

COUNTY COUNCIL OF BEAUFORT COUNTY

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D. PAUL SOMMERVILLE
CHAIRMAN

STEWART H. RODMAN
VICE CHAIRMAN

COUNCIL MEMBERS

CYNTHIA M. BENSCH
RICK CAPORALE
GERALD DAWSON
BRIAN E. FLEWELLING
STEVEN G. FOBES
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, February 10, 2014

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. Discussion of Consent Agenda
 - B. Executive Session
 1. Discussion of negotiations incident to proposed contractual arrangements and proposed purchase of property;
 2. Receipt of legal advice relating to pending and potential claims covered by the attorney-client privilege
 - 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 Steve Fobes
6. ADMINISTRATIVE CONSENT AGENDA
 - A. Approval of Minutes – January 27, 2014 ([backup](#))
 - B. Receipt of County Administrator’s Two-Week Progress Report ([backup](#))
 - C. Receipt of Deputy County Administrator’s Two-Week Progress Report ([backup](#))
 - D. Committee Reports (next meeting)
 1. Community Services (February 24 at 2:00 p.m., Bluffton Branch Library)
 - a. January 27, 2014 minutes ([backup](#))
 2. Finance (February 12 at 3:00 p.m., ECR)
 - a. February 3, 2014 minutes ([backup](#))
 - b. January 27, 2014 minutes ([backup](#))



3. Governmental (March 11 at 4:00 p.m., ECR)
4. Natural Resources (March 3 at 2:00 p.m., ECR)
 - a. February 3, 2014 minutes ([backup](#))
 - b. January 27, 2014 minutes ([backup](#))
5. Public Facilities (February 17 at 4:00 p.m., BIV)
- E. Appointments to Boards and Commissions ([backup](#))

7. PUBLIC COMMENT

8. COUNTY ADMINISTRATOR'S REPORT

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

9. DEPUTY COUNTY ADMINISTRATOR'S REPORT

- Mr. Bryan Hill, Deputy County Administrator
- A. Construction Project Updates

Mr. Rob McFee, Division-Director, Engineering and Infrastructure

 1. One Cent Sales Tax Referendum Projects:
 - A. S.C. Highway 170
 - B. Bluffton Parkway 5A
 - C. Island West Frontage Road
 2. Capital Improvement Projects:
 - A. Courthouse Reskin Project

10. CONSENT AGENDA

- A. 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 \$100,000 TO BE ALLOCATED TO SENIOR SERVICES OF BEAUFORT COUNTY ([backup](#))
 1. Consideration of first reading approval to occur February 10, 2014
 2. Community Services Committee discussion and recommendation to approve occurred January 27, 2014 / Vote 5:0
- B. REQUEST TO PURCHASE TWO NEW 2014 E350 FORD VANS FROM STATE CONTRACT FOR BEAUFORT COUNTY'S DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS ([backup](#))
 1. Contract award: Vic Bailey Ford, Spartanburg, South Carolina
 2. Contract amount: \$50,834
 3. Funding sources: Account 24420011-54000, Disabilities and Special Needs, Vehicle Purchases
 4. Community Services Committee discussion and recommendation to approve occurred January 27, 2014 / Vote 5:0

11. PUBLIC HEARINGS – 6:00 P.M.

A. AN ORDINANCE TO AMEND SECTIONS 2-509 AND 2-512 OF THE BEAUFORT COUNTY CODE OF ORDINANCES SO AS TO EFFECT CHANGES TO THE BEAUFORT COUNTY PURCHASING ORDINANCE ([backup](#))

1. Consideration of third and final reading approval to occur February 10, 2014
2. Second reading approval occurred January 27, 2014 / Vote 10:0
3. First reading approval occurred January 13, 2014 / Vote 10:0
4. Finance Committee discussion and recommendation to approve occurred January 6, 2014 / Vote 5:1

B. TEXT AMENDMENT TO THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE/ZDSO, ARTICLE VII, SEC. 106-1912. WATER DEPENDENT USES (ADDS STANDARDS TO ALLOW COMMERCIAL DOCKS FOR MARICULTURE USE) ([backup](#))

1. Consideration of third and final reading approval to occur February 10, 2014
2. Second reading approval occurred January 27, 2014 / Vote 10:0
3. First reading approval occurred January 13, 2014 / Vote 10:0
4. Natural Resources Committee discussion and recommendation to approve occurred December 9, 2013 / Vote 7:0

12. PUBLIC COMMENT

13. ADJOURNMENT

Official Proceedings
County Council of Beaufort County
January 27, 2014

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, January 27, 2014 in the Executive Conference Room of the Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

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

PLEDGE OF ALLEGIANCE

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

DISCUSSION ITEM

Council discussed removing from the consent agenda item 10C, text amendment to the Beaufort County Zoning and Development Standards Ordinance/ZDSO, Article V. Use Regulations, Sec. 106-1287. Commercial Retail, Regional (adds standards to allow adaptive re-use of light industrial properties.

CALL FOR EXECUTIVE SESSION

It was moved by Mr. Rodman, seconded by Mr. Stewart, that Council go immediately into executive session to receive legal advice relating to negotiations incident to proposed contractual arrangements and proposed purchase of property; and pending and potential claims covered by the attorney-client privilege. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

EXECUTIVE SESSION

RECONVENE OF REGULAR SESSION

REGULAR SESSION

The regular meeting of the County Council of Beaufort County was held at 5:00 p.m., Monday, January 27, 2014 in Council Chambers of the Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

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

PLEDGE OF ALLEGIANCE

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

INVOCATION

Councilman Flewelling gave the Invocation.

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

ADMINISTRATIVE CONSENT AGENDA

Review of Proceedings of the Regular Meeting held January 13, 2014

This item comes before Council under the Administrative Consent Agenda

It was moved by Mrs. Bensch, seconded by Mr. Flewelling, that Council approve the minutes of the regular meeting held January 13, 2014. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. 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 Two-Week Progress Report, which summarized his activities from January 13, 2014 through January 24, 2014.

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 Two-Week Progress Report, which summarized his activities from January 13, 2014 through January 24, 2014.

Committee Reports

Community Services Committee

Mr. McBride, as Community Services Committee Chairman, nominated Mr. William Himmelsbach to serve as a member of the Beaufort Memorial Hospital Board.

Finance Committee

Mr. Caporale, as Finance Committee Chairman, reported that members received a presentation from the Treasurer, who made an excellent case for review of salaries of the elected officials for whom Council is responsible with regard to their compensation. Members received a presentation on the Bailey Bill, a program designed to provide tax credits for renovations of abandoned and dilapidated properties. Staff is going to bring forward a proposal. At the February 3 meeting, members will discuss a General Fund Reserve Policy. Members will also discuss how to deal with the FY 2014 Capital Improvements Program requests at two separate meetings – one to deal with software and vehicles and a second meeting to discuss construction and new buildings.

Mr. Caporale, as Finance Committee Chairman, nominated Mr. Gregory Viventi, representing qualifications, to serve as a member of the Airports Board.

Governmental Committee

Mr. Stewart, as Governmental Committee Chairman, announced Council would receive public input regarding the current business license fee structure at a work session on Wednesday, January 29, 2014 beginning at 6:00 p.m. in Council Chambers of the Administration Building.

At the February 3, 2014 meeting of the Governmental Committee, members will continue discussing potential items for inclusion on a possible penny sales tax referendum.

Natural Resources Committee

Mr. Flewelling, as Natural Resources Committee Chairman, reported that in the next several months the Planning Commission, Natural Resources Committee and Council would review the new Community Development Code.

PUBLIC COMMENT

The Chairman recognized Ms. Moreen Korzik, Executive Director, and Mr. Caesar Garcia, Beaufort Area Coordinator, of Second Helpings, a non-profit agency committed to fighting hunger in Beaufort County. Last year we distributed almost 2.7 million pounds of food to 65 agencies throughout Beaufort County. We have the most impact in Beaufort County insofar as hunger is concerned.

Rev. Venus Young, a resident of Seabrook, stated the Stuart Point area is in need of public water and public water access. Several recent fires have required gallons of water to be trucked into the neighborhood. Please consider public water in the Stuart Point area as a Community Development Block Grant needs assessment priority.

