosure Dissemination Agent uses reasonable efforts to make any such filing as soon as possible.

SECTION 3. Content of Annual Reports.

(a) Each Annual Report shall contain Annual Financial Information with respect to the Issuer, including the information provided in the Official Statement as follows:

- (i) The financial statements of the Issuer for the preceding fiscal year prepared in accordance with generally accepted accounting principles as promulgated to apply to governmental entities from time to time by the Governmental Accounting Standards Board (or if not in conformity, to be accompanied by a qualitative discussion of the differences in the accounting principles and the impact of the change in the accounting principles on the presentation of the financial information). If the Issuer's audited financial statements are not available by the time the Annual Report is required to be filed pursuant to Section 3(a), the Annual Report shall contain unaudited financial statements in a format similar to the financial statements contained in the final Official Statement, and the audited financial statements shall be filed in the same manner as the Annual Report when they become available.
- (ii) Financial and operating data for the fiscal year then ended, to the extent such information is not included in the Issuer's audited financial statements filed pursuant to clause (1) above, which shall be generally consistent with the tabular information (or other information, as otherwise noted below) contained in the Official Statement under the following headings: "THE BONDS—Security;" "DEBT STRUCTURE—Outstanding Indebtedness;" and "CERTAIN FISCAL MATTERS—Assessed Value of Taxable Property in the County," "—Estimated True Value of All Taxable Property in the County," "—Tax Rates," "—Tax Collections for Last Five Years," and "—Ten Largest Taxpayers."

Any or all of the items listed above may be included by specific reference to other documents, including official statements of debt issues of the Issuer, which have been submitted to the MSRB. If the document included by reference is a final official statement, it must be available from the MSRB. The Issuer shall clearly identify each such other document so included by reference.

Any or all of the items listed above may be included by specific reference from other documents, including official statements of debt issues with respect to which the Issuer is an “obligated person” (as defined by the Rule), which have been previously filed with the Securities and Exchange Commission or available on the MSRB Internet Website. If the document incorporated by reference is a final official statement, it must be available from the MSRB. The Issuer will clearly identify each such document so incorporated by reference.

Any annual financial information containing modified operating data or financial information is required to explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

SECTION 4. Reporting of Notice Events.

(a) The occurrence of any of the following events with respect to the Series 2013__ Bonds constitutes a Notice Event:

- (i) Principal and interest payment delinquencies;
- (ii) Non-payment related defaults, if material;
- (iii) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (iv) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (v) Substitution of credit or liquidity providers, or their failure to perform;
- (vi) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Series 2013_ Bonds, or other material events affecting the tax status of the Series 2013_ Bonds;
- (vii) Modifications to rights of Bond holders, if material;
- (viii) Bond calls, if material, and tender offers;
- (ix) Defeasances;
- (x) Release, substitution, or sale of property securing repayment of the Series 2013_ Bonds, if material;
- (xi) Rating changes;
- (xii) Bankruptcy, insolvency, receivership or similar event of the Obligated Person;

Note to subsection (a)(12) of this Section 4: For the purposes of the event described in subsection (a)(12) of this Section 4, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an Obligated Person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or

governmental authority has assumed jurisdiction over substantially all of the assets or business of the Obligated Person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Obligated Person.

- (xiii) The consummation of a merger, consolidation, or acquisition involving an Obligated Person or the sale of all or substantially all of the assets of the Obligated Person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- (xiv) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

The Issuer shall, in a timely manner not in excess of ten business days after its occurrence, notify the Disclosure Dissemination Agent in writing of the occurrence of a Notice Event. Such notice shall instruct the Disclosure Dissemination Agent to report the occurrence pursuant to subsection (c) and shall be accompanied by a Certification. Such notice or Certification shall identify the Notice Event that has occurred (which shall be any of the categories set forth in Section 2(e)(iv) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information (provided that such date is not later than the tenth business day after the occurrence of the Notice Event).

(b) The Disclosure Dissemination Agent is under no obligation to notify the Issuer or the Disclosure Representative of an event that may constitute a Notice Event. In the event the Disclosure Dissemination Agent so notifies the Disclosure Representative, the Disclosure Representative will within two business days of receipt of such notice (but in any event not later than the tenth business day after the occurrence of the Notice Event, if the Issuer determines that a Notice Event has occurred), instruct the Disclosure Dissemination Agent that (i) a Notice Event has not occurred and no filing is to be made or (ii) a Notice Event has occurred and the Disclosure Dissemination Agent is to report the occurrence pursuant to subsection (c) of this Section 4, together with a Certification. Such Certification shall identify the Notice Event that has occurred (which shall be any of the categories set forth in Section 2(e)(iv) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information (provided that such date is not later than the tenth business day after the occurrence of the Notice Event).

(c) If the Disclosure Dissemination Agent has been instructed by the Issuer as prescribed in subsection (a) or (b)(ii) of this Section 4 to report the occurrence of a Notice Event, the Disclosure Dissemination Agent shall promptly file a notice of such occurrence with MSRB in accordance with Section 2 (e)(iv) hereof. This notice will be filed with a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-1.

