

Beaufort County Stormwater Management Utility Board (SWMU Board) Meeting Minutes

February 12, 2020 at 2:00 p.m. in Executive Conference Room, Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina

Board Members

Present

Steven Andrews
Allyn Schneider
James Clark
James Fargher

Absent

Marc Feinberg
William Bruggeman
Patrick Mitchell

Beaufort County Staff

Daniel Rybak
Melissa Allen
Katie Herrera
Amber Woods
Neil Desai
Carolyn Wallace

Ex-Officio Members

Present

Van Willis
Scott Liggett
Kim Jones
Nate Farrow

Absent

Visitors

Hamp Simkins, USCB
Alice Howard, County Council
Ellen Sturup Comeau, Clemson Extension
York Glover, County Council
Chris Lloyd, Citizen
Denise Parsick, Beaufort SW Conservation District

1. Meeting called to order – Allyn Schneider

- A. Agenda – No quorum at the start of the meeting. Revisited after Item 8. *
- B. January 8, 2019 Minutes – No quorum at the start of the meeting. Revisited after Item 8 *

2. Introductions – Completed.

3. Public Comment(s) – None.

4. Reports – Mr. Daniel Rybak provided a written report which is included in the posted agenda and can be accessed at:

<https://www.beaufortcountysc.gov/stormwater-management-utility-board/agendas/2020/021220.pdf>

A. Utility Update – Daniel Rybak

In reference to item #1, Public Stakeholder meetings were held on January 23rd at Palmetto Electric, January 28th at Beaufort County Council Chambers, and January 30th at the Town of Bluffton Town Hall. Attendance was fair, 10-25 people at the meetings. The comment period is scheduled to close on February 17th. The technical committee is scheduled to meet on March 6th to review comments and see what adjustments may be needed.

In reference to special presentations, Dr. Eric Monti with USCB in unavailable this semester with his class schedule, will reach out after the semester ends.

Delinquent accounts, item #5, stormwater staff met with Gentry Locke on January 17th to discuss fees, processes, procedures and policies to give them an overview of the program.

Annual reports have been received from Town of Port Royal and Town of Bluffton. Beaufort County is pending CAFR completion.

B. Monitoring Update – Daniel Rybak

Please reference the report, no additional updates.

C. Stormwater Implementation Committee (SWIC) Report – Daniel Rybak

Update to item #2, the FY19 annual summary report and FY21 utility management fee proposed budget and rates will be discussed under new business. Drafts of the memos were provided to the Board.

D. Stormwater Related Projects – Daniel Rybak

In reference to the Bluffton Flyover Bridge project, critical line delineation is complete and consultant is working on preliminary design and permitting.

In reference to the Shell Point project, a meeting will be scheduled for the end of February. Developing a scope of work for a drainage study in the area, planning to utilize a contract that has three consultants available to issue a task order to.

E. Professional Contracts Report – Daniel Rybak

Salt Creek and Shanklin Road, the 30% design submittal under review. Right-of-way acquisition areas are being assessed.

Brewer Memorial, SCDOT has responded favorably to County request for pipe diversion and consultant is seeking final approval.

Evergreen, 90% Design submittal under review. Public Meeting is scheduled for Friday, February 14th, 2020, from 10:30 to 11:30 am at the Palmetto Electric Coop Building in Hardeeville. The public is welcome to come learn about the benefits associated with the project.

F. Regional Coordination – Daniel Rybak

Ms. Kim Jones shared that the next Joint Councils meeting will be on February 25th to discuss a long term strategy for extension of sewer.

In regards to the Mossy Oaks task force, Mr. Nate Farrow shared that the City is working with engineering contractor, as well as looking into possible grants.

G. Municipal Reports – Daniel Rybak

Mr. Farrow shared that the City of Beaufort has a continued effort in Battery Shores for road side clean out and a possible pipe project.