Mr. John Payne, representing the Military Enhancement Committee, stated the Committee's purpose is to ensure we do not lose any of our three military installations in Beaufort County. He is concerned about the proposed text amendment to the Zoning and Development Standards Ordinance, Article V. Use Regulations, Sec. 106-1287. Commercial Retail, Regional (adds standards to allow adaptive re-use of light industrial properties. The change, if approved, would allow a much larger area for development. We are here to protect tomorrow, not today.

Mr. David Tedder, legal counsel for Beaufort Liquidators, stated the proposed text amendment to the Zoning and Development Standards Ordinance to allow adaptive re-use of light industrial properties is not a change to the Air Installations Compatible Use Zones (AICUZ). It is a change to the underlying text. It does not open up a large area for development. It is strictly constrained to an area in the limited industrial area within 1,000 feet of a major arterial road.

COUNTY ADMINISTRATOR'S REPORT

The County Channel / Broadcast Services Update

Mr. Gary Kubic, County Administrator, said The County Channel has all programs, events and meetings available to watch online, on-demand at www.bcgov.net. Broadcast Services has produced a video walkthrough of the Hilton Head Island Airport/HXD. It will better inform our residents about the operations of HXD. Staff will produce a similar video walkthrough of the Beaufort County Airport/ARW.

Introduction of Carl Wedler, Beaufort County Veterans Affairs Officer

Mr. Gary Kubic, County Administrator, introduced Mr. Carl Wedler, newly appointed Veterans Affairs Officer. Mr. Wedler is a graduate of Michigan State University, 1968, BA in Economics and Marketing. He served during the Vietnam Conflict from 1969 to 1971 in the U.S. Army. He worked for Ford Motor Company as a system analyst at Ford Engineering in Dearborn and developed two major computer programs that reduced prototype build operations by six months. He has served on the Board of Directors of Starbase at MCAS Beaufort since its inception 13 years ago.

MCAS Beaufort Noise Impact Presentation

Mr. Fred Pierson, Program Manager, Mission Compatibility Office, NAVFAC Atlantic, gave a PowerPoint presentation on the Air Installations Compatible Use Zones (AICUZ), Noise and Development. The goals of the AICUZ program are to protect the health, safety and welfare of those living near the air station as well as to ensure the continuing flight mission of the installation. It is non-binding and provides recommendations to communities for compatible development. Sound is defined as compression waves transmitted through a medium such as air, sound becomes noise when it is unwanted, and noise is in the hearing of the beholder. Sound is measured in decibels using a logarithmic scale. Noise is influenced by changes in the power setting, height above ground, terrain, type of surface (forests, farmlands, water), and orientation of the aircraft.

Monthly Budget Summary

Mr. Gary Kubic, County Administrator, submitted the actual year-to-date comparison for the period ending December 31, 2013 as well as snapshots of revenues and expenses effective December 31, 2013.

CONSENT AGENDA

AN ORDINANCE TO AMEND SECTIONS 2-509 AND 2-512 OF THE BEAUFORT COUNTY CODE OF ORDINANCES SO AS TO EFFECT CHANGES TO THE BEAUFORT COUNTY PURCHASING ORDINANCE

This item comes before Council under the Consent Agenda. Discussion occurred at the January 6, 2014 meeting of the Finance Committee.

It was moved by Mr. Dawson, seconded by Mr. Flewelling, that Council approve on second reading an ordinance to amend Sections 2-509 and 2-512 of the Beaufort County Code of Ordinances to effect changes to the Beaufort County Purchasing Ordinance. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

TEXT AMENDMENT TO THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE/ZDSO, ARTICLE VII, SEC. 106-1912. WATER DEPENDENT USES (ADDS STANDARDS TO ALLOW COMMERCIAL DOCKS FOR MARICULTURE USE)

This item comes before Council under the Consent Agenda. Discussion occurred at the December 9, 2013 meeting of the Natural Resources Committee.

It was moved by Mr. Dawson, seconded by Mr. Flewelling, that Council approve on second reading a text amendment to the Beaufort County Zoning and Development Standards Ordinance/ZDSO, Article VII, Sec. 106-1912. Water Dependent Uses (adds standards to allow commercial docks for mariculture use). The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

ON-AIRPORT TREE MITIGATION RUNWAY 21 APPROACH PROJECT FOR HILTON HEAD ISLAND AIRPORT/HXD

This item comes before Council under the Consent Agenda. Discussion occurred at the January 21, 2014 meeting of the Finance Committee.

It was moved by Mr. Dawson, seconded by Mr. Flewelling, Council award a contract to Newtech, Inc., Bluffton, South Carolina in the amount of \$449,174 for the On-Airport Tree Mitigation Project. Funding will come from Expenditure Code 54020011-54302, Tree Removal Mitigation – FAA Grant #30-2010 (95%), SCAC Grant 11-002 (2.5%). The remaining 2.5% will come from the Hilton Head Island Airport’s operating budget. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

ADDITIONAL THREE-MONTH EXTENSION OF JANITORIAL SERVICES WITH CAROLINA CLEANING, INC.

This item comes before Council under the Consent Agenda. Discussion occurred at the January 21, 2014 meeting of the Finance Committee.

It was moved by Mr. Dawson, seconded by Mr. Flewelling, that Council approve a janitorial contract extension for a three-month term to Carolina Cleaning, Inc., Hilton Head Island, South Carolina in the amount of \$126,806. Funding will come from the General Fund, Facilities Management \$108,798 and Enterprise Funds, Hilton Head Island/HXD and Beaufort County (Lady’s Island)/ARW Airports \$18,008. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

PURCHASE OF A BOBCAT AND ACCESSORIES FROM STATE CONTRACT FOR BEAUFORT COUNTY’S STORMWATER UTILITY / INFRASTRUCTURE DEPARTMENT

This item comes before Council under the Consent Agenda. Discussion occurred at the January 21, 2014 meeting of the Public Facilities Committee.

It was moved by Mr. Dawson, seconded by Mr. Flewelling, that Council award a contract to Clark Equipment Company, West Fargo, North Dakota in the amount of \$66,107 for the purchase of a new Bobcat and accessories. Funding will come from account 50250011-54200, Stormwater Enterprise Fund – Specialized Capital Equipment. The vote: YEAS - Mrs. Bensch,

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

TEXT AMENDMENT TO THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE/ZDSO, ARTICLE V. USE REGULATIONS, SEC. 106-1287. COMMERCIAL RETAIL, REGIONAL (ADDS STANDARDS TO ALLOW ADAPTIVE RE-USE OF LIGHT INDUSTRIAL PROPERTIES)

Main motion: It was moved by Mr. Flewelling, as Natural Resources Committee Chairman, that Council approve on first reading a text amendment to the Beaufort County Zoning and Development Standards Ordinance/ZDSO, Article V. Use Regulations, Sec. 106-1287. Commercial Retail, Regional (adds standards to allow adaptive re-use of light industrial properties).

Motion to postpone: It was moved by Mr. Rodman, seconded by Mr. Caporale, that Council postpone the issue until the February 10, 2014 meeting of Council. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Rodman and Mr. Vaux. NAYS – Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. McBride, Mr. Sommerville and Mr. Stewart. ABSENT – Ms. Von Harten. The motion failed.

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

PUBLIC HEARINGS

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) NEEDS ASSESSMENT TO SOLICIT PUBLIC INPUT ON COMMUNITY NEEDS AND PRIORITIES FOR HOUSING, PUBLIC FACILITIES, AND ECONOMIC DEVELOPMENT

Mrs. Michelle Knight, Community & Economic Development Director, stated the public hearing is required to solicit public comment on the S.C. Community Development Block Grant Program (CDBG) for Beaufort County. This will put the County in a position to be able to pursue CDBG funding for the coming year.

Mrs. Knight gave a PowerPoint presentation on the S.C. Community Development Block Grant Program (CDBG). CDBG Program is designed to assist units of local government in improving economic opportunities and meeting community revitalization needs, particularly for a person of low-and-moderate income (LMI). The program has been funded through the State since 1982 by the U.S. Department of Housing and Urban Development under Title I of the Housing Community Development Act of 1974. The annual allocation from HUD for the program is administered by the S.C. Department of Commerce, Division of Grant Administration.