SECTION 5. CUSIP Numbers. Whenever providing information to the Disclosure Dissemination Agent, including but not limited to Annual Reports, documents incorporated by reference to the Annual Reports, Audited Financial Statements, Notice Event notices, Failure to File Event notices, Voluntary Event

Disclosures and Voluntary Financial Disclosures, the Issuer shall indicate the full name of the Series 2013__ Bonds and the 9-digit CUSIP numbers for the Series 2013__ Bonds as to which the provided information relates.

SECTION 6. Additional Disclosure Obligations. The Issuer acknowledges and understands that other state and federal laws, including but not limited to the Securities Act of 1933 and Rule 10b-5 promulgated under the Securities Exchange Act of 1934, may apply to the Issuer, and that the duties and responsibilities of the Disclosure Dissemination Agent under this Disclosure Agreement do not extend to providing legal advice regarding such laws. The Issuer acknowledges and understands that the duties of the Disclosure Dissemination Agent relate exclusively to execution of the mechanical tasks of disseminating information as described in this Disclosure Agreement.

SECTION 7. Voluntary Filing.

(a) The Issuer may instruct the Disclosure Dissemination Agent to file a Voluntary Event Disclosure with the MSRB from time to time pursuant to a Certification of the Disclosure Representative. Such Certification shall identify the Voluntary Event Disclosure (which shall be any of the categories set forth in Section 2(e)(vi) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information. If the Disclosure Dissemination Agent has been instructed by the Issuer as prescribed in this Section 7(a) to file a Voluntary Event Disclosure, the Disclosure Dissemination Agent shall promptly file such Voluntary Event Disclosure with the MSRB in accordance with Section 2(e)(vi) hereof. This notice will be filed with a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-2.

(b) The Issuer may instruct the Disclosure Dissemination Agent to file a Voluntary Financial Disclosure with the MSRB from time to time pursuant to a Certification of the Disclosure Representative. Such Certification shall identify the Voluntary Financial Disclosure (which shall be any of the categories set forth in Section 2(e)(vii) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information. If the Disclosure Dissemination Agent has been instructed by the Issuer as prescribed in this Section 7(b) to file a Voluntary Financial Disclosure, the Disclosure Dissemination Agent shall promptly file such Voluntary Financial Disclosure with the MSRB in accordance with Section 2(e)(vii) hereof. This notice will be filed with a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-2.

The parties hereto acknowledge that the Issuer is not obligated pursuant to the terms of this Disclosure Agreement to file any Voluntary Event Disclosure pursuant to Section 7(a) hereof or any Voluntary Financial Disclosure pursuant to Section 7(b) hereof.

Nothing in this Disclosure Agreement shall be deemed to prevent the Issuer from disseminating any other information through the Disclosure Dissemination Agent using the means of dissemination set forth in this Disclosure Agreement or including any other information in any Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure, in addition to that required by this Disclosure Agreement. If the Issuer chooses to include any information in any Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure in addition to that which is specifically required by this Disclosure Agreement, the Issuer shall have no obligation under this

Disclosure Agreement to update such information or include it in any future Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure.

SECTION 8. Termination of Reporting Obligation. The obligations of the Issuer and the Disclosure Dissemination Agent under this Disclosure Agreement shall terminate with respect to the Series 2013__ Bonds upon the legal defeasance, prior redemption or payment in full of all of the Series 2013__ Bonds, when the Issuer is no longer an obligated person with respect to the Series 2013__ Bonds, or upon delivery by the Disclosure Representative to the Disclosure Dissemination Agent of an opinion of counsel expert in federal securities laws to the effect that continuing disclosure is no longer required.

SECTION 9. Disclosure Dissemination Agent. The Issuer has appointed Digital Assurance Certification, L.L.C. as exclusive Disclosure Dissemination Agent under this Disclosure Agreement. The Issuer may, upon thirty days written notice to the Disclosure Dissemination Agent and the Trustee, replace or appoint a successor Disclosure Dissemination Agent. Upon termination of DAC's services as Disclosure Dissemination Agent, whether by notice of the Issuer or DAC, the Issuer agrees to appoint a successor Disclosure Dissemination Agent or, alternately, agrees to assume all responsibilities of Disclosure Dissemination Agent under this Disclosure Agreement for the benefit of the Holders of the Series 2013__ Bonds. Notwithstanding any replacement or appointment of a successor, the Issuer shall remain liable until payment in full for any and all sums owed and payable to the Disclosure Dissemination Agent. The Disclosure Dissemination Agent may resign at any time by providing thirty days' prior written notice to the Issuer.

SECTION 10. Remedies in Event of Default. In the event of a failure of the Issuer or the Disclosure Dissemination Agent to comply with any provision of this Disclosure Agreement, the Holders' rights to enforce the provisions of this Agreement shall be limited solely to a right, by action in mandamus or for specific performance, to compel performance of the parties' obligation under this Disclosure Agreement. Any failure by a party to perform in accordance with this Disclosure Agreement shall not constitute a default on the Series 2013__ Bonds or under any other document relating to the Series 2013__ Bonds, and all rights and remedies shall be limited to those expressly stated herein.

SECTION 11. Duties, Immunities and Liabilities of Disclosure Dissemination Agent.