H. Municipal Separate Storm Sewer System (MS4 Update) – Daniel Rybak

Mr. Rybak briefly went over the MS4 activity comparison charts for plan review, stormwater permits and inspections and pointed out periods of rain on the weather station chart.

Ms. Ellen Sturup Comeau shared that the registration for the Master Rain Gardener course is now open. There will be a field day in Charleston in the spring. Mr. Rybak commented that Ellen will be participating in the Evergreen Public Meeting as well.

In reference to Energov permitting software, there was a module demo and training held on February 4th.

I. Maintenance Projects Report – Daniel Rybak

There was one major project and nine minor projects. The Wade Hampton Drive (major) project improved 6,510 feet of drainage.

5. Unfinished Business –

A. *City of Beaufort Intergovernmental Agreement (IGA)* – At the October 10, 2018 Stormwater Utility Board meeting the Stormwater manager at the time presented to the Board that the City of Beaufort requested an extension of the existing IGA to be associated to correspond with bonds they hope to issue for Capital Projects. The City and County attorneys have been working on a draft, which has been provided in the packet. There were no major changes within the IGA and the time frame was originally identified to be 25 years, but the draft is written for a 20 year period from the date of acceptance.

Mr. Allyn Schneider noted that a quorum is now present.

6. New Business –

A. *Proposed Changes to the Stormwater Ordinance* – Mr. Rybak explained that the proposed changes are to provide additional exemptions related to private roadways, reflect organizational changes within the County’s organization structure in regards to the stormwater utility’s jurisdiction.

Mrs. Carolyn Wallace shared the current exemptions, roads that are maintained by SCDOT, the County and municipalities are exempt from stormwater utility fees. When it comes to private roads if they are shown in their own separate parcel and service more than one parcel, they are exempt. Wanting to expand it to private roads that are not shown in their own parcel, but service more than one property owner. Mrs. Wallace shared examples. In the first example the red indicates a county road which is exempt and the green indicates a private road which is not exempt. In the second example the blue shows the impervious area that has been measured for the parcel. Example 3, started capturing private roads that aren’t in their own unique polygon, the road serves several properties. Example 4 is showing an example of the type of road we would not want to exempt, as it services only one property and functions more as a driveway. Driveways are not exempt, would only be fair to charge private roads that only service one parcel. [See attached.](#)

Mrs. Wallace summarized the impact, explaining she has identified 41 that would fall in this category and the reduction in fees would be around \$8,000.

Discussion took place:

What is the driving force? Need to continue to roll out this effort to improve the base data. Try to fully apply the ordinance to the stormwater utility fees, as written. The first example would need to be measured to charge for that impervious area [portion of the road that is private].

Mr. Rybak shared that this came about when a request came in when someone felt they were charged incorrectly. This proposed exemption would make it more consistent across the board.

Mr. Van Willis asked to view the current exemptions again. He expressed the irony that additional roads can cause additional issues.

Mr. Scott Liggett asked if an improved roadway is defined. Mrs. Wallace responded there is no distinction in the current rate study and that if it is a road, it is impervious. If it is dirt, gravel or paved it doesn’t matter.

Mr. Liggett asked about the fees that would be collected on the parcel that had a road running through it. Mrs. Wallace clarified that there would be a charge for gross area and impervious, the square footage of what remains minus the road.

Mr. Rybak shared that the other changes were to get away from Environmental Engineering and Land Management language reference and make it Beaufort County.

A motion was made that the board approve the proposed changes to the stormwater ordinance. The motion was approved (4/0).

In response to a question and comment about the roads being impervious whether or not it was paved the charge would be the same, Mrs. Wallace expressed she is not the engineer but is told because it is compacted overtime that it becomes impervious.

B. *FY19 Annual Summary Report* – This report was provided in the packet and was provided per the IGA. It is based on historical data for the fiscal year. The report includes total number of accounts billed and collected, the collection rates and the management fees that were paid. It includes accounts and fees in arrears, accounts with credits, and the amounts and the number of accounts that had adjustments.