South Carolina has been allotted approximately \$19,333,299 CDBG funds for 2014. This allocation has been divided among the program as follows: (i) Community Development Programs \$16,153,302 – Community Infrastructure \$7,753,302, Community Enrichment \$1,800,000, Neighborhood Revitalization \$6,000,000 and “Ready to go” Public Facilities Program \$600,000. (ii) Business Development Programs \$2,000,000 – Regional Planning Program \$500,000, State Technical Assistance (1%) \$193,332 and State Administration (2% of allocation + \$100,000) \$486,665.

All projects have to meet one of three national objectives: benefit low and moderate-income persons, aid in the prevention or elimination of slums or blight and meet other urgent community needs posing a serious threat to the health or welfare of the community, where other financial resources are not available to meet such needs. In Beaufort County, a low-to-moderate income household of four person household for this year, if the annual income was less than \$53,600 a year, would be a low-to-moderate income household.

As a part of the requirements of the CDBG program, the locality (Beaufort County) is expected to undertake activities that promote Fair Housing, Title VIII of the Civil Rights Act of 1968 stipulates that we all have the right to be treated fairly regardless of our race, color, religion, sex, familial status, or origin.

Application request deadlines: March 14, 2014 at 5:00 p.m. for Community Infrastructure; August 15, 2014 at 5:00 p.m. for Community Enrichment and Neighborhood Revitalization; “Ready to Go” and Business Development Projects are due 30 days after a request is made.

Matching fund requirements for all projects are now 10% of the grant request. However, additional leveraging for Community Development projects will make your project more competitive.

The Chairman opened a public hearing at 6:10 p.m. for the purpose of receiving information on the Community Development Block Grant needs assessment. After calling once for public comment, the Chairman recognized Mr. Steve Curless, a resident of Beaufort, who said Club Bridge Road, just beyond Penn Center, is narrow, busy and bicyclists and pedestrians are forced to walk on the edge of the road or grass. Please consider sidewalk installation between Club Bridge Road and US Highway 21.

Mrs. Angel Flewelling, a resident of Battery Point subdivision, which is located at the end of Salem Road in Beaufort, is here today to advocate for a sidewalk along Salem Road. There are several low-to-income housing developments along that road. She travels up and down that road an average of four times a day. Every time she goes down that road, she sees a pedestrian, a stroller, or a wheelchair. This is a safety hazard. Please consider sidewalk installation along Salem Road.

Mr. Gary Kubic, speaking on behalf of Rev. Venus Young, asked the Clerk to Council to incorporate Rev. Young’s prior remarks during public comment for this public hearing. Rev. Young referred to public water and public water access in the Stuart Point community, which is

south of the Whale Branch River, is needed. It does qualify as a low-and-moderate income sector of our community. For all of the obvious reasons, it is time, perhaps, to address the utilization of these community block grant funds for the installation of water lines which improves the quality of life to all the residents there who are currently on well water.

Rev. Venus Young, a resident of Seabrook, stated the Stuart Point area is in need of public water and public water access. Several recent fires have required gallons of water to be trucked into the neighborhood. Please consider public water in the Stuart Point area as a Community Development Block Grant needs assessment priority.

After calling twice more for public comment and receiving none, the Chairman declared the hearing closed at 6:32 p.m.

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT AMENDMENT TO CDBG #4-CI-11-002 (THE BURTON WATER EXTENSION PROJECT). THE CONTRACT FOR THE ORIGINAL PROJECT CAME IN UNDER BUDGET AND THE COUNTY WILL REQUEST AN AMENDMENT TO USE THE EXCESS FUNDS TO EXTEND THE WATER LINES ALONG LAMON DRIVE WHICH WILL SERVE 15 PERSONS OF WHICH 51% ARE LOW-TO-MODERATE INCOME

The Chairman opened a public hearing at 6:34 p.m. for the purpose of receiving public comment regarding a Community Development Block Grant (CDBG) Project amendment to CDBG #4-CI-11-002 (Burton Water Extension Project). The contract for the original project came in under budget and the county will request an amendment to use the excess funds to extend the water lines along Lamon Drive, which will serve 15 persons of which 51% are low-to-moderate income. After calling three times for public comment and receiving none, that Chairman declared the hearing closed at 6:35 p.m.

PUBLIC COMMENT

There were no requests to speak during public comment.

ADJOURNMENT

Council adjourned at 6:40 p.m.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

ATTEST _____
Suzanne M. Rainey, Clerk to Council

Ratified:



Memorandum

DATE: February 7, 2014
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 January 27, 2014 through February 7, 2014:

January 27, 2013

- Meeting with Drew Laughlin, Mayor, Town of Hilton Head Island; Steve Riley, Town Manager, Town of Hilton Head Island; and Jerry Stewart, Council member re: Possible Penny Sales Tax referendum
- Finance Committee meeting
- Community Services Committee meeting
- Natural Resources Committee meeting
- Caucus
- County Council meeting

January 28, 2014

- Meeting at Solicitor Duffie Stone's Office re: New electronic case-management system
- Emergency Management Operations Center

January 29, 2014

- Meetings canceled and rescheduled due to weather conditions

January 30, 2014

- Meeting with staff and BFG representatives
- Tour of BFG Communications, Bluffton

January 31, 2014

- Meeting with Mitzi Wagner, Director of DSN, and representatives from South Carolina Department of Disabilities and Special Needs

February 3, 2014

- Finance Committee meeting
- Natural Resources Committee meeting
- Governmental Committee meeting

February 4, 2014

- Phone Conference with Shawn Drury of Conservation Voters of South Carolina
- Meeting with Robert Achurch, Attorney, Howell, Gibson and Hughes

February 5, 2014

- Agenda review with Chairman, Vice Chairman, and Executive Staff re: Review draft agenda for February 10, 2014 Council meeting
- Conference call with staff and Laura Winholt re: Daufuskie Solid Waste
- Joint Code Review Team / Community Development Code Review Committee meeting
- Conference call with Lyle Sumeck re: Review discussion items for Council Annual Planning meeting February 13-15, 2014

February 6, 2014

- Beaufort Regional Chamber of Commerce Military Enhancement Committee meeting re: City Base Concept
- Monthly meeting with Ed Hughes, County Assessor

February 7, 2014

- Staff meeting re: Space requirements
- Staff conference call to discuss property issues
- Follow-up conference call with staff re: Daufuskie Solid Waste
- Meeting with Eric Larson, Stormwater Manager, and Ed Modzelewski, Chairman of Applied Technology Management re: 2014 Stormwater Utility Goals and Objectives
- Meeting with Steve Riley, Town Manager, Town of Hilton Head Island, and Robert Gentzler, President of Palmetto Hall Association re: Update on airport issues



Memorandum

DATE: February 7, 2014
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 January 27, 2014 through February 7, 2014:

January 27, 2014 (Monday):

- Attend Detention Center Staff Meeting
- Prepare for County Council
- Community Services Committee
- County Council

January 28, 2014 (Tuesday)--Bluffton:

- Meet with Chief Thompson, Bluffton Fire District
- Meet with Duffie Stone, Solicitor
- Deal with Weather Warnings and Closures
- Visit Fire Departments and EMS Personnel

January 29, 2014 (Wednesday)--Technically Closed:

- Visit Detention Center
- Meet with Phil Foot, Public Safety Director
- Meet with Eddie Bellamy, Public Works Director

January 30, 2014 (Thursday):

- Meet with Bernie Kole re: Library Issues
- Tour BFG Communications

January 31, 2014 (Friday):

- Attend FAA Meeting at HHI Airport
- Telephone conference with Gary Kubic, Joshua Gruber, Allison Coppage, Alicia Holland and Jerry Stewart

February 3, 2014 (Monday):

- Visit Detention Center
- DA Meeting
- Meet with Jon Rembold, Airports Status Meeting
- Finance Committee Meeting
- Natural Resources Committee Meeting
- Governmental Committee Meeting

February 4, 2014 (Tuesday)--Bluffton:

- Meet with Councilman Fobes re: Various Matters
- Bluffton Hours

February 5, 2014 (Wednesday):

- Visit Employee Services to Review Documents
- Agenda Review
- Meet with Phil Foot, Public Safety Director
- Meet with Rob McFee, Engineering & Infrastructure Director

February 6, 2014 (Thursday):

- PLD

February 7, 2014 (Friday):

- Meeting to Discuss Space Requirements with Gary Kubic, County Administrator, Mark Roseneau, Facilities Management, Joshua Gruber and Allison Coppage, County Attorneys
- Conference Call re: 155 Old Miller Property / State Regulations
- Library Discussion of Budget, Staffing, School Partnerships, Governance and Trustee Appointments
- Bluffton Hours P.M.