(a) The Disclosure Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Agreement. The Disclosure Dissemination Agent's obligation to deliver the information at the times and with the contents described herein shall be limited to the extent the Issuer has provided such information to the Disclosure Dissemination Agent as required by this Disclosure Agreement. The Disclosure Dissemination Agent shall have no duty with respect to the content of any disclosures or notice made pursuant to the terms hereof. The Disclosure Dissemination Agent shall have no duty or obligation to review or verify any Information or any other information, disclosures or notices provided to it by the Issuer and shall not be deemed to be acting in any fiduciary capacity for the Issuer, the Holders of the Series 2013__ Bonds or any other party. The Disclosure Dissemination Agent shall have no responsibility for the Issuer's failure to report to the Disclosure Dissemination Agent a Notice Event or a duty to determine the materiality thereof. The Disclosure Dissemination Agent shall have no duty to determine, or liability for failing to determine, whether the Issuer has complied with this Disclosure Agreement. The Disclosure Dissemination Agent may conclusively rely upon Certifications of the Issuer at all times.

The obligations of the Issuer under this Section shall survive resignation or removal of the Disclosure Dissemination Agent and defeasance, redemption or payment of the Series 2013__ Bonds.

(b) The Disclosure Dissemination Agent may, from time to time, consult with legal counsel (either in-house or external) of its own choosing in the event of any disagreement or controversy, or question or doubt as to the construction of any of the provisions hereof or its respective duties hereunder, and shall not incur any liability and shall be fully protected in acting in good faith upon the advice of such legal counsel. The reasonable fees and expenses of such counsel shall be payable by the Issuer.

(c) All documents, reports, notices, statements, information and other materials provided to the MSRB under this Agreement shall be provided in an electronic format and accompanied by identifying information as prescribed by the MSRB.

SECTION 12. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Agreement, the Issuer and the Disclosure Dissemination Agent may amend this Disclosure Agreement and any provision of this Disclosure Agreement may be waived, if such amendment or waiver is supported by an opinion of counsel expert in federal securities laws acceptable to both the Issuer and the Disclosure Dissemination Agent to the effect that such amendment or waiver does not materially impair the interests of Holders of the Series 2013__ Bonds and would not, in and of itself, cause the undertakings herein to violate the Rule if such amendment or waiver had been effective on the date hereof but taking into account any subsequent change in or official interpretation of the Rule; provided neither the Issuer or the Disclosure Dissemination Agent shall be obligated to agree to any amendment modifying their respective duties or obligations without their consent thereto.

Notwithstanding the preceding paragraph, the Disclosure Dissemination Agent shall have the right to adopt amendments to this Disclosure Agreement necessary to comply with modifications to and interpretations of the provisions of the Rule as announced by the Securities and Exchange Commission from time to time by giving not less than 20 days written notice of the intent to do so together with a copy of the proposed amendment to the Issuer. No such amendment shall become effective if the Issuer shall, within 10 days following the giving of such notice, send a notice to the Disclosure Dissemination Agent in writing that it objects to such amendment.

SECTION 13. Beneficiaries. This Disclosure Agreement shall inure solely to the benefit of the Issuer, the Trustee of the Series 2013__ Bonds, the Disclosure Dissemination Agent, the underwriter, and the Holders from time to time of the Series 2013__ Bonds, and shall create no rights in any other person or entity.

SECTION 14. Governing Law. This Disclosure Agreement shall be governed by the laws of the State of Florida (other than with respect to conflicts of laws).

SECTION 15. Counterparts. This Disclosure Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

The Disclosure Dissemination Agent and the Issuer have caused this Disclosure Agreement to be executed, on the date first written above, by their respective officers duly authorized.

DIGITAL ASSURANCE CERTIFICATION, L.L.C., as
Disclosure Dissemination Agent

By: _____
Name: _____
Title: _____

BEAUFORT COUNTY, SOUTH CAROLINA, as Issuer

By: _____
Name: _____
Title: _____

EXHIBIT A

NAME AND CUSIP NUMBERS OF BONDS

Name of Issuer _____
Obligated Person(s) _____
Name of Bond Issue: _____
Date of Issuance: _____
Date of Official Statement _____

CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____

EXHIBIT B

NOTICE TO MSRB OF FAILURE TO FILE ANNUAL REPORT

Issuer: _____

Obligated Person: _____

Name(s) of Bond Issue(s): _____

Date(s) of Issuance: _____

Date(s) of Disclosure Agreement: _____

CUSIP Number: _____

NOTICE IS HEREBY GIVEN that the Issuer has not provided an Annual Report with respect to the above-named Bonds as required by the Disclosure Agreement between the Issuer and Digital Assurance Certification, L.L.C., as Disclosure Dissemination Agent. The Issuer has notified the Disclosure Dissemination Agent that it anticipates that the Annual Report will be filed by _____.

Dated: _____

Digital Assurance Certification, L.L.C., as Disclosure
Dissemination Agent, on behalf of the Issuer

cc:

**EXHIBIT C-1
EVENT NOTICE COVER SHEET**

This cover sheet and accompanying "event notice" will be sent to the MSRB, pursuant to Securities and Exchange Commission Rule 15c2-12(b)(5)(i)(C) and (D).