C. *FY21 Utility Management Fee Proposed Budget and Rates Memo* – This report is required by the IGA to be provided to the municipalities by February 15th. This report provides the management budget to establish the cost share rates. The IGA requires the municipalities to provide a response to the County by April 1st. The stormwater budget will be presented at the board meeting in March. [Draft attached.](#)

7. Public Comment(s) – None.

8. Next Meeting Agenda – Approved with Addition.

Addition to New Business – FY21 Budget

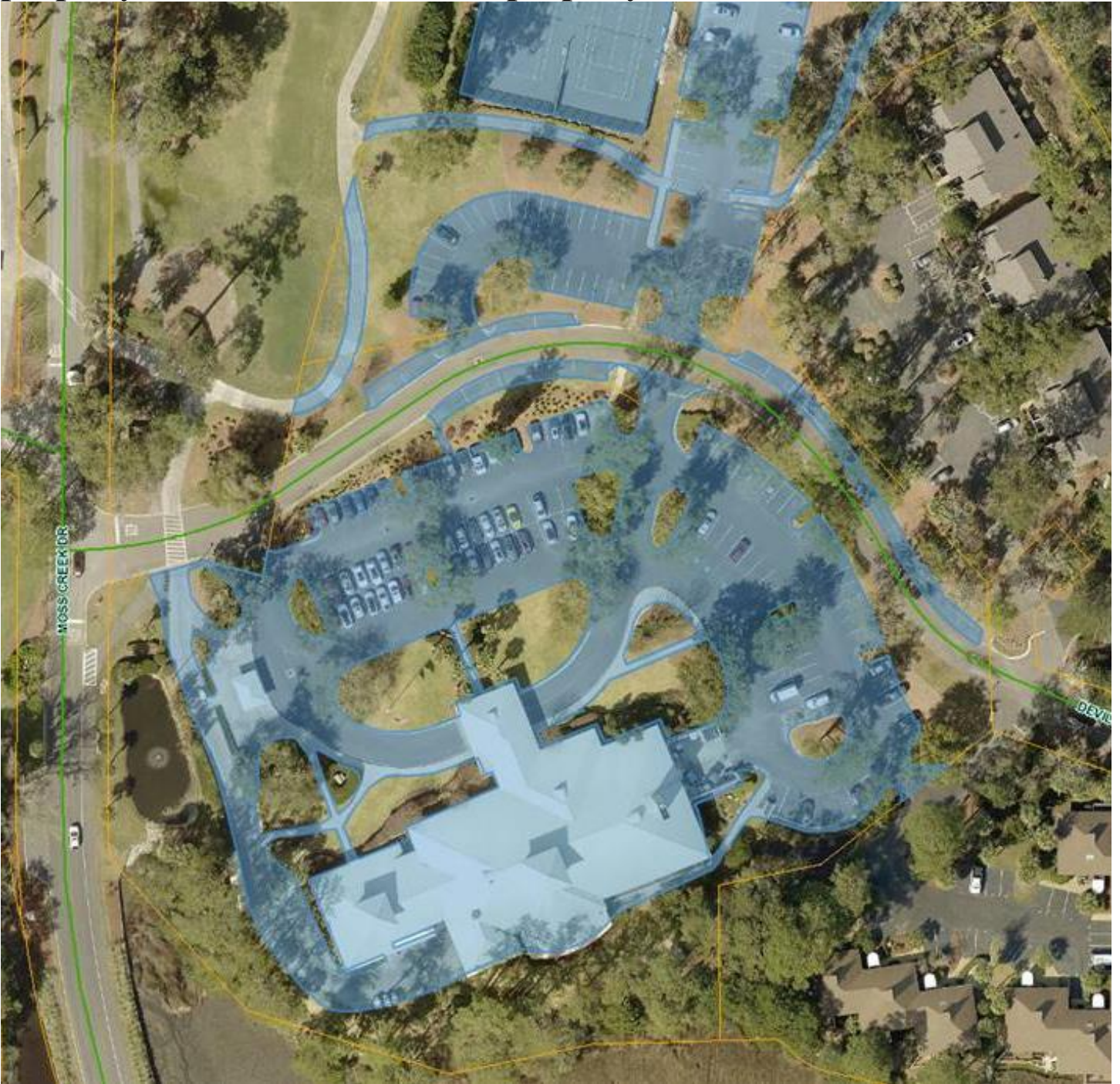
* The board went back to Item #1A to approve the agenda (4/0) and to Item #1B to approve the minutes from January 8, 2020 (3-Yays/1-Abstained). Mr. James Fargher abstained from the approval of the January 8, 2020 minutes as he was not present at that meeting.