COMMUNITY SERVICES COMMITTEE

January 27, 2014

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

The Community Services Committee met Monday, January 27, 2014 at 2:00 p.m. in the Executive Conference Room, Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Chairman William McBride, Vice Chairman Tabor Vaux and Committee members Rick Caporale, Gerald Dawson and Steven Fobes present. Laura Von Harten absent. Non-committee members Cynthia Bensch, Brian Flewelling and Paul Sommerville present. (Paul Sommerville, as County Council Chairman, serves as an *ex-officio* member of each standing committee of Council and is entitled to vote).

County staff: Morris Campbell, Division Director – Community Services; Allison Coppage, Assistant County Attorney; Bryan Hill, Deputy County Administrator; Gary Kubic, County Administrator; Fred Leyda, Facilitator/Director of Human Services Alliance; Scott Marshall, Parks and Leisure Services Director; and Dave Thomas, Purchasing Director.

Public: Terry Gibson, Chairman, Senior Services of Beaufort County, and Jeannette Williams, Executive Director, Senior Services of Beaufort County,

Media: Joe Croley, Hilton Head Island-Bluffton Chamber of Commerce, and Zach Murdock, *The Island Packet/The Beaufort Gazette*.

Committee Chairman William McBride chaired the meeting.

ACTION ITEMS

1. Senior Services of Beaufort County / General Fund Appropriation to Ensure Continued Services for FY2014

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

Discussion: Mr. Bryan Hill, Deputy County Administrator, stated that at November 18, 2013 meeting of the Community Services Committee, Mrs. Jeannette Williams brought forward a request for the County to assist with some external funding in order to complete the FY 2013 funding cycle. According to the Senior Services of Beaufort County FY 2013 annual audit, there is an approximate \$26,000 loss last year and, the general fund balance was used to absorb the

loss. The fund balance is approximately \$200,000 of which the majority will be used this year. Going forward there is going to be a deficit between \$80,000 and \$100,000 to complete FY 2013.

The Committee tasked administration to review the agency's financial statements to ensure the deficit, work with staff to determine how to get through this year, and to put a program in place for next fiscal year. Staff put forth an amount of \$100,000 as a general fund contribution from County fund balance to allow this program to get through June 2014. If Council agrees to the appropriation, staff will meet with agency representatives to figure out how to continue this program going forward.

Motion: It was moved by Mr. Caporale, seconded by Mr. Dawson, that Community Services Committee recommend Council approve on first reading an FY 2014 budget amendment supplemental in the amount of \$100,000 from fund balance to be used to fund Senior Services of Beaufort County. The vote: YEAS - Mr. Caporale, Mr. Dawson, Mr. Fobes, Mr. McBride and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

Recommendation: Council approve on first reading an FY 2014 budget amendment supplemental in the amount of \$100,000 from fund balance to be used to fund Senior Services of Beaufort County.

2. Request to Purchase Two New 2014 E350 Ford Vans from State Contract for Beaufort County's Department of Disabilities and Special Needs

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

Discussion: Mr. Dave Thomas, Purchasing Director, reviewed this item with the Committee. The Purchasing Department received a request from the Department of Disabilities and Special Needs to purchase two new 2014 E350 Ford vans from Vic Bailey Ford, Spartanburg, South Carolina. The new vehicles will replace a 2002 E350 van with 159,000 miles and a 2002 Dodge Grand Caravan with 159,072 miles. First Vehicle Services recommends replacing these vehicles due to high mileage and repair costs. The total cost would be \$50,834 and would be funded from account 24420011-54000, Disabilities and Special Needs – Vehicle Purchases.

Motion: It was moved by Mr. Dawson, seconded by Mr. Caporale, that Community Services Committee recommend Council approve the purchase of two new 2014 E350 Ford vans in the amount of \$50,834 from Vic Bailey Ford, Spartanburg, South Carolina to be used by the Disabilities and Special Needs Department. Funding will come from account 24420011-54000, Disabilities and Special Needs – Vehicle Purchases. The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Fobes, Mr. McBride and Mr. Vaux. ABSENT - Ms. Von Harten. The motion passed.

Recommendation: Council approve the purchase of two new, 2014 E350 Ford vans in the amount of \$50,834 from Vic Bailey Ford, Spartanburg, South Carolina to be used by the Disabilities and Special Needs Department. Funding will come from account 24420011-54000, Disabilities and Special Needs – Vehicle Purchases.

3. Reappointments and Appointments

- **Beaufort Memorial Hospital Board**

Motion: It was moved by Mr. Dawson, seconded by Mr. Fobes, that Community Services Committee recommend Council nominate Mr. William Himmelshach for appointment to serve as a member of the Beaufort Memorial Hospital Board. The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Fobes, Mr. McBride and Mr. Vaux. ABSENT - Ms. Von Harten. The motion passed.

Recommendation: Council nominate Mr. William Himmelshach for appointment to serve as a member of the Beaufort Memorial Hospital Board.

DRAFT

FINANCE COMMITTEE

February 3, 2014

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

The Finance Committee met Monday, February 3, 2014 at 1:00 p.m., in the Executive Conference Room, Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

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

County staff: Allison Coppage, Assistant County Attorney; Tony Criscitiello, Division Director-Planning and Development; Joshua Gruber, County Attorney; Bryan Hill, Deputy County Administrator; Alicia Holland, Chief Financial Officer; and Gary Kubic, County Administrator.

Media: Joe Croley, Hilton Head Island-Bluffton Chamber of Commerce, and Zach Murdock, *The Island Packet/The Beaufort Gazette*.

Public: Jocelyn Staiger, Governmental Affairs Director, Sun City Association of Realtors.

Councilman Caporale chaired the meeting.

INFORMATION ITEMS

1. An Ordinance to Establish a General Fund Reserve Policy for Beaufort County, South Carolina

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

Discussion: Committee Chairman Rick Caporale provided the Committee an overview of historical discussions regarding the establishment of a General Fund Reserve Policy for Beaufort County. The current reserve is approximately 25%. The proposed ordinance, if approved, would require an increase to 40%. Mr. Caporale feels 25% to 33% a reasonable amount to have in reserves, and feels an ordinance is an appropriate avenue of establishing the policy.

Mr. Fobes stated he is in agreement with Mr. Caporale, but has many questions. Where will we be in the future to pay debt on operations? It is hard to nail down a reserve policy without those numbers. He is not a fan of five months of reserves. Three to four months is more realistic. He favors adopting the reserve policy by ordinance.

Mr. Vaux stated he is in favor of three to four months of reserves. He supports adopting the reserve policy as an ordinance.

Mr. McBride feels the Reserve Policy should be established by ordinance. He also feels 33% is a good starting point.

Mr. Flewelling stated he favors a four-month carry capacity of 33%. He also feels it appropriate to consider a tax increase to replace reserve dollars in the years revenues do not exceed expenditures.

Mr. Stewart feels establishment by way of ordinance to be a good approach. He also feels the need for 35% in reserves.

Mr. Dawson feels a four-to-five month reserve balance is appropriate. He supports adopting the reserve policy as an ordinance.

Ms. Von Harten would like to see a five-month reserve. She supports adopting the reserve policy as an ordinance.

Mrs. Bensch spoke about GFOA and their overview of this matter. They recommend no less than 5% to 10% or one to two months of reserves. Many people are taking into consideration the economy and not raising taxes. She would like to be conservative on this amount and would only support an ordinance if it were extremely conservative. She does not support the proposed ordinance. She spoke about three-sub reserves in detail and the possibility of that type of idea for reserves. She would like to use a dividing scale and feels it would keep Council from going to the taxpayers asking for a tax increase. It should not be a blanket ordinance, and should be broken down by the different types of reserves or purposes of use.

County Administrator Gary Kubic spoke to the Committee. He looks forward to having an ordinance to define the fund balance. He recommends not focusing on a reserve policy for an AAA rating, but looking at it as a management tool. He is not concerned as to the level or the formula because he knows Council will decide annually what is needed for the citizens of Beaufort County. He asked Council to reach a consensus. It can be reviewed periodically and modified.

Questions from the Committee included:

How much are we going to borrow?