Issuer's and/or Other Obligated Person's Name:

Issuer's Six-Digit CUSIP Number:

or Nine-Digit CUSIP Number(s) of the bonds to which this event notice relates:

Number of pages attached: _____

____ Description of Notice Events (Check One):

1. _____ "Principal and interest payment delinquencies;"
2. _____ "Non-Payment related defaults, if material;"
3. _____ "Unscheduled draws on debt service reserves reflecting financial difficulties;"
4. _____ "Unscheduled draws on credit enhancements reflecting financial difficulties;"
5. _____ "Substitution of credit or liquidity providers, or their failure to perform;"
6. _____ "Adverse tax opinions, IRS notices or events affecting the tax status of the security;"
7. _____ "Modifications to rights of securities holders, if material;"
8. _____ "Bond calls, if material;"
9. _____ "Defeasances;"
10. _____ "Release, substitution, or sale of property securing repayment of the securities, if material;"
11. _____ "Rating changes;"
12. _____ "Tender offers;"
13. _____ "Bankruptcy, insolvency, receivership or similar event of the obligated person;"
14. _____ "Merger, consolidation, or acquisition of the obligated person, if material;" and
15. _____ "Appointment of a successor or additional trustee, or the change of name of a trustee, if material."

____ Failure to provide annual financial information as required.

I hereby represent that I am authorized by the issuer or its agent to distribute this information publicly:

Signature:

Name: _____ Title: _____

Digital Assurance Certification, L.L.C.
390 N. Orange Avenue
Suite 1750
Orlando, FL 32801
407-515-1100

Date:

EXHIBIT C-2
VOLUNTARY EVENT DISCLOSURE COVER SHEET

This cover sheet and accompanying "voluntary event disclosure" will be sent to the MSRB, pursuant to the Disclosure Dissemination Agent Agreement dated as of _____ between the Issuer and DAC.

Issuer's and/or Other Obligated Person's Name:

Issuer's Six-Digit CUSIP Number:

or Nine-Digit CUSIP Number(s) of the bonds to which this notice relates:

Number of pages attached: _____

_____ Description of Voluntary Event Disclosure (Check One):

1. _____ "amendment to continuing disclosure undertaking;"
2. _____ "change in obligated person;"
3. _____ "notice to investors pursuant to bond documents;"
4. _____ "certain communications from the Internal Revenue Service;"
5. _____ "secondary market purchases;"
6. _____ "bid for auction rate or other securities;"
7. _____ "capital or other financing plan;"
8. _____ "litigation/enforcement action;"
9. _____ "change of tender agent, remarketing agent, or other on-going party;"
10. _____ "derivative or other similar transaction;" and
11. _____ "other event-based disclosures."

I hereby represent that I am authorized by the issuer or its agent to distribute this information publicly:

Signature:

Name: _____ Title: _____

Digital Assurance Certification, L.L.C.
390 N. Orange Avenue
Suite 1750
Orlando, FL 32801
407-515-1100

Date:

EXHIBIT C-3
VOLUNTARY FINANCIAL DISCLOSURE COVER SHEET

This cover sheet and accompanying "voluntary financial disclosure" will be sent to the MSRB, pursuant to the Disclosure Dissemination Agent Agreement dated as of _____ between the Issuer and DAC.

Issuer's and/or Other Obligated Person's Name:

Issuer's Six-Digit CUSIP Number:

or Nine-Digit CUSIP Number(s) of the bonds to which this notice relates:

Number of pages attached: ____

____ Description of Voluntary Financial Disclosure (Check One):

1. ____ "quarterly/monthly financial information;"
2. ____ "change in fiscal year/timing of annual disclosure;"
3. ____ "change in accounting standard;"
4. ____ "interim/additional financial information/operating data;"
5. ____ "budget;"
6. ____ "investment/debt/financial policy;"
7. ____ "information provided to rating agency, credit/liquidity provider or other third party;"
8. ____ "consultant reports;" and
9. ____ "other financial/operating data."

I hereby represent that I am authorized by the issuer or its agent to distribute this information publicly:

Signature:

Name: _____ Title: _____

Digital Assurance Certification, L.L.C.
390 N. Orange Avenue
Suite 1750
Orlando, FL 32801
407-515-1100

Date:

2013/

**AN ORDINANCE AUTHORIZING BEAUFORT COUNTY TO SELL REAL
PROPERTY IDENTIFIED AS TMP: R610 030 000 1649 0000**

WHEREAS, Beaufort County is the owner of real property located in Bluffton, South Carolina and identified as TMP: R610 030 000 1649 0000; and

WHEREAS, the property owned by Beaufort County is a parcel within the Bluffton Technology Park; and

WHEREAS, Beaufort County Council has determined that it is in the best interests of its citizens to sell the above described property upon such terms and conditions as may be most favorable to the County.

NOW, THEREFORE, Be it Ordained by Beaufort County Council that the County Administrator is hereby authorized to execute and sell the property identified as TMP: R610 030 000 1649 0000 upon such terms and conditions as he believes reasonably prudent and in the best interests of the citizens of Beaufort County.