9. Meeting Adjourned

R700 039 000 0049 0000 - Portion of the road is a county maintained road and would be exempt from the impervious area charge. But under the current ordinance, the portion that is a private road would be charged the impervious area (IA) charge because it is not shown as a separate parcel of land in GIS. The private roadway is being used by more than one property owner to access their property.



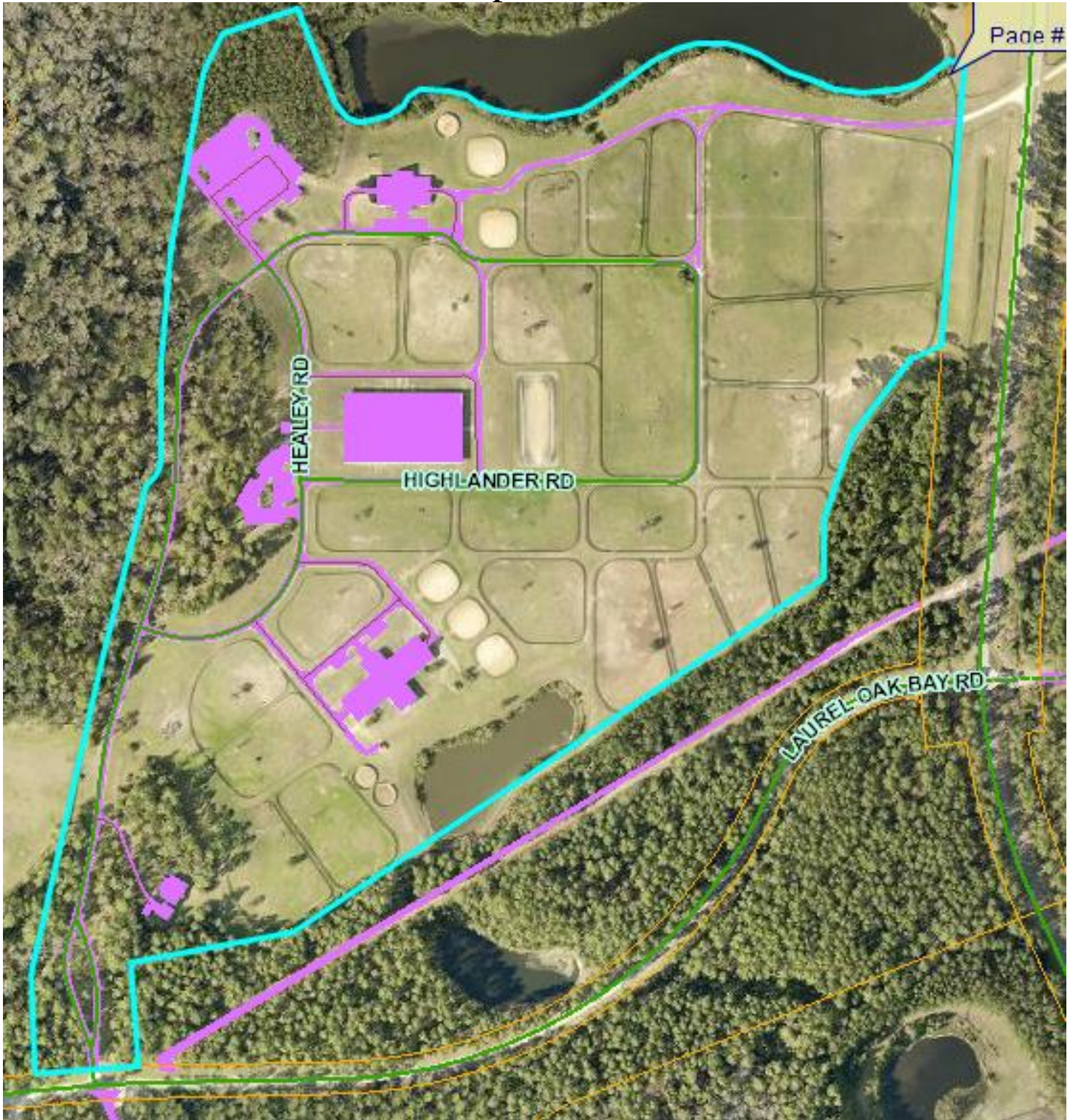
R600 040 00B 0093 0000 - The private roadway is not shown as a separate parcel of land in GIS but is being used by more than one property owner to access their property.