How much will AAA bond rating save?

What additional taxation might be required to maintain a fund balance?

Status: The committee will discuss establishing a reserve policy, along with questions about how it might affect the availability of cash, at least once more before making a recommendation to Council.

2. Further Discussion of Finance Subcommittee Items from January 6 and CIP Presentation from January 21, 2014

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

Status: Time did not permit discussion.

3. FY 2015 Budget Preparation Schedule

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

Status: Time did not permit discussion.

DRAFT

FINANCE COMMITTEE

January 27, 2014

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

The Finance Committee met Monday, January 27, 2014 at 1:00 p.m., in the Executive Conference Room, Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Chairman Rick Caporale, Vice Chairman Steve Fobes and members Brian Flewelling, William McBride, Stu Rodman and Jerry Stewart present. Non-Committee members Cynthia Bensch, Gerald Dawson and Paul Sommerville present. (Paul Sommerville, as County Council Chairman, serves as an *ex-officio* member of each standing committee of Council and is entitled to vote.)

County staff: Allison Coppage, Assistant County Attorney; Tony Criscitiello, Division Director-Planning and Development; Joshua Gruber, County Attorney; Doug Henderson, County Treasurer; Bryan Hill, Deputy County Administrator; Ian Hill, Historic Preservationist; Gary Kubic, County Administrator; and Jon Rembold, Airports Director.

Media: Joe Croley, Hilton Head Island-Bluffton Chamber of Commerce, and Zach Murdock, *The Island Packet/The Beaufort Gazette*.

Public: Libby Anderson, City of Beaufort Planning Director, and Lauren Kelly, City of Beaufort Planner.

Councilman Caporale chaired the meeting.

ACTION ITEM

1. **Reappointments and Appointments**
 - **Airports 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. Rodman, seconded by Mr. Fobes, that Natural Resources Committee approve and recommend Council nominate Gregory Viventi, representing qualifications, to serve as a member of the Airports Board. The vote: YEAS – Mr. Caporale, Mr. Fobes, Mr. Flewelling, Mr. McBride, Mr. Rodman and Mr. Stewart. The motion passed.

Recommendation: Council nominate Gregory Viventi, representing qualifications, to serve as a member of the Airports Board.

INFORMATION ITEMS

2. Treasurer's Compensation

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

Discussion: Mr. Doug Henderson, Treasurer, presented the Committee an overview and comparison of county treasurers' salaries within South Carolina.

Status: Information only.

3. Bailey Bill

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

Discussion: Ms. Lauren Kelly, City of Beaufort Planner, gave an overview of the Bailey Bill that was adopted by the SC State Legislature in 1990, and amended in 2004, to permit municipalities and local governments to offer special property tax assessments for rehabilitated historic structures, as well as low-and-moderate income rental properties. The special assessment can essentially freeze taxes at the pre-rehabilitated rate for a given amount of time, offering an incentive for a property owner to invest in their house while keeping their tax rates the same.

Ms. Kelly stated the Beaufort City Planning staff intends to present the idea to the Board of Education and continue discussions with town planners in the Town Port Royal and Town of Bluffton. They will also begin drafting an ordinance for the local councils to discuss and eventually vote on.

Questions and comment from the Committee included:

1. Does Act 388 (the cap on tax assessments) pose any problem with getting the property back up to its full assessment after the grace period ends?
2. Present the topic to the School District.

Recommendation: This item was intended for informational purposes.

NATURAL RESOURCES COMMITTEE

February 3, 2014

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

The Natural Resources Committee met Monday, February 3, 2014, beginning at 2:00 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, Tabor Vaux and Laura Von Harten present. Non-Committee members Rick Caporale and Steven Fobes present.

County Staff: Tony Criscitiello, Division Director – Planning and Development; Allison Coppage, Assistant County Attorney; Joshua Gruber, Attorney; Gary Kubic, County Administrator; Eric Larson, Stormwater Manager/Engineer; and Danny Polk, Stormwater Inspector.

Public: Reid Armstrong, Coastal Conservation League; John Leffler, SC Department of Natural Resources – Project Principal Investigator; Denise Sanger, SC Department of Natural Resources – Project Research Lead; Jocelyn Staiger, Governmental Affairs Director, Sun City Association of Realtors; David Tedder, lawyer; Denise Sanger, Associate Marine Scientist, Marine Resources Research Institute, SC Department of Natural Resources – Project Research Lead; and April Turner, Coastal Communities Specialist, SC Sea Grant Consortium – Project Integration Lead.

Media: Dan Burley, *The Island Packet*; Joe Croley, Hilton Head Island-Bluffton Chamber of Commerce, and Zach Murdock, *The Beaufort Gazette*.

Mr. Flewelling chaired the meeting.

ACTION ITEMS

1. Reappointments and Appointments

- **Historic Preservation Review 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. Vaux, that Natural Resources Committee approve and recommend Council reappoint Rosalyn Browne, representing St. Helena Island, to serve as a member of the Historic Preservation Review Board. The vote: YEAS -

Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

Motion: It was moved by Mr. McBride, seconded by Mr. Vaux, that Natural Resources Committee approve and recommend Council reappoint Michelle Knoll, representing Port Royal Island, to serve as a member of the Historic Preservation Review Board. The vote: YEAS - Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

Recommendation: Council nominate Rosalyn Browne, representing St. Helena Island, and Michelle Knoll, representing Port Royal Island, for reappointment to serve as members of the Historic Preservation Review Board.

2. Reappointments and Appointments

• Northern Corridor Review Board

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

Motion: It was moved by Mr. McBride, seconded by Mrs. Bensch, that Natural Resources Committee approve and recommend Council nominate Donald Starkey, representing resident of respective area served, to serve as a member of the Northern Corridor Review Board. The vote: YEAS - Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

Recommendation: Council nominate Donald Starkey, representing resident of respective area served, to serve as a member of the Northern Corridor Review Board.

3. Reappointments and Appointments

• Planning Commission

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. Vaux, that Natural Resources Committee approve and recommend Council nominate Marque Fireall, representing Comprehensive Plan Planning Area – St. Helena Township, to serve as a member of the Planning Commission. The vote: YEAS - Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

Recommendation: Council nominate Marque Fireall, representing Comprehensive Plan Planning Area – St. Helena Township, to serve as a member of the Planning Commission.

4. 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

Motion: It was moved by Mrs. Bensch, seconded by Mr. Vaux, that Natural Resources Committee approve and recommend Council reappoint Ed Pinckney, representing landscape architect – Town of Bluffton, for reappointment to serve as a member the Southern Corridor Review Board. The vote: YEAS - Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

Recommendation: Council nominate Ed Pinckney, representing landscape architect – Town of Bluffton, for reappointment to serve as a member of the Southern Corridor Review Board.

5. 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

Motion: It was moved by Mr. Dawson, seconded by Mr. McBride, that Natural Resources Committee approve and recommend Council reappoint Allyn Schneider, representing Stormwater District 9, to serve as a member of the Stormwater Management Utility Board. The vote: YEAS - Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

Motion: It was moved by Mr. Dawson, seconded by Mr. McBride, that Natural Resources Committee approve and recommend Council reappoint Donald J. Smith, Jr., representing Stormwater District 5, to serve as a member of the Stormwater Management Utility Board. The vote: YEAS - Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

Recommendation: Council nominate Allyn Schneider, representing Stormwater District 9, and Donald J. Smith, representing Stormwater District 5, for reappointment to serve as members of the Stormwater Management Utility Board.

6. Reappointments and Appointments

- **Zoning Board of Appeals**

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

Motion: It was moved by Mr. Dawson, seconded by Mr. McBride, that Natural Resources Committee approve and recommend Council reappoint Chester Williams, representing at large southern Beaufort County, to serve as a member of the Zoning Board of Appeals. The vote: YEAS - Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

Motion: It was moved by Mr. Dawson, seconded by Mr. McBride, that Natural Resources Committee approve and recommend Council reappoint Edgar Williams, representing northern Beaufort County, to serve as a member of the Zoning Board of Appeals. The vote: YEAS - Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart, and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

Recommendation: Council nominate Chester Williams, representing at large southern Beaufort County, and Edgar Williams, representing northern Beaufort County, for reappointment to serve as members of the Zoning Board of Appeals.

INFORMATION ITEMS

7. Reappointments and Appointments

• Rural and Critical Lands Preservation Review Board

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

Status: No nominations at this time.