DONE this ____ day of August, 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:

Second Reading:

Public Hearing:

Third and Final Reading:

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE BEAUFORT COUNTY CODE OF ORDINANCES BY ADDING ARTICLE III, SECTIONS 54-50 TO 54-60, TO CHAPTER 54 OF PART I, ESTABLISHING A REGULATION PROHIBITING THE USE OF A HANDHELD ELECTRONIC COMMUNICATION DEVICES FOR THE REVIEWING, DRAFTING, OR SENDING OF ELECTRONIC COMMUNICATIONS WHILE OPERATING A MOTOR VEHICLE WITHIN THE UNINCORPORATED AREAS OF BEAUFORT COUNTY; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, studies have shown that drivers attempting to compose, send, or review electronic messages on handheld electronic communication devices while operating a motor vehicle pose a special danger to themselves, other vehicles, bicycles, and pedestrians on the roadway; and

WHEREAS, County Council finds that it is in the best interests of the vehicle operators and other vehicles to prohibit the use of handheld electronic communication devices to compose, send, or review electronic messages while operating a motor vehicle within the County; and

WHEREAS, County Council declares that the purpose of this ordinance is to protect the health and safety of the residents and visitors of Beaufort County; and

WHEREAS, County Council now desires to prohibit the use of handheld electronic communication devices to compose, send, or review electronic messages while operating a motor vehicle within the County in the manner provided for in this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF BEAUFORT COUNTY, SOUTH CAROLINA; AND IT IS HEREBY ORDERED ORDAINED BY AND UNDER THE AUTHORITY OF THE SAID COUNTY COUNCIL, AS FOLLOWS:

NOTE: Underlined and bold-face typed portions indicate additions to the County Code. ~~Stricken~~ portions indicate deletions to the County Code.

That Chapter 54 of Part I of the Beaufort County Code of Ordinances, is hereby amended by adding Article III, Sections 54-50 to 54-60:

Article III. TEXT MESSAGING

“Section 54-50. Electronic Communications While Operating a Motor Vehicle.

(a) Definitions:

“Electronic communications device” means an electronic device used for the purpose of composing, reading, or sending an electronic message, but does not

include a global positioning system or navigation system or a device that is physically or electronically integrated into the motor vehicle.

“Electronic message” means a self-contained piece of digital communication that is designed or intended to be transmitted between physical devices. “Electronic message” includes, but is not limited to, electronic mail, a text message, an instant message, or a command or request to access an internet site.

- (b) It shall be unlawful for a person to use an electronic communication device to compose, read, or send an electronic message while operating a motor vehicle on the streets and roads within the County.
- (c) Exceptions. This section shall not apply to a person operating a motor vehicle while:
 - (1) off the traveled portion of a roadway;
 - (2) using an electronic communication device in a hands free, voice-activated, or voice-operated mode that allows the driver to review, prepare and transmit an electronic message without the use of either hand except to activate, deactivate, or initiate a feature or function;
 - (3) summoning medical or other emergency assistance; or
 - (4) using a citizens band radio, commercial two-way radio communication device, in-vehicle security, or amateur or ham radio device.
- (d) Exemptions. The provisions contained within this Article shall not apply to public safety personnel employed by a federal, state, county or municipal organization who are utilizing an electronic communication device during the course and scope of their official duties.
- (e) Penalty. A person who violates this section is guilty of misdemeanor distracted driving and, upon conviction, shall be fined one hundred dollars for a first offense, two hundred dollars for a second offense, and three hundred dollars for a third or subsequent offense. This fine is subject to all applicable court costs, assessments, and surcharges.

Section 54-51. Severability. If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 54-52. Effective Date. This Ordinance shall become effective upon adoption by the County Council of Beaufort County, South Carolina.

Sections 54-53 – 54-60. Reserved.

DONE 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:

Second Reading:

Public Hearing:

Third and Final Reading:

2013 /

**AN ORDINANCE TO AMEND THE FY2013-2014 BEAUFORT COUNTY BUDGET
ORDINANCE SO AS TO PROVIDE A SUPPLEMENTAL APPROPRIATION FROM
THE COUNTY'S GENERAL RESERVE FUND IN THE AMOUNT OF \$525,000.**

WHEREAS, on June 24, 2013, Beaufort County Council adopted Ordinance No. 2013/25 which set the County's FY 2013-2014 budget and associated expenditures; and

WHEREAS, supplemental funding requests were made by the Solicitor's Office, Technical College of the Lowcountry, University of South Carolina - Beaufort, Island Recreation Center, and Beaufort Memorial Hospital; and

WHEREAS, Beaufort County has determined it to be in the best interests of its citizens to provide supplemental funding to the above-referenced County entities.

NOW, THEREFORE, BE IT ORDAINED by Beaufort County Council that the FY 2013-2014 Beaufort County Budget Ordinance is hereby amended so as to provide supplemental appropriations in the amount of \$525,000 with such funds to be allocated as follows: Solicitor's office, \$125,000; Technical College of the Lowcountry, \$100,000; University of South Carolina - Beaufort, \$120,000; Island Recreation Center, \$75,000; and Beaufort Memorial Hospital, \$100,000.