R112 034 000 0249 0000 – For tax year 2019, we just started this effort to capture the IA for private roadways that are not shown in its own polygon. In this example this would be approximately 6 units of IA charge that would be loss in revenue if the ordinance is revised. The exemption of private roadways that service more than one property owner should only cause a small reduction in revenue (I would estimate less than \$10k).



R614 045 000 0602 0000 - This is an example of a private road that would remain without an exemption.





BEAUFORT COUNTY STORMWATER UTILITY
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MEMORANDUM

TO: Stormwater Implementation Committee (SWIC) Members

FROM: Dan Rybak, Beaufort County Stormwater Utility Manager

SUBJECT: Fiscal Year (FY) 2021/Tax Year (TY) 2020 Utility Management Fee Proposed Budget and Rates

DATE: February 15, 2020

This is the fourth year for the annual management fee budget proposal format. The updated rate model, attached by reference to this memo, is intended to replace this analysis by presenting previous year’s actual numbers and projecting the Management fee annually once the actuals are added to the spreadsheet. Please note only the billable units have been updated in the model; the individual City and Town budgets were not provided to the County and therefore the Summary Tabs for each jurisdiction will not be a valid representation of your revenue and expenses. This change redistributed the management fee and cost shares to all jurisdictions within the County.

The scope of services to be provided by the Utility are defined by the IGA, specifically Section 5.04. Those services have been provided by the County staff to the municipalities for many years and will continue in fiscal year FY 2021.

The final but unaudited collections for TY 2018 have been inputted into the model along with the final billed units for TY 2019. With this information input in the model, the distribution of cost shares and “percent of the whole” has shifted to reflect the most equitable method of cost sharing going into FY 2021.

	TY 2018 Total Billed	TY 2018 Total Collected	TY 2018 Billed Units (Actual)	TY 2018 Collected Units	Collection Rates
Port Royal	\$397,974	\$229,621	7,100 IA 3,838 Acct.	# 3,714 Acct.	57.70% 96.77%
Beaufort, City	\$1,641,549	\$1,138,799	13,918 IA 6,499 Acct.	# 6,409 Acct.	69.37% 98.62%
HHI	\$4,928,366	\$4,899,449	33,987 IA 38,255 Acct.	# 37,874 Acct.	99.41% 99.00%
Bluffton	\$1,562,107	\$1,542,770	15,940 SFU* 12,782 Acct.	15,743 SFU* 12,639 Acct.	98.76% 98.88%
Unincorp. BC	\$4,877,093	\$4,652,227	54,405 IA 64,467 Acct.	# 62,376 Acct.	95.39% 96.76%
Total	\$13,407,089	\$12,462,866			

*Under Option A, the SFU are based on total dollar amount billed/collected divided by the SFU rate, not from the analysis of the Impervious Layer.