8. Presentation / Beaufort County Volume Sensitive Waters

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

Discussion: Mr. John Leffler, ACE Basin National Estuarine Research Reserve Coordinator, Marine Resources Research Institute, SCDNR – Project Principal Investigator, and Ms. Denise Sanger, Associate Marine Scientist, Marine Resources Research Institute, SCDNR – Project Research Lead, provided the Committee an overview of the Beaufort Volume Sensitive Waters Study. They provided the Committee with background information to include identifying critical headwaters, and the outline of a five-year memorandum of understanding. The presentation also provided an overview of additional funding opportunities, project partners, primary collaborative objectives, the Watershed Advisory Committee members, and the purpose of the committee. Additional information provided included primary research objectives as well as an overview/summary of the creeks.

Status: Informational purposes only.

9. Bluffton Gate Development Agreement

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

Discussion: County Attorney Joshua Gruber provided the Committee an overview of this item. This Development Agreement required minor changes made, primarily with Exhibit Z. The Developer has asked to pull this item from today's agenda in order to complete the changes to the Development Agreement.

Status: This item will come before the Committee following completion of changes to the Development Agreement.

DRAFT

NATURAL RESOURCES COMMITTEE

January 27, 2014

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

The Natural Resources Committee met Monday, January 27, 2014, beginning at 3:00 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 and Tabor Vaux present. Committee member Laura Von Harten absent. Non-Committee members Rick Caporale, Steven Fobes and Paul Sommerville present. (Paul Sommerville, as County Council Chairman, serves as an *ex-officio* member of each standing committee of Council and is entitled to vote.)

County Staff: Tony Criscitiello, Division Director – Planning and Development; Allison Coppage, Assistant County Attorney; and Gary Kubic, County Administrator.

Public: Chris Lowe, Beaufort Liquidators; Jason Mann, Director of Community Plans and Liaison Office, Marine Corps Air Station Beaufort; Fred Pierson, Program Manager, Mission Compatibility Office, NAVFAC Atlantic; David Tedder, lawyer; and David Wunder, Environmental Counsel, East Area Counsel Office of the US Marine Corps.

Media: Joe Croley, Hilton Head Island-Bluffton Chamber of Commerce, and Zach Murdock, *The Island Packet/The Beaufort Gazette*.

Mr. Flewelling chaired the meeting.

ACTION ITEM

1. Consideration / Beach City Road Property Transfer

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

Discussion: Mrs. Allison Coppage, Assistant County Attorney, explained there have been numerous lots along Beach City Road, at the entrance to Fish Haul Park on Hilton Head Island, purchased using Rural and Critical Lands Program (Program) and Town of Hilton Head Island funds. One of these properties is adjacent to a residential lot. The driveway for this lot is actually encroaching on the one purchased by the Program by a very small amount (.075 acres). The landowner and the Town of Hilton Head Island have asked that the County consider selling the driveway acreage to the owner, with a caveat that the County has first right of refusal if

he/she should ever consider selling the property. The recommended sales price is \$25,000, which reflects a purchase price of \$21,516 for the property purchase and the remainder for legal fees and closing costs.

Mrs. Coppage has spoken with Mrs. Patty Kennedy, Open Land Trust Executive Director, regarding this issue and she has reached out to the Rural and Critical Lands Board. As of today, we have received no objection to proceeding forward in Council's discretion.

Motion: It was moved by Mrs. Bensch, seconded by Mr. Vaux, that Natural Resources Committee approve and recommend Council sell a .075-acre parcel in the amount of \$25,000 to include a repurchase option on Lot 2 and a deed covenant that the property will never be used as commercial. The vote: YEAS - Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Stewart and Mr. Vaux. ABSENT – Ms. Von Harten. The motion passed.

Recommendation: Council sell a .075-acre parcel in the amount of \$25,000 to include a repurchase option on Lot 2 and a deed covenant that the property will never be used as commercial.

INFORMATION ITEM

2. MCAS Beaufort Noise Impact Presentation

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

Discussion: Mr. Fred Pierson, Program Manager, Mission Compatibility Office, NAVFAC Atlantic, gave the Committee a presentation on Air Installations Compatible Use Zones (AICUZ), Noise and Development. The goals of the AICUZ program are to protect the health safety and welfare of those living near the air station as well as to ensure the continuing flight mission of the installation. It is non-binding and provides recommendations to communities for compatible development. Sound is defined as compression waves transmitted through a medium such as air, sound becomes noise when it is unwanted, and noise is in the hear of the beholder. Sound is measured in decibels using a logarithmic scale. Noise is influenced by changes in the power setting, height above ground, terrain, type of surface (forests, farmlands, water), and orientation of aircraft.

Status: The issue was provided as information.

1. Community Services

① Beaufort Memorial Hospital Board

<i>Nominated</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
01.27.14	William Himmelsbach	At-Large	Appoint	6 of 11 (1 st term)

2. Finance

① Airports Board

<i>Nominated</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
01.27.14	Gregory Viventi	Qualifications	Reappoint	6 of 11 (1 st term)

3. Natural Resources

① Historic Preservation Review Board

<i>Nominate</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
02.10.14	Rosalyn Brown	St. Helena Island	Reappoint	8 of 11 (2 nd term)
02.10.14	Michelle Knoll	Port Royal Island	Reappoint	8 of 11 (2 nd term)

② Northern Corridor Review Board

<i>Nominate</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
02.10.14	Donald Starkey	Resident of respective area served	Appoint	6 of 11 (1 st term)

③ Planning Commission

<i>Nominate</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
02.10.14	Marque Fireall	Comprehensive Plan Planning Area – St. Helena Township	Reappoint	6 of 11 (1 st term)

④ Southern Corridor Review Board

<i>Nominate</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
02.10.14	Ed Pinckney	Landscape Architect – Town of Bluffton	Reappoint	10 of 11 (3 rd term)

⑤ Stormwater Management Utility Board

<i>Nominate</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
02.10.14	Allyn Schneider	Stormwater District 9	Reappoint	10 of 11 (3 rd term)
02.10.14	Donald Smith	Stormwater District 5	Reappoint	10 of 11 (3 rd term)

⑥ Zoning Board of Appeals

<i>Nominate</i>	<i>Name</i>	<i>Position/Area/Expertise</i>	<i>Reappoint/Appoint</i>	<i>Votes Required</i>
02.10.14	Chester Williams	At Large Southern Beaufort County	Reappoint	10 of 11 (3 rd term)
02.10.14	Edgar Williams	Northern Beaufort County	Reappoint	10 of 11 (3 rd term)

2014/

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 \$100,000.

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 offered by County Council to Senior Services of Beaufort County; 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 entity.

NOW, THEREFORE, BE IT ORDAINED by Beaufort County Council that the FY 2013-2014 Beaufort County Budget Ordinance be hereby amended to provide a supplemental appropriation in the amount of \$100,000 with such funds to be allocated to Senior Services of Beaufort County.

DONE THIS ____ DAY OF _____, 2014.

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:



COUNTY COUNCIL OF BEAUFORT COUNTY
PURCHASING DEPARTMENT

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

TO: Councilman William L. McBride, Chairman, Community Services Committee
FROM: Dave Thomas, CPPO, Purchasing Director *DT*
SUBJ: Request to Purchase Two New 2014 E350 Ford Vans from State Contract for Beaufort County's Department of Disabilities and Special Needs
DATE: January 27, 2014

BACKGROUND: The Purchasing Department received a request from the Department of Disabilities and Special Needs to purchase two new 2014 E350 Ford Vans from Palmetto Bus Sales, a State contract vendor. The new vehicles will replace a 2002 E350 van with 159,000 miles and a 2002 Dodge Grand Caravan with 159,072 miles. First Vehicle Services recommends replacing these vehicles due to high mileage and repair cost (see the attached maintenance reports).

STATE CONTRACT VENDOR INFORMATION

COST

Palmetto Bus Sales, West Columbia, SC

\$50,834

FUNDING: Account# 24420011-54000, Disabilities and Special Needs – Vehicle Purchases

FY 2013 COST: NA

FOR ACTION: Community Services Committee meeting occurring January 27, 2014.

RECOMMENDATION: The Purchasing Department recommends that the Community Services Committee approve and recommend to County Council the contract award to purchase the vehicles from the aforementioned vendor for a total cost of \$50,834.