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

2013 /

NORTHERN BEAUFORT COUNTY ZONING MAP AMENDMENT FOR MARSH VIEW SUBDIVISION (R100-15-64A, 289-326 AND 347-349; 38 RESIDENTIAL LOTS AND ASSOCIATED COMMON AREAS TOTALING 27.46 ACRES; OFF DORCHESTER DRIVE AND TOMOTLEY, WHITEHALL AND MCCALLEY COURTS, IN THE GRAYS HILL AREA), TO BE REZONED FROM RURAL (R) TO RURAL-RESIDENTIAL (RR)

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:

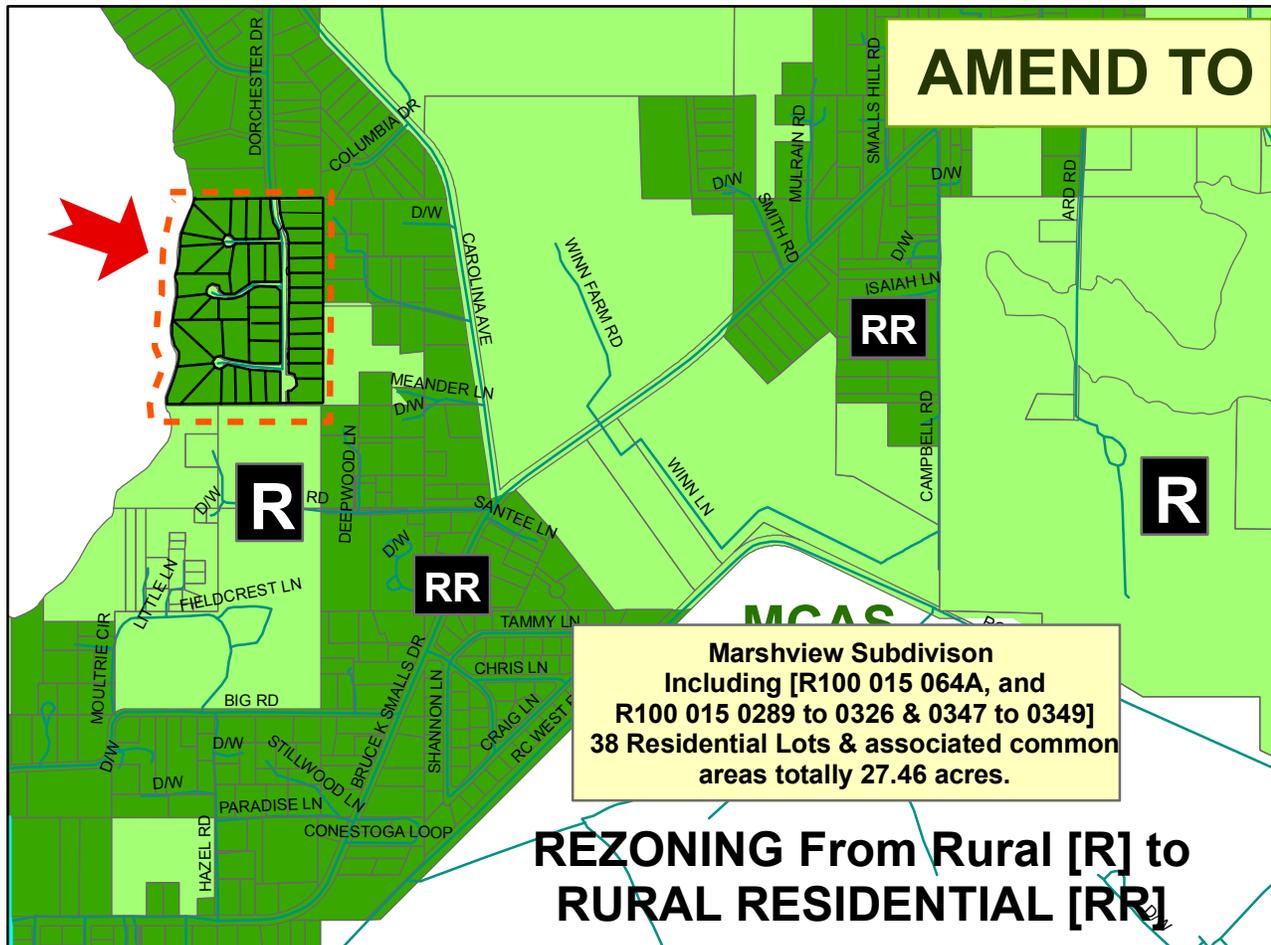
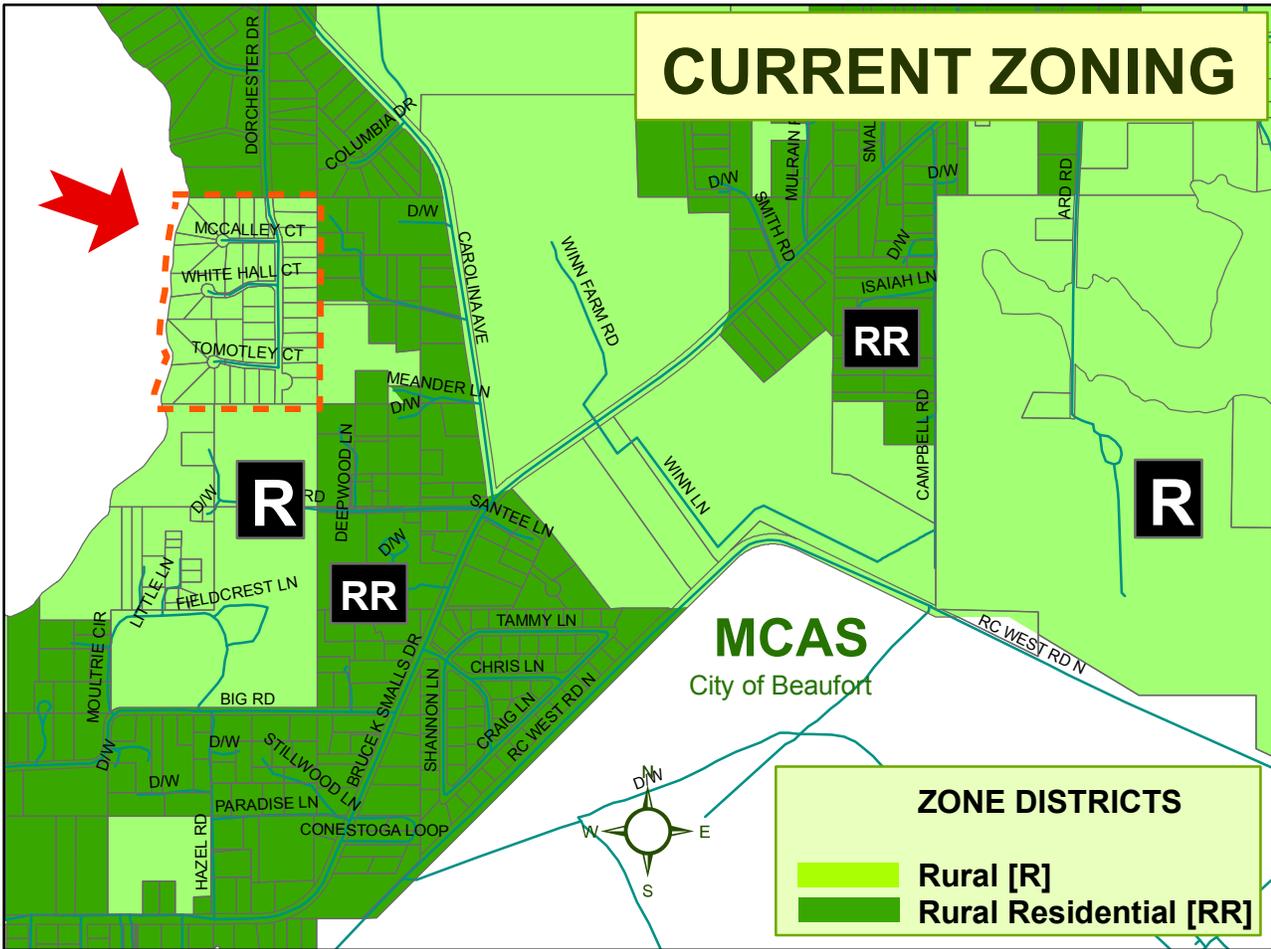
Suzanne M. Rainey, Clerk to Council