Under Option E, our current accounting system and SWU fee reporting software will not easily determine the exact collected billable units for IA and GA. Much like Option A, a percentage based on dollar amounts collected is assumed for projection of collection rates for billable units for the upcoming year.

	Billable Unit in TY 2019 (actual)	Calculated Growth Rate (TY18 to TY19)	Billable Units for TY 2020	Distribution for FY 2021 B.C. only ^	Distribution for FY 2021 NoB only ^
Port Royal	3,919 Acct.	102.1%	4,002 Acct.	3.09%	5.19%
Beaufort, City	6,467 Acct.	99.5%	6,435 Acct.	4.96%	8.34%
HHI	38,236 Acct.	100.0%	38,217 Acct.	29.47%	N/A
Bluffton	13,519 Acct.	105.8%	14,298 Acct.	11.03%	N/A
Unincorp. BC	64,509 Acct.	103.4%	66,715 Acct.	51.45%	86.47%
Total				100%	100%

^ Based on TY 2019 projected billable acct. units for all jurisdictions within Beaufort County only.

The following cost shares are proposed for FY 2021:

- 1) Public Education and Outreach - \$90,000. This is a continuation of the MOA for PE/PO and our contract with Clemson University. Distribution will be by the FY 2021 percentages. These jurisdictions are using the Option E rate structure and will pay this cost share as part of the Management fee.
- 2) Water Quality Monitoring North of the Broad River – \$120,000. This cost share is only for the County, Town of Port Royal, and City of Beaufort. This is a continuation of the MOA for monitoring and our contract with University of South Carolina, Beaufort (USCB) Lab. Distribution will be by the FY 2021 percentages. These jurisdictions are using the Option E rate structure and will pay this cost share as part of the Management fee.

Cost Shares	PE/PO	Monitoring
Port Royal	\$2,781	\$6,228
Beaufort, City	\$4,464	\$10,008
HHI	\$26,523	N/A
Bluffton	\$9,927	N/A
Unincorp. BC	\$46,305	\$103,764
Total	\$90,000	\$120,000

The proposed Management budget for FY 2021 is \$435,293. The following is a breakdown summary of major budget categories:

- Salaries, Fringe, Training, Memberships = \$399,540
- Depreciation, Insurance, Repairs = \$8,099
- Cost Shares = \$150,073 (not included in Management budget)
- Office Supplies, Operational Expenses = \$10,154
- Professional & Non-Prof. Services = \$5,000
- Professional Services (not included in Management budget) = \$150,000
- Aerial Photography (budgeted annually, expended every 2 years) = \$12,500

Based upon the number of billable units, distribution percentages, and the Management budget, the following Management fee per billable unit and total Management fee has been estimated.

Mgt. Fee	Billable Unit For TY 2019	Rate	Total Mgt. Budget	Total Mgmt. Budget w/ PE/PO & Monitoring Cost Shares (\$)
Port Royal	3,919 Acct.	\$5.61 / Acct.	\$13,451	\$22,460
Beaufort, City	6,467 Acct.	\$5.61 / Acct.	\$21,591	\$36,063
HHI	38,236 Acct.	\$4.05 / Acct.	\$128,281	\$154,804
Bluffton	13,519 Acct.	\$4.05 / Acct.	\$48,013	\$57,940
Unincorp. BC	64,509 Acct.	\$14.00 / Acct. ⁽¹⁾	\$223,958	\$374,027
Total	126,650		\$435,293	\$645,293

\$ - Note that due to the lack of rounding within the Excel Spreadsheet "rate model" these values do differ slightly (\$10 or less) from the model.

⁽¹⁾ Beaufort County has elected to fund a portion of its Regulatory program on a per account basis, therefore, the cost share amounts do not change the account fixed fee being proposed like it does other jurisdictions.

Per Section 4.01 of the IGA, prior to April 1, 2020, please submit in writing your jurisdiction's approval of the Management fee for TY 2020 within FY 2021.

END