CC: Gary Kubic, County Administrator *GKubic*
Bryan Hill, Deputy Administrator *BH*
Alicia Holland, Chief Financial Officer *AH*
Morris Campbell, Community Services Director *MC*
Mitzi Wagner, Disabilities and Special Needs Director *MW*

Attachments: State Contract Pricing, First Vehicle Maintenance Reports

Vic Bailey Ford
David Vetter 864.585.3600 or 800.922.1365

VAN, DRIVER + 14 PASSENGER, 1 TON

2014 FORD E350 CLUB WAGON

Contract#: 4400007299

Standard Equipment Included:

5.4L V-8 Engine	Power Steering
Automatic Transmission	Power Brakes
A/C	Cruise Control
AM/ FM Radio	Vinyl Seating - 15 Total Positions
Hinged Side Doors	

SC STATE CONTRACT PRICE:

\$24,357.00

Power Mirrors	\$113.00
Running Boards	\$300.00
Daytime Running Lights	\$42.00
Extra Key	\$5.00
Delivery	\$300.00
Sales Tax	\$300.00

TOTAL SC STATE CONTRACT PRICE:

\$25,417.00

Total cost for two: \$50,834

Dodge maxi - 15 passenger - Day

First  **Vehicle Services**

First Vehicle Services
Beaufort County Division
P.O. Box 6016
Beaufort, SC 29902-6016

To: Mitzi Wagner

Department: DSN - 4420

Subject: Evaluation of Equipment # 21581

Subject equipment was evaluated on Date: February 12, 2013
Inspection Sheet is attached.

It is our opinion at First Vehicle Services that if the cost of repair exceeds one third of the assets value consideration for removal and or replacement should be taken. Yearly cost evaluation will accompany any evaluation requiring consideration.

Kelly Blue Book value for private sale in good condition is \$ \$4,300.00.
Our estimate of needed or expected repairs in the near future is \$3,335.00.
Based on mileage and expected repairs, we recommend replacement of this vehicle.

Harold Cordell, 255-2775



Quality Assurance- FVS/Beaufort Co.

F. 2/13/13



First Vehicle Services
Beaufort County Division
P.O. Box 6016
Beaufort, SC. 29902-6016

To: Mitzi Wagner

Department: DSN - 4420

Subject: Evaluation Of Equipment # 21581

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Quality Assurance - FVS/Beaufort Co.

First Vehicle Equipment Inspection Report

Dept.# 4420 Asset # 21581 Make Dodge Model B-350

Type of Eq. Van Miles 115279 Year 2002

Component	Remarks or Condition	Est. Cost Of Repair
Engine	Cleaned throttle body & air intake will need replacing in near future all running condition / small oil leak	640.00 475.00
Transmission	all	
3rd Member	all	
Suspension Steering	weak shocks - will need replacement in near future all	360.00
Brakes	all	
Body	Head liner, Front Passenger seat Paint chips all over	1400.00
Electrical and Hydraulics	corrosion in main Elect. Box - has been cleared - if problem returns Box will need replacing	4100.00

Inspected By: X [Signature] Yes No

Recommended For Replacement

Date: 2-12-13 Signed: [Signature] No

3335.00

Unit Inspection Report

Dept.# 2420

Vin # 21581

Make Dodge Model B-350

APWA
X - One

Over
 Under

Miles 115279

Year 2002

Component	Good	Repair	Cost	Component	Good	Repair	Cost
Engine	✓			Suspension System	✓		
Operation	✓	✓	640. ⁰⁰	Repairs -		✓	360. ⁰⁰
Leaks							
Cooling System	✓			Undercarriage	✓		
Radiator	✓			Repairs -			
Hoses	✓						
Belts	✓			Exhaust System	✓		
Operation	✓			Repairs -			
Leaks							
Power Steering	✓			In Cab	✓		
Pump	✓			Damage		✓	1000. ⁰⁰
Hoses	✓			Repairs -			
Belts	✓						
Operation	✓			Tires			
Leaks							
Pollution System							
Air Pump							
Components							
Operation				Left Inside			
Charging System	✓			Right Inside			
Alternator	✓						
Battery	✓			Electrical System	✓		
Belts	✓			Lights	✓		
Operation	✓			Accessories	✓		
Cranking System	✓			Emergency Lights			
Starter	✓			Emergency Sirens			
Operation	✓			Emerg. Accessories			
Fuel System				Repairs-		✓	460. ⁰⁰
Pump							
Hoses				Braking System	✓		
Leaks				Repairs Needed			
Operation				Drive Line	✓		
VC & Heater System	✓			Transmission	✓		
Compressor	✓						
Hoses	✓			Body Maintenance	✓		
Belts	✓			Damage		✓	400. ⁰⁰
Leaks				Repairs			
Operation	✓	✓	475. ⁰⁰				

Total Estimated Cost Of Repairs

Engine 640.⁰⁰
 Undercarriage _____
 Transmission _____
 Suspension 360.⁰⁰
 Electrical/A-C 460.⁰⁰ + 475.⁰⁰

Emergency _____
 Drive Line _____
 Brakes _____
 In Cab 1000.⁰⁰
 Body 400.⁰⁰
TOTAL 3335.⁰⁰

Work order	Description	Parent	Vin	Year	Manu	Model	Dept	Class	Date	Meter	Hours worked	Labor Rate	Labor Cost	Parts	Sublet Parts	Sublet Labor	Total
1267233	21581-PM-C-HEADLIGHT	21581	K142054	2002	DODGE	RAM B 35	4420-D	C	4/27/11	95531	2.30	57.00	131.10	23.15	0.00	0.00	154.25
1385344	21581 - B-PM	21581	K142054	2002	DODGE	RAM B 35	4420-D	C	2/9/11	93570	0.70	57.00	39.90	2.54	0.00	0.00	42.44
1430599	21581 - REPAIRS TO A/C UNIT AND	21581	K142054	2002	DODGE	RAM B 35	4420-D	C	1/8/11	91418	0.00	57.00	0.00	0.00	518.31	380.00	878.31
1432168	21581 - A/C REPAIRS AUTO AIR	21581	K142054	2002	DODGE	RAM B 35	4420-D	C	1/8/11	91418	0.00	57.00	0.00	0.00	352.48	147.50	499.98
1462830	21581-PM-B	21581	K142054	2002	DODGE	RAM B 35	4420-D	C	7/27/11	98351	1.50	57.00	85.50	12.68	0.00	0.00	98.08
1513420	21581-PM-C-AC-DOOR TRIM	21581	K142054	2002	DODGE	RAM B 35	4420-D	C	5/1/12	112009	3.50	57.00	199.50	39.02	0.00	0.00	238.52
1543022	21581-TIRE	21581	K142054	2002	DODGE	RAM B 35	4420-D	C	5/31/11	96257	1.30	57.00	74.10	432.76	0.00	0.00	506.86
1584788	21581-PM-B-OVERHEATED-TOW	21581	K142054	2002	DODGE	RAM B 35	4420-D	C	10/19/11	101690	1.60	57.00	91.20	15.89	0.00	65.00	172.09
1643265	21581-PM-B	21581	K142054	2002	DODGE	RAM B 35	4420-D	C	1/20/12	106956	1.40	57.00	79.80	19.59	0.00	0.00	99.39
1701050	21581-PM-B-CEL	21581	K142054	2002	DODGE	RAM B 35	4420-D	C	7/31/12	114370	1.60	57.00	91.20	12.78	0.00	0.00	103.98
1710718	21581-CEL	21581	K142054	2002	DODGE	RAM B 35	4420-D	C	2/3/12	107534	0.30	57.00	17.10	0.00	0.00	0.00	17.10
1736272	21581-ACCIDENT DAMAGE	21581	K142054	2002	DODGE	RAM B 35	4420-D	NC	3/21/12	109455	0.50	57.00	28.50	80.26	0.00	0.00	108.76
1736646	21581 - BROKEN GLASS	21581	K142054	2002	DODGE	RAM B 35	4420-D	NC	3/15/12	109489	0.00	57.00	0.00	0.00	659.64	0.00	659.64
1771504	21581-WINDSHIELD REPAIR-CEL	21581	K142054	2002	DODGE	RAM B 35	4420-D	NC	5/4/12	112009	0.00	57.00	0.00	0.00	0.00	45.00	45.00
1783778	21581-CEL-AC HOT	21581	K142054	2002	DODGE	RAM B 35	4420-D	C	5/21/12	112312	2.00	57.00	114.00	14.13	0.00	0.00	128.13
1783826	21581-AC	21581	K142054	2002	DODGE	RAM B 35	4420-D	NC	5/22/12	112312	2.50	57.00	142.50	165.31	0.00	0.00	307.81
1792969	21581-CEL	21581	K142054	2002	DODGE	RAM B 35	4420-D	C	6/8/12	112418	0.50	57.00	28.50	0.00	0.00	0.00	28.50
1795253	21581-SHAKING AND VIBRATING	21581	K142054	2002	DODGE	RAM B 35	4420-D	C	6/8/12	112518	0.80	57.00	45.60	0.00	0.00	65.00	110.60
1795872	21581-UNIVERSAL JOINTS	21581	K142054	2002	DODGE	RAM B 35	4420-D	NC	6/7/12	112518	2.90	57.00	165.30	17.98	0.00	0.00	183.28
1839827	21581-WATER PUMP - TOW IN	21581	K142054	2002	DODGE	RAM B 35	4420-D	C	12/14/12	114370	14.80	57.00	832.20	2,157.41	55.48	190.00	3,235.07
1834115	21581 - CEL ACTIVATED AND SK	21581	K142054	2002	DODGE	RAM B 35	4420-D	C	12/28/12	114430	2.10	57.00	119.70	33.99	0.00	0.00	153.69
													2,285.70	3,027.57	1,585.87	672.50	7,771.44

ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTIONS 2-509 AND 2-512 OF THE BEAUFORT COUNTY CODE OF ORDINANCES SO AS TO EFFECT CHANGES TO THE BEAUFORT COUNTY PURCHASING ORDINANCE

WHEREAS, Beaufort County is required to adopt competitive purchasing policies pursuant to South Carolina Code of Laws Section 11-35-50; and

WHEREAS, certain requirements and limitation contained within Beaufort County's Purchasing Ordinance have not been updated since the year 1999; and

WHEREAS, general increases in costs as well as the rate of economic inflation have created administrative inefficiencies in terms of contracting for goods and services thereby necessitating changes to the County's Purchasing Ordinance; and

WHEREAS, the constitutionally elected and appointed officials within Beaufort County have inherent authority to contract for goods and services so long as they remain compliant with all necessary competitive procurement regulations and do not exceed their annual fiscal appropriations provided to them by County Council; and

WHEREAS, it is now in the County's best interests to update its Purchasing Ordinance to reflect these changes.

NOW, THEREFORE, BE IT ORDAINED by Beaufort County Council that Sections 2-509 and 2-512 of the Beaufort County Purchasing Ordinance are hereby amended as follows:

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

Sec. 2-509. Authority and duties of purchasing director.

- (a) *Principal public procurement official.* The purchasing director shall serve as the principal public procurement official of the county and shall be responsible for the procurement of supplies, services, and construction in accordance with this division, as well as the management and disposal of supplies.
- (b) *Duties.* In accordance with this division, the purchasing director shall:
 - (1) *Purchase.* Purchase all supplies, materials, equipment, and contractual services required by county agencies and perform the purchasing-related functions required of the purchasing director in this division.

- (2) *Negotiate contracts.* Negotiate contracts for personal services and submit them for approval and award as provided in this division.
 - (3) *Use standard specifications.* Use standard specifications wherever they are applicable to purchase orders and contracts, and ensure compliance with such specifications through adequate inspection of deliveries.
 - (4) *Transfer between agencies.* Transfer between agencies supplies, materials, and equipment that are no longer needed by a holding agency but that can be used by the receiving agency.
 - (5) *Exchange, trade in and sell.* Exchange, trade in or sell those supplies, materials and equipment which are surplus, obsolete or unused and which are found by the county administrator not to be required for public use.
 - (6) *Develop standard forms and conditions.* Develop, with the approval of the county attorney as to legal sufficiency, standard forms and conditions of invitations to bid and purchase orders and contracts; develop and prescribe the use by agencies of other forms required in carrying out this division, and amend or eliminate any such forms.
 - (7) *Acquire and dispose of real property.* Upon request of the county council and subject to its approval of each transaction, perform all delegable functions in connection with acquisition and disposal of real property.
 - (8) *Perform other duties.* Perform other duties as assigned by the county administrator and comptroller.
- (c) *Operational procedures.* Consistent with this division, the purchasing director shall adopt operational procedures relating to the execution of his duties.
- (d) *Dollar limitations.* Provided that funds have been preapproved by the county council as part of the budget process, an award is made to the lowest responsive and responsible bidder, the contracting authority for the county, except as otherwise provided in section 2-512 pertaining to authority to contract for certain services, section 2-513 pertaining to exemption and section 2-514 pertaining to exemption for real property, shall be as follows:
- (1) ~~Purchasing director or his designee, \$5,000.00 or less.~~

- (2) ~~(1)~~ Comptroller or his designee, over \$5,000.00, but less than \$10,000.00. **Purchasing director, comptroller, chief financial officer, and deputy county administrator or his/her designee, \$10,000 or less.**
- ~~(3)~~ **(2)** county administrator or his designee, over \$10,000.00, but less than \$25,000.00 **\$50,000.00.**
- ~~(4)~~ **(3)** Council committee, over \$25,000.00 **\$50,000.00**, but less than \$50,000.00 **\$100,000.00.**
- ~~(5)~~ **(4)** The county council, \$50,000.00 **\$100,000.00** and over.

(e) Elected and Appointed Officials. Provided that funds have been approved by the County Council as part of the annual budget appropriation process, and that any expenditure of funds regardless of the amount will not result in a budget deficit within any elected official's office, the Sheriff, Auditor, Treasurer, Clerk of Court, Coroner, Solicitor, Public Defender, Probate Judge, and Magistrates shall be exempt from the dollar limitations on expenditure authority identified above provided that they shall comply with all of provisions of competitive purchasing as may be required by South Carolina law and the Beaufort County Purchasing Ordinance. The County Council may request such reports and information as it deems necessary and prudent on the purchasing activities of these offices to ensure compliance with these provisions.

Sec. 2-512. Authority to contract for certain services.

- (a) *General authority.* Departments needing to procure the professional services of clergy, physicians, dentists or undertakers may do so on their own behalf subject to subsection 2-516(h).
- (b) *Contracts for legal services.* No contract for the services of legal counsel may be awarded without the approval of the county council **or the county administrator.**
- (c) *Auditing, consulting and other professional services.* Auditing, consulting and other professional services shall be procured in accordance with section 2-542.
- (d) *Fixed base operators, etc.* Contracts for fixed base operators and other private services operating on county airports shall be subject to the ordinance and the approval of the county council.

Adopted this ____ day of _____, 2014.

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: January 13, 2014
Second Reading: January 27, 2014
Public Hearing:
Third and Final Reading:

2014/

TEXT AMENDMENT TO THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE/ZDSO, ARTICLE VII, SEC. 106-1912. WATER DEPENDENT USES (ADDS STANDARDS TO ALLOW COMMERCIAL DOCKS FOR MARICULTURE USE).

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

Adopted this ____ day of _____, 2014.

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: January 13, 2014
Second Reading: January 27, 2014
Public Hearing:
Third and Final Reading:

Sec. 106-1912. Water dependant uses

(b) *Docks, piers, and wharfs.*

- (1) Tidal creeks and shallows are the most sensitive, ecologically, and are, therefore, being regulated.
- (2) Small tidal creeks and shallows, which fall within the county, are defined as those bodies of water, [being tidally influenced] as per the Beaufort County official small tidal creek delineation map. Private docks and community docks in small tidal creeks may be allowed on both existing lots of record, and new subdivisions under the following criteria:
 - h. The use of docks shall be limited to private, non-commercial uses, unless ~~allowed for it~~ is associated with an upland property productively in use as an on-going mariculture enterprise, and in possession of a current mariculture permit issued by the state of South Carolina for the purpose of growing mollusk shellfish. Also, the use of docks on small tidal creeks dedicated to commercial fishing or shrimping is permitted as part of a Commercial Fishing Village Overlay District.

(Note: The remainder of Sec. 106-1912 is unaffected.)