First Reading: June 24, 2013

Second Reading: July 22, 2013

Public Hearing:

Third and Final Reading:



2013 /

TEXT AMENDMENT TO THE BEAUFORT COUNTY CODE OF ORDINANCES,
CHAPTER 74—BUILDING AND BUILDING REGULATIONS, SECTION 74-64 –
ADOPTION OF BUILDING CODES, SUBPARAGRAPH (1) (AMENDS ORDINANCE TO
ADOPT THE 2012 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE).

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

Adopted this _____ day of August, 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: June 24, 2013
Second Reading: July 22, 2013
Public Hearing:
Third and Final Reading:

Sec. 74-64. Adoption of building codes.

The regulations of the following standards codes recommended and published in book form and hereby adopted as the regulations governing the construction of buildings and other structures in the county; and it shall be unlawful to erect or construct any building or structure in the county in violation of, or without complying with, these regulations:

- (1) International Building Code, ~~2006~~ 2012 Edition including Chapter 1.

**AN ORDINANCE AUTHORIZING BEAUFORT COUNTY TO SELL REAL
PROPERTY IDENTIFIED AS TMP: R200 018 000 054E 0000**

WHEREAS, Beaufort County is the owner of real property located at 4 Airport Circle, Beaufort, South Carolina and identified as TMP: R200 018 000 054E 0000; and

WHEREAS, the property owned by Beaufort County had at one time been used as the site of a solid waste convenience center; and

WHEREAS, Beaufort County discontinued its use of the property as a solid waste convenience center thereby leaving the property vacant and unoccupied; and

WHEREAS, Beaufort County solicited requests for proposals through RFP#13100011000628 for both a purchase price and subsequent use of the property; and

WHEREAS, Beaufort County Council has determined that it is in the best interests of its citizens to sell the above described property upon such terms and conditions as may be most favorable to the County.

NOW, THEREFORE, Be it Ordained by Beaufort County Council that the County Administrator is hereby authorized to execute and sell the property identified as TMP: R200 018 000 054E 0000 upon such terms and conditions as he believes reasonably prudent and in the best interests of the citizens of Beaufort County.

DONE this ____ day of July, 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: June 24, 2013

Second Reading: July 22, 2013

Public Hearing:

Third and Final Reading:

Rainey, Sue

From: Pete Nardi [pnardi@hhpsd.com]
Sent: Monday, August 12, 2013 11:58 AM
To: Bensch, Cynthia
Cc: Caporale, Rick; Rodman, Stewart; Rainey, Sue
Subject: Responses to questions for Hilton Head PSD

Dear Cynthia:

Sue Rainey forwarded your questions for the PSD to me. Please see the information below and please don't hesitate to contact me directly at 305-0638 or 681-0525 if you have any further questions. I will attend the caucus meeting today as well.

1. **Head PSD Current General Fund Balance:** \$2.16 million. This amount funds the PSD's daily operations as well as hurricane/disaster recovery and existing revenue debt service.
2. **Is there a time table for water infrastructure to be added to rest of island where wells still exist, and are residents objecting to being on city water or in favor?**

The PSD has water available to all customers throughout its entire service area (north- and mid-island Hilton Head). The remainder of the island is served by Broad Creek and South Island PSDs, respectively. The wells being lost are Hilton Head PSD's wells, not wells owned by individuals. The water supply projects we are undertaking are for our entire service area and provide long-term benefit to all customers. We are not aware of any PSD customers objecting to being connected to our water.

3. **Is there a financial plan/program to provide city water for low income property owners, from these bonds, if not, why not?**

The bonds are strictly to pay for the cost of the system infrastructure listed: expansion of the RO Plant and associated well upgrades; water booster station; and relocation of our surface water pipeline from the mainland due to the Bluffton Fly-Over project.

The Hilton Head Island Water Fund is a charitable fund of the Community Foundation of the Lowcountry. It provides full and partial grants to qualified applicants, based on household income guidelines, to cover the costs of connecting to the water system. The PSD assists customers in completing the application and the Community Foundation makes all decisions on grant awards. All PSD customers are eligible to apply.

4. **The ordinance states the PSD can raise rates annually, what is the projected annual increase of the water rates?**

The ordinance refers to the PSD's annual property tax levy, as the authorization is for general obligation bonding. At this time, there are no pending increases to water rates (rates based on customers' water consumption). The elected PSD Commission must vote to approve any water rate adjustments and must hold a noticed public hearing on any proposed water rate adjustments. The PSD annually conducts a cost-of-service analysis to determine if any water rate adjustments are necessary.

I hope this information is helpful. Please do not hesitate to contact me at 305-0638 or 681-0525 if I can be of any assistance.

Best regards,

AN ORDINANCE

PROVIDING HILTON HEAD NO. 1 PUBLIC SERVICE DISTRICT, SOUTH CAROLINA THE AUTHORIZATION TO ISSUE GENERAL OBLIGATION BONDS IN AN AMOUNT NOT TO EXCEED \$3,750,000 AND OTHER MATTERS RELATING THERETO.

WHEREAS, by action previously taken, the County Council of Beaufort County, South Carolina which is the governing body of Beaufort County, South Carolina (hereinafter called the "**County Council**"), ordered that a public hearing on the question of the issuance of not exceeding \$3,750,000 general obligation bonds (the "**Bonds**") of the Hilton Head No. 1 Public Service District, South Carolina (the "**District**") be held at the County's Administration Building, Government Center, 100 Ribaut Road, Beaufort, South Carolina 29902, at 6:00 p.m. on August 12, 2013, and notice of such hearing has been duly published once a week for three successive weeks in The Beaufort Gazette, a newspaper of general circulation in Beaufort County; and

WHEREAS, the public hearing was held at the above time, date and place. Said public hearing was conducted publicly and both proponents and opponents of the proposed action were given full opportunity to be heard; and

WHEREAS, it is now in order for the County Council to proceed, after due deliberation, in accordance with the provisions of Act No. 1189 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1974 (now codified at S.C. Code Ann. §§ 6-11-810 *et seq.* (1976, as amended)) (hereinafter referred to herein as the "**Enabling Act**") to make a finding as to whether or not the Bonds should be issued; and

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

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

Section 2. On the basis of the facts adduced at the public hearing held on August 12, 2013, it is found and determined that the Hilton Head No. 1 Public Service District Commission (the "**Commission**"), the governing body of the District, should be authorized to issue the Bonds.

Section 3. The County Council finds that the Commission should issue the Bonds in the amount of not exceeding \$3,750,000 as a single issue or from time to time as several separate issues, as the District, in its sole discretion, shall determine.

Section 4. The County Council hereby authorizes the Commission to issue the Bonds in the aggregate principal amount of not exceeding \$3,750,000 for the purpose of defraying the costs to provide for (i) the expansion of the treatment capacity at the District's reverse osmosis water treatment plant, (ii) the upgrading of the existing middle Floridan aquifer wells, (iii) the construction of a new water booster station, (iv) the relocation of the District's

24-inch water transmission main from the mainland to Hilton Head Island, and (v) other necessary appurtenances to the projects listed above (collectively, the "*Project*"). The Commission estimates that the cost of the designing, engineering, constructing, furnishing and equipping of the Project, together with the cost of issuance of the Bonds will be an amount not exceeding \$3,750,000. For the payment of the principal of and interest on the Bonds as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the District shall be irrevocably pledged, and there shall be levied annually a tax, without limit, on all taxable property within the District in an amount sufficient to pay such principal of and interest on the Bonds as they respectively mature, and to create such sinking fund.

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

Section 6. A certified copy of this Ordinance shall forthwith be transmitted to the Commission to advise it of the action taken by the County Council, whereby the Commission has been authorized to issue, pursuant to the provisions of the Enabling Act, the Bonds in the aggregate principal amount of not exceeding \$3,750,000.

DONE AT BEAUFORT, SOUTH CAROLINA, this 12th day of August, 2013.

COUNTY COUNCIL OF BEAUFORT COUNTY

(SEAL)

By: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Joshua A. Gruber, Staff Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

First Reading: June 24, 2013
Second Reading: July 22, 2013
Public Hearing:
Third Reading:

