



**County Council of  
Beaufort County  
Community Services  
Committee Meeting**

**Chairman**

LAWRENCE MCELYNN

**Vice Chairman**

MICHAEL COVERT

**Committee Members**

GERALD DAWSON

YORK GLOVER

CHRIS HERVOCHON

**County Administrator**

ASHLEY M. JACOBS

**Clerk to Council**

SARAH W. BROCK

**Staff Support**

MONICA SPELLS

**Administration Building**

Beaufort County Government  
Robert Smalls Complex  
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## Community Services Committee Agenda

Monday, February 03, 2020 at 2:00 PM

Council Chambers, Administration Building

Robert Smalls Complex 100 Ribaut Road, Beaufort

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. [Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act]
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES

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### CITIZEN COMMENTS

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6. CITIZEN COMMENTS

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### BOARDS AND COMMISSIONS

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7. Reappointment of Worth Liipfert to the Alcohol and Drug Abuse Board
8. Reappointment of David Green and Frankie Middleton to the DSN Advisory Board
9. Reappointment of James Morral to the Library Board
10. Reappointment of Joseph McDomich and Herbert Glaze to the Lowcountry Council of Governments
11. Reappointment of Gregory Gilbert, Rudolph Glover, Robert Smalls and George Williams to the Sheldon Township Fire District Board
12. Reappointment of Roosevelt McCollough to the Lady's Island-St. Helena Fire District Board
13. Appointment of Scott Denis to the Lady's Island - St. Helena Fire District Board

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### INFORMATION ITEMS

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14. Mosquito Control Department Update
15. Tennis Courts Discussion – Wayne Lilley, United States Tennis Association (USTA)
16. Regional Command Coordination Center for Beaufort County Sheriff's Office Emergency Operations Center and Disaster Coordination at Camp St Mary's - Lt. Col. Baxley, BCSO EMD

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### ACTION ITEMS

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- [17.](#) Consideration of a Loud and Obnoxious Vehicle Noise Ordinance
- [18.](#) Consideration of a Beaufort County Building Codes Department Amendment Ordinance
- [19.](#) A Resolution Supporting Certifications and Assurances to the South Carolina Department of Transportation (SCDOT) on Behalf of the Beaufort County Disabilities and Special Needs (DSN) Department for Release of FY20 Transportation Grant Funding in the Amount of \$50,000
- [20.](#) Request to Update Emergency Medical Services (EMS) Department Fees
- [21.](#) Request to Purchase Public Health Insecticide for Beaufort County Mosquito Control Department
- [22.](#) Request Authority for the County Administrator to Negotiate a Contract for Construction Services for Building a Single-Family Home for the Beaufort County Disabilities and Special Needs (DSN) Department
23. ADJOURNMENT



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## BEAUFORT COUNTY COUNCIL

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### Agenda Item Summary

**Item Title:**

Approval of Minutes

**Council Committee:**

Community Services

**Meeting Date:**

October 21, 2019

**Committee Presenter (Name and Title):**

**Issues for Consideration:**

October 21, 2019 minutes

**Points to Consider:**

**Funding & Liability Factors:**

None.

**Council Options:**

Approve, Modify or Reject

**Recommendation:**

Approve

**MINUTES  
COMMUNITY SERVICES COMMITTEE**

Monday, October 21 2019  
2:00 p.m.

Council Chambers, Administration Building  
Beaufort County Government Robert Smalls Complex,  
100 Ribaut Road, Beaufort, South Carolina 29902

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

**ATTENDANCE**

Present: Committee Chairman, Lawrence McElynn, Committee Vice Chairman Michael Covert, Chris Hervochon, York Glover and Gerald Dawson

Absent:

Ex-officio: Alice G. Howard and Joseph Passiment (Non-committee members of Council serve as *ex-officio* members and are entitled to vote.)

Staff: Ray McBride, Library Director; Thomas J. Keaveny II, County Attorney; Monica Spells, Assistant County Administrator; David Thomas, Purchasing Director Beaufort County, Mark Sutton, Architect, Facility Management Director.

Media: Joe Croley, Low Country Inside Track

**CALL TO ORDER**

Councilman Lawrence McElynn called the meeting to order at 2:00 p.m.

*Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act*

**APPROVAL OF AGENDA**

**Motion:** It was moved by Councilwoman Howard, seconded by Councilman Covert, to amend the agenda by adding Public Comments to the end of the session for agenda items: The Vote; Councilman Hervochon, Councilwoman Howard, Councilman Glover, Councilman Passiment, Councilman McElynn, Councilman Covert, and Councilman Dawson. The motion passed.

**CITIZEN COMMENTS**

No citizen comments

### **INFORMATIONAL ITEM**

A. Construction Projects/ Site Updates: Beaufort County Disabilities and Special Needs (DSN) Department Residential Program - *Mark Sutton, Architect, Facilities Management Deputy Director*

- 1604 Deanne Drive, Beaufort- At the C.O. stage. Working out some issues with the phone lines and communication with the fire alarm. Closing is in preparation. The house will be ready for DSN to take over and start licensing. \$384,000.00 was approximate cost. It was required for a garage to be added due to HOA to the cost went from \$350,000.00 to \$384,000.00.

Councilman Covert: The garage cost, was it covered somewhere else or did go through the committee.

Mr. Sutton: It was part of our 10% contingency which was negotiated with the contractor and we used an existing slab.

- 1 Bostick Circle, Beaufort- Submitted for HOA approval on 5/3/2018 received approval on 10/11/2019. Project is out for bid for November 20, 2019. 1,600 sq. ft. plus wrap around porch.

Councilman Glover: What is the budget?

Mr. Sutton: \$400,000.00

Councilman Glover: The HOA has given final approval.

Mr. Sutton: Yes

Councilman Hervochon: Can you walk us through the timeline between November 20<sup>th</sup> and when we get someone living in the home?

Mr. Sutton: We will go through the bidding process and make a recommendation that will be brought back to council for final approval. Do a check and balances for that and that will establish our budget for that project. Once we have county approval we can write a contract to proceed with construction. Construction should be a minimum of 9 months because we do have a month's worth of site work and some things inside the house.

Mr. Love: Once we close one Deanne we have 30 days to contact the State to get licensing and we should be able to move in. The facility in Port Royal only has 4 occupants once vacated the State will put it up for sale.

### **ACTION ITEMS**

A. Approval of a Resolution of Beaufort County, South Carolina, encouraging the South Carolina General Assembly to adopt h. 3063, “Hate Crime Bill”

Councilman McElynn: There was a meeting a couple weeks ago that was called between the legislative delegation and the mayors of the municipalities within the county. During the briefing of that meeting it was pointed out that a number of municipalities and counties within the state have passed a resolution in support of the efforts of the South Carolina General Assembly to adopt this hate crime bill and the county chair recommended that we move forward for consideration in the community services committee for full consideration by council. Today’s discussion will deal with a motion to approve a resolution encouraging the general assembly to adopt this hate crime bill and our action here will move that resolution forward to council during a full council meeting.

**Motion:** It was moved by Councilman Passiment, seconded by Councilman Hervochon to move the motion for review and consideration of full council. The vote: YAYS Councilman Hervochon, Councilwoman Howard, Councilman Glover, Councilman Passiment, Councilman McElynn, Councilman Covert, and Councilman Dawson. The motion passed.

**Recommendation:** Forward to County Council for approval.

B. Approval of a contract with Ilderton Conversion Company, a State contract vendor, for two (2) new ADA vans from State Contract # 4400019979 for Beaufort County’s Department of Disabilities and Special Needs in the amount of \$110,882.00 –*Dave Thomas, Purchasing Director*

Mr. Thomas- The Beaufort County Disabilities and Special Needs (DSN) Department would like to purchase two new Ford Transit conversion vans from Ilderton Conversion Company, a State contract vendor. The vans are needed to accommodate program growth. Two 148’ wheelbase vans are for the Adult Employment (Day) Program. They are designed for up to ten passengers and two wheelchairs and have a higher roof and dual rear wheels. Increased engine size and heavier frame are needed due to the weight of the large powered wheelchairs. The backup cameras, L track and Qstraint wheelchair restraints are necessary features. DSN’s vehicles travel long distances daily, often on unpaved roads, which contributes to constant wear and repairs. The safety of the consumers served by DSN is paramount.

**Motion:** It was moved by Councilman Dawson, seconded by Councilman Glover to move the approval of a contract with Ilderton Conversion company, a state contract vendor, for two new ADA vans for DSN to council for full review and consideration. The Vote: YAYS Councilman Hervochon, Councilwoman Howard, Councilman Glover, Councilman Passiment, Councilman McElynn, Councilman Covert, and Councilman Dawson. The motion passed.

**Recommendation:** Forward to County Council for approval.

C. Approval for the Beaufort County Library System to use library impact fees in the amount of \$44,000.00 to McMillan/Pazdan/Smith Architects, an approved vendor on the Beaufort County Architectural and Engineering Master Registry for projects under \$50,000.00 for the purpose of funding architectural and engineering services for the partial interior renovation of

the children's area at the Bluffton Branch based on the completed Library Interior Space Study dated March 2019.- *Ray McBride, Library Systems Director*

Mr. McBride: The Library System is seeking to use the Library impact fees in the amount of \$44,000.00 to McMillian/Pazdan/Smith Architects, an approved vendor on the Beaufort County Architectural and Engineering Master Registry for projects under \$50,000.00, for the purpose of funding architectural and engineering services for the partial interior renovation of the children's area at the Bluffton Branch based on the completed Library Interior Space Study dated March 2019. The Library Board of Trustees approves the expenditure. Library impact fees are currently at \$3,071,130.00, which \$44,000.00 can be used for utilized for the proposed project.

**Motion:** It was moved by Councilman Hervochoon, seconded by Councilwoman Howard to move this request from the Community Services Committee and give to the County Attorney who will prepare the language for an ordinance that will be presented in November to full council for the first of three readings to approve contract and authorize. The Vote. YAYS: Councilman Hervochoon, Councilwoman Howard, Councilman Glover, Councilman Passiment, Councilman McElynn, Councilman Covert, and Councilman Dawson. The motion passed.

**Recommendation:** Forward to Council for approval

**Motion:** It was moved by Councilman Covert, seconded by Councilman Hervochoon to adjourn. The Vote. YAYS: Councilman Hervochoon, Councilwoman Howard, Councilman Glover, Councilman Passiment, Councilman McElynn, Councilman Covert, and Councilman Dawson. The motion passed.

**Adjournment:** 2:22 p.m.

Ratified by Committee:



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## BEAUFORT COUNTY COUNCIL

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### Agenda Item Summary

**Item Title:**

Approval of Minutes

**Council Committee:**

Governmental Committee

**Meeting Date:**

June 24, 2019 July 22, 2019 and September 23, 2019

**Committee Presenter (Name and Title):****Issues for Consideration:**

Approval of June 24, 2019, July 22, 2019 and September 23, 2019

**Points to Consider:****Funding & Liability Factors:**

None.

**Council Options:**

Approve, Modify or Reject

**Recommendation:**

Approve

**MINUTES  
GOVERNMENTAL COMMITTEE**

**June 24, 2019**

Executive Conference Room, Administration Building  
Beaufort County Government Robert Smalls Complex  
100 Ribaut Road, Beaufort, South Carolina 29902

**ATTENDANCE**

Present: Committee Chairman Paul Sommerville, Vice Chairman Mark Lawson, Alice Howard, Lawrence McElynn and Brian Flewelling

Absent:

Ex-officio: Stewart Rodman, Chris Hervocho, York Glover, Joseph Passiment and Michael Covert. (Non-committee members of Council serve as *ex-officio* members and are entitled to vote.)

Staff: Phil Foot, Assistant County Administrator-Public Safety; Chris Inglese, Assistant County Attorney; Ashley Jacobs, Beaufort County Administrator; Karen Morris, EMS Training Officer; Donna Ownby, Director of EMS; Jeff Purdy, Captain, Beaufort County Sheriff's Office, Dan Byrne, Community Support Staff, Town of Burton.

Municipalities: Matthew Garnes, Town Clerk, Town of Yemassee; Harry Williams, Mayor, City of Hardeeville; Mike Cymbor, City Manager, City of Hardeeville; Colin Moore, Mayor, Town of Yemassee; Marc Orlando, Bluffton Town Manager, Town of Bluffton; Lisa Sulka, Mayor, Town of Bluffton; Bill Prokop, Beaufort City Manager, City of Beaufort; Scott Marshall, Deputy Town Manager, Town of Bluffton; Sam Murray, Mayor, Town of Port Royal; Dan Wood, Town Councilman, Town of Beaufort; Billy Keyserling, Mayor, City of Beaufort.

Media: Joe Croley, Lowcountry Inside Track

**CALL TO ORDER**

Chairman Sommerville called the meeting to order at 3:00 p.m.

Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act

**APPROVAL OF AGENDA**

**Motion:** It was moved by Councilman McElynn, seconded by Councilman Howard to approve the agenda as presented. The vote: YAAYS – Councilman Rodman, Councilman Sommerville, Councilman Hervochon, Councilwoman Howard, Councilman Glover, Councilman Passiment, Councilman Flewelling, Councilman Covert, and Councilman Lawson. The motion passed.

### **CITIZEN COMMENTS**

No Citizen Comments

### **MAYORS ROUNDTABLE DISCUSSION/ Common interest on issues in Beaufort County**

Councilman Sommerville: This is something a lot of us, including some of you have been thinking about for a long time. There are always issues percolating between the county and municipalities or maybe between the municipalities themselves and somehow or another the issues don't quite get resolved. There is never really any accountability. Where are these issues, who do I call? If it works out the way we hope, there will be a record of those issues and a working group and you will be able to check with those members to follow up. I asked the Mayor's in a letter to think about some of the issues you might have that involve the county that we can begin to put on our list of issues. I hope you know were aren't going to solve anything today, the purpose of today is to put a together a structure so we can start addressing some of the issues that need to be addressed between municipalities and the county or between municipalities. I don't know how many working groups we are going to have; we will have as many as needed to move forward. There are some issues that have been going on for a long time and I think everybody would like to see them resolved and I think this is the best way to do it. So with that in mind, Mayors have your brought any specific issues with you today?

Lisa Sulka, Mayor, Town of Bluffton: I appreciate your letter, nice to know that there is a place that we can start and government committee is one of them. I like the list. I even got a head shake from Mr. Tom Lennox at the Realtors Speak event last week about LOST, I think we are all still on the same page with wanting to peruse that since we held off so the transportation penny could be passed. Would love to continue that discussion. There is a Realtor association meeting with the executive board and they invited all government. I threw that out to them that this is something needed by municipality for property tax relief since that 388 will never change. Would like input on impact fee, where that is going. The transportation penny is very important for municipalities to understand were that money is being spent and where those monies are getting allocated and when. The ditch maintenance is something all of us can understand is a need especially with the storm and flooding that take place. School impact fee, The Town of Bluffton supports the school impact fee. Cultural tourism where are we on it. What is it, is it nonprofit, is it supported by the county, it's a big part of Heritage Tourism for all of us. It's maybe something exciting to talk about and not try to just throw issues out.

Councilman Sommerville: LOST, it effects everybody. I don't think there is a mayor in here not interested in LOST. (Local Option Sales Tax) Any Mayor's want to comment on that one?

Billy Keyserling, Mayor, City of Beaufort: Beaufort, Port Royal and Bluffton have been consistently asking to put it on the ballot since I can remember.

Colin Moore, Mayor, Town of Yemassee: We have discussed it and think it is a good idea.

Councilman Sommerville: LOST working group will apply to every Mayor.

Councilman Sommerville: The second item you mentioned, transportation impact fee. You wanted to be updated on that? The county is looking at all impact fees.

Lisa Sulka, Mayor, Town of Bluffton: I was interested in the impact fees we are currently charging, if we are going to discuss impact fee. We've been told for many years; we are looking at it. Specifically, the impact fee that is on the transportation but if you are looking at all of them that is great.

Councilman Sommerville: So the Mayor's would like to have an update on where we are on the impact fees. It's not just for transportation it includes, libraries, parks, schools are going to be on there.

Councilman McElynn: Did you want an update on the 278 transportation tax?

Lisa Sulka, Mayor, Town of Bluffton: He was going to bring that up after the impact fee. We are starting to get questions because the news reports that it's been collected. Everyone just wants to make sure what we collected is spent.

Councilman Sommerville: The transportation penny, all are involved. Third, Cultural Tourism/Heritage Tourism

Lisa Sulka, Mayor, Town of Bluffton: Mayor Williams is on our Heritage Committee/ Heritage Tourism task force so I think it does affect all of us. Just really want to know how do you feel about it, do you know about it, are we all on the same page, is it nonprofit, is it under the county's umbrella or is it a private entity.

Colin Moore, Mayor, Town of Yemassee: We have a lot going on that we are trying to get done. The Train Station, some type of museum, there is a great amount of people coming through and asking for directions to Parris Island. We need some type of information center on the Beaufort side and we have a place now we are trying to make into a park.

Councilman Sommerville: Yemassee is a gateway for former marines coming through every year to that shot gun shed.

Colin Moore, Mayor, Town of Yemassee: It was a former Marine Barrick there are a tremendous amount of people that still come through with their kids to see where their parents stayed. We would like to see some information put out there because people come from all over and we have been thinking about it and working on it for a long time and would like to see that accomplished.

Councilman Sommerville: So far we have four items that pertain to everybody: LOST, Impact Fees, Transportation penny, Cultural Heritage Tourism.

Billy Keyserling, Mayor, City of Beaufort: If we cover those we would be doing a good day's work because they are all multidimensional. One we could add is economic development, is that changing from what we anticipated.

Colin Moore, Mayor, Town of Yemassee: I feel the same, any part we could get done would be a tremendous help.

Harry Williams, Mayor, City of Hardeeville: I certainly agree with all the other things Mayor Sulak mentioned. The Cultural Heritage Tourism issue is something that the whole region could be a part of, thank you for including us here, as we do have the unique distinction of actually being in both Beaufort and Jasper County. There is a lot of commonality in the Okatie area in where we have economic development, is a big part of what we have to deal with and I commend your new Administrator and our City manager for getting together and trying to anticipate a working procedure in the future. I am a big believer that if we are looking at problems we need to stop looking at municipal boundaries. We can look at innovative ways to share service and so your two items at the bottom really caught my eye in terms of EMS and Fire Services consolidating. Potentially we could look at how is the best way to serve the public, forget about the municipal lines because we are all touching each other particularly in that Okatie area. So I think that is an area if we explored could lead to some economies and better service.

Harry Williams, Mayor, City of Hardeeville: Economic development and one other big thing on your list is the obtainable housing situation, what the impact fees have on that objective because if you load up impact fees you are not going to reach your obtainable housing objectives. So how do we balance that? I think that is an issue that effects everybody.

Councilman Sommerville: If we are going to talk about EMS and Fire I think a lot more should be around the table. Obtainable Housing, I think SOLOCO is looking at it pretty hard. Mayor's how do we want to approach that, that would could be a consolidation or update it by bringing everyone together and not forming a new group or committee for obtainable housing.

Lisa Sulka, Mayor, Town of Bluffton: We have our Southern Lowcountry Plan/Group that we call SOLOCO, which I know is for Southern/ South of the Broad River, it is with Hardeeville and instead of duplicating meetings, we go back and forth from Hardeeville and Bluffton on that because we have our elected officials. We could invite Beaufort, Port royal and Yemassee when those updates occur and ask them to do a similar update at least touch all of rather than meet over that.

Councilman Sommerville: We need to meet North of Broad or South of Broad, doesn't matter SOLOCO already has it on our agenda.

Harry Williams, Mayor, City of Hardeeville: It is on the agenda for tomorrow. Mayor Sulka brings up a good point because that initiative, the multijurisdictional housing trust fund could be one of the most important regional initiatives that we have going with and at the last meeting it was my understanding that Port Royal and Beaufort wanted to be part of that conversation and that would broaden that fund substantially. Eric is going to give an update tomorrow and there may be some value and rather than going off in to a hundred different directions, focus and channel all that through one agency and have the interested parties come to one agency.

Lisa Sulka, Mayor, Town of Bluffton: We could actually get everyone on the distribution list so they can get updates on the agenda.

Councilman Sommerville: Tomorrow Housing Trust Fund update, new business recommendations. Make sure before you leave here that you know where it is at Oscar Frazier Park in Bluffton, it is not that easy to find. Tomorrow you will know where it stands regarding the Housing Trust Fund. We also need to talk about Act 388 it goes to the landlord, the renters have to pay, they pass that on to the tenant. Wonder why rent is so high? That is one of the reasons why.

Lisa Sulka, Mayor, Town of Bluffton: Which is why LOST is a great idea.

Billy Keyserling, Mayor, City of Beaufort: Phil Cromer has done more with housing than I have. Heard County was talking about a Housing Trust Fund but had not known what it was, how it would work, what plan there is for it. We've had our own meetings with private sector and charitable foundations about doing something with nothing achieved yet. People continue to get confused by housing that people can afford and affordable housing. They are really two distinctive challenges and opportunities. I will try to come and will call Bill about someone coming for sure. We have a lot of catching up to do because we have not been a part of that conversation.

Bill Prokop, Beaufort City Manager: Phil and Alice have been going to those meetings I believe at the school and both have been briefed by Eric Greenwood about it.

Billy Keyserling, Mayor, City of Beaufort: I'll just let Councilwoman Alice Howard represent us.

Councilwoman Howard: That will be great I will be there.

Lisa Sulka, Mayor, Town of Bluffton: We have been trying to Face Book live stream some of these things. 99% chance it will be live tomorrow on our Town of Bluffton site for those who can't come.

Councilman Sommerville: Road maintenance and tipping fees is something on the County's side we would like to discuss so add those two to your list. Everyone knows that there was an AG opinion on road maintenance so we have a lot to talk about with road maintenance. Tipping fees, as of right now the County is paying all the tipping fees. That is a lot of money so that is a conversation we have got to have. We are going to have to set up some working groups. LOST is

probably going to have more input from everybody. Impact fees, how much of it is going to be input and how much is going to be information that you will need. Transportation, that is going to be more information that you will need. Cultural Heritage Tourism is probably going to be both, input and information. You are going to find out what everybody else is doing and find out what has been done to date so we are all on the same page. Obtainable housing that will be tomorrow at SOLOCO. How many of these things can we discuss in one meeting? We don't need a meeting for all of them. We can have an agenda. For example, Hilton Head has a couple of things that are unique to them that you wouldn't be interested. So we will have a working group there. Most of these issues apply across the house. So do you want to have a working group that looks similar to this and staff that would provide the information or the other elected officials that would provide information.

Lisa Sulka, Mayor, Town of Bluffton: I don't know if it is on anyone else's mind but on the road maintenance your interim left, are you still suing your municipalities? If you are we need a working group. If you are not, we need to discuss how we work as partners and not just feel like we are getting sued.

Councilman Sommerville: I think we will be alright working as partners and needs to be a part of a working group. So can we work on all of these at one time or do we need to subdivide it?

Billy Keyserling, Mayor, City of Beaufort: I don't think we can, depends on how big the group is. We mayors meet informally, we have one or two issues we want to talk about and in an hour and a half we are pretty much finished. Question would be how many people are working on them, would depend how long it would take? Clarifying the issue before hand because there are a number is impact fee issues and sub issues with in each, for us I didn't say it, but the issue of collection 2% and then the money going to the county and then us having to come back and pay for it to do things even when they are in the county business doesn't see to work as efficiently.

Councilman Sommerville: That will come up in that discussion on impact fees.

Billy Keyserling, Mayor, City of Beaufort: But I think that could be a two-hour discussion because we have to go back through the history and what the ordinance is and what the rationale is behind it, whether it is outdated or not.

Councilman Sommerville: Do you want to prioritize them?

Billy Keyserling, Mayor, City of Beaufort: Depends on what the issue is. On how many are at the table and what authority they have to take the issue back to their groups and have something done rather than to just talking about it. The way the Mayors have always worked, is we meet to see if there is a consensus to move forward on a subject.

Councilman Sommerville: How often can we meet?

Billy Keyserling, Mayor, City of Beaufort: We meet as an issue comes along or maybe as two come along. A simple get together, one of us host it, we talk through the issue, if there is a consensus bring it to the County and then move forward.

Councilman Sommerville: We have 6-7 issues how many can we combined.

Councilman Passiment: Some are going to be short term issues, some will be long term issues and some will have an impact on how we develop our budgets going forward. So we need to prioritize that because if we are really going to talk about shared services that is going to have a short term and long term impact so you need to start meeting now to decide what you are going to do and how we are going to do it.

Councilman Sommerville: Lost, impact fees, transportation penny, cultural heritage, tipping fees and road maintenance. Which one do you think needs to be discussed first.

Billy Keyserling, Mayor, City of Beaufort: First, LOST, it is something we are going to do? We've been waiting six to eight years to do it. Second, understanding was that after the last cultural heritage tourism, we came forth with a proposal which went to the county. Think there was a presentation and were waiting to hear back from the county. I think the issues were, do we want to take the whole model and use the same one as economic development. Does it need a staff, physical space, funding? Third, if the County is planning on a housing trust fund to get into that would make sense before rather than after the fact. If the County is working on a review of impact fees, I think that would come in line. The things that are going to require some action in the next year, and not to dismiss the other ones but we have been talking and having meetings for years. Question is, are we ready to make some decisions and move forward and how do we do it in a seamless, collaborative way if we are all on the same page?

Councilman Sommerville: We put in a lot of effort a few years ago on creating a list of cultural and heritage tourism sites and that needs to be distributed and shared. There may be some additions we don't know about and those of you that have not seen that list need to see it and be aware of it.

Billy Keyserling, Mayor, City of Beaufort: People have not had a presentation to know what we have been doing for the last year. We formed an informal group and invited the principal, the most physical from Coastal Discovery, Mitchellville, St. Helena, Historic Beaufort, Historic Bluffton all together and said, don't you think we should start working better together? Everyone said yes. So then we said what are our assets? We started with information given to us through our DMO in the northern part that said people want heritage tourism. Unfortunately, many who have leave feel unfulfilled that they didn't get enough of what they expected. So then we asked eat of the groups and Mayors to put together a list. There is probably over 200 specific sites that relate to our heritage. Rob had the idea to go visit them. Different groups went and visited these sites and came up with a grading system. Red meant we didn't want to talk about it out loud because we didn't want to disappoint people, it's just really an idea. Yellow, something was pretty close, the assets were there. Maybe it didn't have bathrooms or a schedule. We didn't want to send someone there if we thought it was open and it was closed. Green, meant it was up and running and has a schedule. The conclusion to that was why marketing is an issue? Product improvement, product development

was very important. Let's take those that seemed to be the most attractive that have the most muscle behind them and figure a way to get the resources to bring them up to par. When someone visited them, they wouldn't leave disappointed. Then we go in to the question of governance and we decide we wanted Hardeeville involved with the idea for sustainability and the board could grow.

Lisa Sulka, Mayor, Town of Bluffton: 2015-2016 is when all this started and I just read a communication that we really need to hit on. We all are around this table to take back the information to our respective Council and explain what was going on. We have done a lot of work on this. We all agree on it, I think that is one thread that this County can support I think and it runs into Hardeeville and tourism is Heritage Tourism.

Councilman Sommerville: It needs to be distributed and everyone at this table needs to have it and Hilton Head. There is a lot going on that needs to be shared with everyone.

Councilman Passiment: What we are going to accomplish today is a list of topics that are going to be in the best interest of the group, decide on that today. Next meeting, will be the prioritization of those and setting up working groups that can be set up to accomplish those topics with some time lines, deadlines and leadership. We constantly talk about things, now is the time to get things done. The only way to get things done is to put in on paper, prioritize it, have the meeting, make a decision and move on.

Councilman Sommerville: I agree with you. When we have our next meeting, we need to figure out when that will be, we will talk about LOST and we are going to need to know some basic things like timeliness of LOST, we will need to get some legal advice on that. We will have talked about obtainable housing, so we will have updated information on that. Cultural tourism, we need an updated list and have it distributed to bring everyone up to speed for the next meeting. We can have a presentation on impact fees, a transportation penny update. Those projects that were approved each one of those are in a developmental stage, we can get an update on where the projects are.

Lisa Suka, Mayor, Town of Bluffton: I think what Joe was saying was to get everything on the list and then prioritize at the next meeting, which ones we can hit on and which one we can do at another meeting.

Councilman Sommerville: What Joe was talking about isn't going to take a whole lot of time. We are going to convene everyone and do exactly what Joe said and prioritize and set up working groups. We have time at that meeting to do some other things while everyone is here and not waste anyone's time. We can do a quick background on LOST, we can do cultural heritage tourism.

Billy Keyserling, Mayor, City of Beaufort I suggest instead of a background on LOST, maybe a quick presentation for people that don't know it so we can decide if we want to take action or not. How it works and what it means.

Colin Moore, Mayor, Town of Yemassee: We have talked about it but I don't remember the numbers

Matthew Garnes, Town Clerk, Town of Yemassee: I have the figures which is a substantial amount for a town our size and I can pull up the background when I get to the office.

Councilman McElynn: I think that by September, they expect to have some preliminary reports on the impact fee study for the county. If you are going to prioritize things LOST shows up as number one, discussion of impact fees should be conducted so that the consensus Mayors can deliver back, before the county reports back in September, regarding what they are going to be recommending regarding those things. If we wait until September, the county will be ahead of it and we've lost the opportunity to give that input.

Councilman Sommerville: What kind of input do you want to give regarding impact fees.

Billy Keyserling, Mayor, City of Beaufort: I think our principle concern is the process and second it's been over two years since we agreed to allow the impact fees. The process of all of this is important too, as well as the dollar amount. We know all impact fees will come into question of housing that is affordable and affordable housing. Land isn't getting cheaper and building cost is escalating. So if we are going to have any impact fees, what are the things we can control and how we can participate in making it more doable, the market isn't going to allow us to do that. The councils primary focus is the process of the collection? The distribution, the issue with the library that we have been waiting to agree too? A group discussion with a consultant that can do the figures for what the dollar produces, what a house cost, and how that works. Once we get that and then when we get to the housing center we have to make tough decisions.

Councilman Sommerville: We will meet on the 24<sup>th</sup> of July.

Lisa Sulka, Mayor, Town of Bluffton: Can we get an email list put together just for this? Bluffton along with Beaufort will look up the LOST presentation, it probably needs to be update. We will find the map for the cultural sites. If we get out list together, we may not have the same list. We could get all that information out to everyone, I think that will be an accomplishment.

Councilman Sommerville: Have a presentation on LOST, I understand not everyone knows all the mechanics of LOST.

Councilman Flewelling: Regarding the library impact fees for the city of Beaufort, I thought that the county did everything that needed to be done. We accepted and amended the ordinance to allow the city to do that. I was under the impression the city was already collecting the impact fees from the library

Bill Prokop, Beaufort City Manager: We were asked to wait until the study was done by the County. The agreement we made was to install in compactor etc. which we just did. We had a discussion directly with Ray McBride and the County. We recently were told to wait because the numbers may change once the study has been done.

Councilman Sommerville: We will have a presentation at the next meeting on LOST. Prioritize our list and work off that list for future meetings. Meet on the 22<sup>nd</sup> at 3pm. In the mean time we will send out a list so everyone has contacts. If you want to go ahead and start distribution.

Councilman Rodman: When we set up the committees for the year. We took some stuff from the Governmental committees which would leave us time to do this. The Council from our retreat ended up with ten priorities and some of them overlap. It would be beneficial to send our work charts out to work together.

**DISCUSSION- Input Session for consideration and discussion of a Loud Vehicle Noise Ordinance.**

Chris Ingleses- Deputy County Administrator: Mr. Thompson is coming to talk to you today about a potential loud vehicle noise ordinance. He has been to a couple public comments during county council meeting and in the interest of giving the committee the opportunity to consider the issue being brought forward. If the staff doesn't have any position in the proposal, Captain Purdy has been invited as well to have the opportunity to be heard.

Councilman Sommerville: What can be done now with the current state statute?

Captain Purdy, Beaufort County Sheriff's Department: I can read you the statute and you can interpret as you feel necessary. The current state statute reads: [SC Code § 56-5-5020 \(2012\)](#)  
Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke and no person shall use a muffler cutout, bypass or similar device upon a motor vehicle upon a highway. The engine and power mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes and smoke.  
So basically you have to have a muffler on a car. If you want to talk about the excessive level of the noise it is hard to define and enforce.

Councilman Sommerville: There is no ordinance or statute that defines it?

Captain Purdy: Correct, there is no way to measure it and everyone's definition of an excessive noise is different. There has to be a way to measure it. If we are going to enforce it, we have to have the tools to enforce it.

Councilman Sommerville: You would have to have a decimeter? If I call and complain about someone hot rodding down the street, they are already gone. You have to actually see them and measure it with your meter running, there isn't a whole lot you can do, right?

Captain Purdy: With misdemeanor charges, we have to see them to act on them. This falls under that it is a traffic offence 56 code. We have to see them to act upon it.

Councilman Flewelling: The city of Beaufort has a noise ordinance. Have you spoken with anyone about their ordinance, had any discussions about any problems enforcing their ordinance, any hurdles enforcing it?

Captain Purdy: No

Mr. Thompson: Plays video of loud noise, this is what I hear at 6am, lunch time and in the evening. I live in Wall subdivision near Parris Island Gateway. This kind of noise is coming from Parris Island. I've spoken with the Mayor Keyserling about it, the city probably has one of the type of noise ordinances. Police presence is important.

Councilman McElynn: Did you speak with the Lance Corporal at the gate about the tickets and it not having an effect on the driver, if these tickets are being issued? When the Marines come to Magistrates Court they bring a superior officer and they never come back so where is the disconnect at?

Councilman Flewelling: I'm interested in seeing a proposal developed by staff to address this issue in draft form. I don't want it to be a general noise ordinance, we have enough other things that generate loud noises that we wouldn't be able to make an ordinance specifically. I'm thinking about aircraft, boat motors, and I am a little concerned about a noise ordinance that would apply to motorcycles I don't think it is necessary. I would like to see what staff can come up with.

**Motion:** It was moved by Councilman Flewelling, seconded by Councilwoman Howard to direct the County Administrator to prepare and draft an ordinance along the lines of the city of Beaufort's ordinance that is in place to present to this committee at a future date. The vote: YAYS – Councilman Rodman, Councilman Sommerville, Councilman Hervochon, Councilman Glover, Councilman Passiment, Councilman McElynn, Councilman Covert, and Councilman Lawson. The Motion passed.

**PRESENTATION/ Stop the Bleed- Karen Morris, EMS Training Officer**

Phil Foot, Assistant County Administrator Public Safety, I wanted to bring back in front of the committee an update on the stop the bleed kit also known as the Jacob's Kit. At this point we have purchased all the kits, you may have seen some already in the county building. Captain Burn from Burton FD and his wife put these kits together and helped get them all into the schools.

Stop the Bleed- Karen Morris, EMS training Officer- demonstration

Phil Foote Director of Publication Safety, what we plan on doing is distributing the video training that Karen developed. When you have the CPR training, Stop the Bleed Kit will be part of that training.

**APPROVAL/ Mutual Aid Agreement between Beaufort County Detention Center and the Lexington County Detention Center for emergencies- Phil Foot, Assistant County Administrator Public Safety**

Phil Foot, Assistant County Administrator Public Safety: Every year we sign agreements with mutual counties, just brought forward that this mutual aid agreement just to inform you and let you know that we do have these signed agreements. There are in place in case there is any problem in the detention center in case of an emergency. These mutual aid agreement is already in place. I would like a motion to have the county administrator sign it.

Motion: It was moved by Councilman Flewelling, seconded by Councilman McElynn to enter into mutual aid agreements with the counties as listed on the screen The vote: YAYS – Councilman Rodman, Councilman Sommerville, Councilman Hervocho, Councilwoman Howard, Councilman Glover, Councilman Passiment, Councilman Covert and Councilman Lawson. The Motion passed.

**APPROVAL/ Lease for Agnes major Community Center to the Boys and Girls Club of the Low country- Phil Foot, Assistant County Administrator Public Safety**

We've had this lease since 2003, the Agnes Major recreation center is out in Sheldon. It is an annual renewal lease agreement, so that they can continue to provide youth services.

**Motion: It was moved by Councilman McElynn, seconded by Councilman Flewelling to renew the annual lease agreement for Agnes Major Community Center to the Boys and Girls Club of the Low Country. The vote: YAYS- Councilman Rodman, Councilman Sommerville, Councilman Hervocho, Councilwoman Howard, Councilman Glover, Councilman Covert, and Councilman Lawson. The Motion passed.**

**CONSIDERATION OF APPOINTMENTS AND REAPPOINTMENTS**

A. Parks and Recreation Board/ (2) Appointments

Phil Foot, Assistant County Administrator Public Safety: We will like to consider William McCullough and Philip Kiser to be members of the Parks Recreation Board.

**Motion: It was moved by Councilman Flewelling, seconded by Councilman Lawson to move for William McCullough to be a member of the Parks and Recreation Board. The vote: YAYS- Councilman Rodman, Councilman Sommerville, Councilman Hervocho, Councilwoman Howard, Councilman Glover, Councilman Passiment, Councilman McElynn, and Councilman Covert. The Motion passed.**

**Motion: It was moved by Councilman McElynn, seconded by Councilman Lawson to move for Philip Kiser to be a member of the Parks and Recreation Board. The vote: YAYS- Councilman Rodman, Councilman Sommerville, Councilman Hervocho, Councilwoman Howard, Councilman Glover, Councilman Passiment, Councilman Flewelling, and Councilman Covert. The Motion passed.**

**Motion: It was moved by Councilman McElynn, seconded by Councilman Passiment to adjourn the meeting. The vote: YAYS –Councilman Rodman, Councilman Sommerville, Councilman Hervocho, Councilwoman Howard, Councilman Glover, Councilman Flewelling, Councilman Covert, Councilman Lawson. The motion passed.**

**Adjournment**

Ratified by Committee:

DRAFT

**MINUTES  
GOVERNMENTAL COMMITTEE**

**July 22, 2019**

Executive Conference Room, Administration Building  
Beaufort County Government Robert Smalls Complex  
100 Ribaut Road, Beaufort, South Carolina 29902

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

**ATTENDANCE**

- Present: Committee Chairman Paul Sommerville, Committee Vice Chairman Mark Lawson and members Brian Flewelling, Alice Howard and Lawrence McElynn.
- Ex-officio: Michael Covert, Gerald Dawson, York Glover, Stewart Rodman, Chris Hervochon and Joseph Passiment. (Non-committee members of Council serve as *ex-officio* members and are entitled to vote.)
- Staff: Phil Foot, Assistant County Administrator-Public Safety; Chris Inglese, Assistant County Attorney; Tom Keaveny, County Attorney; Ashley Jacobs, Beaufort County Administrator; Scott Slatton, Municipal Association; John Troyer, Finance Director for Town of Hilton Head; Eric Greenway, Director Community Development; Rob McFee, Director Facilities and Construction Engineering; Eric Larson, Director of Environmental Engineering and Land Management; Ashley Feaster, Beaufort County Economic Development Corporation; Nan Sutton, City of Beaufort Councilwoman; Stephen Murray, City of Beaufort Councilman; Suzanne Gregory, Employee Services Division Director; Bill Prokop, Beaufort City Manager; Harry Williams, Mayor of Hardeeville; Colin Moore, Mayor Yemassee; Van Willis, Port Royal Town Manager; Matthew Garnes, Yemassee Town Clerk; Mark Orlando, Bluffton Town Manager; Lisa Sulka, Mayor of Bluffton; Scott Marshall, Bluffton Deputy Town Manager; Billy Keyserling, Mayor of Beaufort; Charlie Barrineau, Municipal Association
- Media: Joe Croley, Lowcountry Inside Track

**CALL TO ORDER**

Chairman Sommerville called the meeting to order at 3:00 p.m.

**APPROVAL OF AGENDA**

It was moved by Councilman Flewelling, seconded by Councilwoman Howard that Committee approve the agenda as presented. The vote: YEAS – Councilman McElynn, Councilwoman Howard, Councilman Sommerville, Councilman Flewelling, Councilman Glover, Councilman Dawson, Councilman Covert and Councilman Passiment. The motion passed.

**CITIZEN COMMENTS**

There were no citizen comments.

## **MAYORS DISCUSSION**

**Item:** **Local Option Sales Tax (LOST) Overview** – Scott Slatton, Municipal Association; Charlie Barrineau, Municipal Association; & John Troyer, Finance Director for Town of Hilton Head

**Discussion:** Mr. Slatton stated the Local Option Sales Tax (LOST) was enacted through Act 391 in 1990 when it was established. Information about LOST and how it works in Title 5 Chapter 10 in South Carolina Code of Laws. In 1990, 6 counties initially approved the tax at the subsequent election time. Up to date, 32 of 46 counties have enacted the LOST in South Carolina.

Mr. Barrineau stated 6% of the counties in the State have no local sales tax, 32% have one, 56% have two and 2 counties have three. The County Council would first be required to adopt an ordinance placing the item on the referendum. It can only be done on a November election and would begin on May 1<sup>st</sup> of the following year if adopted. There is a Robin Hood provision in the law that allows counties that do not get up to the \$2 million threshold minimum to receive a shared percentage. Those counties that collect over \$5 million would share up to 5% of their collections going forward with those counties. The revenue is distributed in two ways. The total tax is collected by the Department of Revenue. 71% goes to the Property Tax Credit and 29% goes to the County/Municipality for their general revenue. Of the 71% Property Tax Credit to the County, 67% to the County and 33% to the municipalities broken down by population share. Of the 29% county municipal revenue, 50% of the point of sale and 50% of population of those Municipalities. All of the property of the 71% must go towards property tax relief.

### Tax Credit Factor

- Determines how much credit to apply to property tax bill
- Requires annual estimation and adjustment by cities/counties
- Revenues above estimate must be included in next year's calculation
- Lost Credit Factor Equation:
  - $[\text{Projected revenue in Tax Credit Fund}] / [\text{Appraised Value (Market Value) all taxable property}] = \text{Lost Credit Factor}$
- Lost Credit Applied to Tax Bill Equation:
  - $[\text{Appraised value (Market Value) of owner occupied home}] \times [\text{Lost Credit Factor}] = \text{Lost Credit Applied to Tax Bill}$
- Effect on Property Tax Bill Equation:
  - $[\text{Appraised value of owner occupied home}] \times [\text{tax assessment ratio}] = [\text{Assessed value for tax purposes}]$
  - $[\text{Assessed value for tax purposes}] \times [\text{municipal millage rate (~100 mills)}] = [\text{Tax bill before lost credit}]$
  - $[\text{Tax bill before lost credit}] - [\text{Lost credit}] = [\text{Net property tax after lost}]$

### Repeal of LOST

- No sooner than 2 years after implementation
- 15% of qualified electors of County must petition County Council 120 days before Tuesday after first Monday of November
- Referendum on Tuesday after first Monday of the next November

Councilman Flewelling asked if LOST only applied to 4% property owners.

Mr. Barrineau stated it applies to 4% and 6% property owners.

Mr. Slatton stated that it applies to personal property as well. The tax credit factor has to be calculated every year on the revenues that are brought in. Especially for municipalities, they need to make the calculations on their own and then certifying back to the County. The monies generated by the LOST go into County's general revenue stream and interest has to be included as a part of the tax credit factor calculation moving forward.

Mr. Troyer stated this is based on the Estimated Net Sales in the County for the past 5 years.

- FY 2014 – 2018 of \$3,013,900,067 – the LOST would be \$30,139,001
- Less the Department of Revenue Admin Fee (0.5% or \$150,695) and the withholding for the 'Robin Hood' (5% or \$1,506,950) effect.
- Of the eventual 71% to the Property Tax Credit Fund – 67% goes to offset County taxes.
- The remaining 33% of Property Tax Credit fund is distributed proportionally to each Municipality based on their population to the total municipal population.
- Estimate for 5<sup>th</sup> year based on net sales in the County and within each Municipality as reported by the South Carolina Department of Revenue for FY 2018 is \$20,221,762.
- The estimated County/Municipal Revenue Fund Distribution in the 5<sup>th</sup> year is \$8,259,592.

**Motion:** It was moved by Councilman Flewelling, seconded by Councilwoman Howard that Committee do whatever is necessary to have a Local Option Sales Tax (LOST) ballot measure placed on 2019 Referendum in November.

**Discussion:** Councilman Rodman stated they could talk about it at Council to lay out the schedule to see if it is doable or not doable and there are big things that make it difficult: it is forever and sales tax are very aggressive especially on the poorest in the County.

Councilman Sommerville stated he cannot predict how it is going to flow and getting the meetings before August and the blowback about rushing it.

Councilman Flewelling stated it is a valid ask, something that is important to their infrastructure needs and property tax relief especially to 6%ers and clearly it is something that needs to be done.

**Amended Motion:** It was moved by Councilman Flewelling, seconded by Councilwoman Howard that Committee do whatever is necessary to have a Local Option Sales Tax (LOST) ballot measure placed on 2019 or 2020 Referendum in November.

**Discussion:** Councilman McElynn asked who is going to be doing all of the marketing for this.

Mr. Murray stated that this is an off-cycle year for elections and in the past it has always been hard to try and get anything passed during off-cycle year elections so that is something that needs to be considered as well.

Mr. Keaveny stated in the County they do not talk about marketing but they found it was very advantageous to create an education campaign to find what the misconceptions are and how to make them understand the pros and cons.

Councilman McElynn stated there will have to be a lot of ambassadors to share the information and someone designated to run the marketing campaign and someone else to run the education campaign.

**Amended Motion:** It was moved by Councilman Flewelling, seconded by Councilwoman Howard that Committee do whatever is necessary to have a Local Option Sales Tax (LOST) ballot measure placed on 2020 Referendum in November. The vote: YAYS – Councilman Sommerville, Councilwoman Howard, Councilman Passiment, Councilman Glover, Councilman Lawson, Councilman Flewelling, Councilman McElynn, Councilman Covert, Councilman Dawson and Councilman Rodman. The motion passed.

**Item:** Impact Fee and Attainable Housing Presentation – Eric Greenway, Director Community Development

**Discussion:** Mr. Greenway stated Impact Fees statute requires any impact fee studies or updates be carried out by the planning commission in the same manner used to update comp plan amendments and is a fee and not a tax. Water, wastewater and Stormwater are not included in this because they are handled separately. Impact Fees can be collected for solid waste and recycling, roads and streets, public safety facilities, buy capital equipment, parks, libraries and recreational facilities, and public education facilities for grades K-12.

The Tischler Bise Scope for Beaufort County Council involves the update of the impact fee study for Parks, Library, and Roads. Scope later modified to include the addition of Public Safety and Solid Waste. Scope includes school impact fee for Beaufort County School District. Must be adopted by County Council and administered through IGAs. Remaining tasks for the County are to prepare impact fee reports, public presentations, stakeholder outreach and prepare impact fee ordinances. Remaining tasks for school impact fees are review and comment on technical analysis, preparation of school impact fee report, public presentation, stakeholder outreach, prepare school impact fee ordinance and prepare interlocal agreements.

Section 6-1-1020 Refunds of impact fees

- Impact fees that have not been expended within three years of the date they were scheduled to be expended must be refunded on a first-in, first-out basis.

Section 6-1-1090 Annexation

- A County-development impact fee ordinance imposed in an area which is annexed by a municipality is not affected by this article until the development impact fee terminates, unless the municipality assumes any liability which is to be paid with the impact fee revenue.
- IGAs are an option for dealing with collection of impact fees for annexed properties.

Attainable (Affordable) Housing

- Housing affordable to families whose incomes do not exceed 80 percent of the median income for the service area or areas within the jurisdiction of the County.
- Beaufort County Code Section 82-33 3©
  - A discount for affordable housing units based on the following table

Area Median Income (AMI):	Impact Fee Discount:
Under 60%	100%
60%-80%	60%
Over 80%	0%

- \$100K budgeted for waiving impact fees for attainable housing projects.
- Studying the development of a Housing Trust Fund.

Solutions to address housing needs:

- Multiple solutions to address need for affordable housing
- Charge from SoLoCo Board: Present a framework to adopt a multi-jurisdictional housing trust fund

Housing Trust Funds

- Affordable Housing Trust Fund (HTF) – a proven best practice to address the lack of affordable housing
- More than 780 housing trust funds in Cities, Counties, and States that generate more than \$1.5 billion per year for affordable housing
- HTF's are established by elected governmental bodies (City, County, or State level)
- Revenue is dedicated, by ordinance or law, to a distinct fund with the express purpose of providing affordable housing
- A regional housing trust fund (RHTF) is defined as “a multi-jurisdictional government fund separate from the general fund and established jointly by the governing authorities of one or more municipalities or County governments with one or more dedicated sources of public revenue and authorized expenditures.”
- Subcommittee recommended pursuing a multi-jurisdictional housing trust fund.
  - Create high financial leverage capabilities
  - Produce a high number of units per year
  - Leverage existing organizations as partners

Recommendations

- Begin implementation of a Regional Housing Trust Fund
- Hire a consultant to study and set up the Regional HTF framework
- County-wide initiative (Beaufort & Jasper) add North of the Broad municipalities
- Appoint a Steering Committee:
  - 2 Representatives from each jurisdiction
  - 1 Representative from each of Home Builders Association, Realtors Association, Habitat for Humanity, Jasper Neighbors United, Housing Authority, and Financial Industry

Councilman McElynn asked if the 65% was coming from Beaufort County.

Mr. Greenway stated that is what the proposal is stating. The rest will be based off of population; Hilton Head would pay \$20,000, Bluffton would pay \$15,000, Port Royal, City of Beaufort, other smaller cities and Hardeeville would be \$5,000 a piece.

Councilman Sommerville stated Yemassee would have to be figured into it as well.

Councilman McElynn asked how it will calculate for regional if just this County is doing it.

Mr. Greenway stated Jasper County would have some money in it as well. It is for Beaufort, Jasper and all the municipalities in those areas.

Mayor Keyserling stated he wanted to see a cost benefit analysis of the impact fees before they are approved to see if they really have been doing what they are supposed to be doing. They have approved impact fees in the past and he wants to know if they are working before they approve any more.

**Status:** For information only.

**Item: 1 Cent Transportation Projects** – Rob McFee, Director Facilities & Construction Engineering

**Discussion:** Mr. McFee stated that all the projects in development for the 2018 1 Cent Program are in the development and programming stage where they are going back through the 2017 Stand Tech Report and making sure they are still valid. US 278 Corridor Environmental Assessment (EA) in the Road Impact Fees is at EA Document 40% complete. Sunset Boulevard does not want a small traffic circle so they are going back and reworking it for the first official meeting in the fall. SC 802/US 21 Right Turn Lane (Public Meeting April 10, Beaufort High School) design is 80% complete.

**Status:** For information only.

**Item: Cultural and Heritage Tourism**

**Discussion:** Councilman Sommerville stated they are going to have another meeting on August 9<sup>th</sup> at TCL New River Conference Room at 1 or 2:30 P.M. for an hour.

Councilman Rodman stated the meeting on August 9<sup>th</sup> will be to receive a document that starts to meld together a lot of things that have happened over the last 2-3 years, the development of all of the historical sites. This will include feedback from chambers and what they are thinking for a development for history centers around the County, start a case study and has grown to include Hardeeville and Yemassee. Over the next 2 months to lead later in the fall to a funding strategy. Councilman Rodman stated Senator Davis said this Heritage Tourism seems to be gaining momentum and perhaps next year might be a good year to significantly increase the ask from the State. There is a large industrial company that makes things that fly, they want to help the community and would welcome a large proposal. Putting a proposal together in the next 2-3 months might fit perfectly with what Senator Davis said with the potential ask.

**Status:** For information only.

**Item: Northern Beaufort County Sporting Facilities**

**Discussion:** Mr. Prokop stated recreational opportunities are being missed because there are no facilities to use.

Mayor Sulka stated she thought they would be ranking the 10 or 12 topics they discussed last time in Parks and asked when that would take place.

Councilman Sommerville stated to send him the list and he would make sure they are all on the agenda for next meeting.

**Status:** For information only.

### **INFORMATION ITEMS**

**Item:** **Discussion / Loud Vehicle Noise Ordinance** – Christopher Inglese, Deputy Beaufort County Attorney

**Discussion:** Mr. Inglese stated an ordinance has been drafted after the last meeting. The issues addressed are mufflers that have been modified after leaving the manufacturer plant so when you press the accelerator a loud obnoxious noise comes from the muffler, mopeds with high pitched noises and stereo noise from cars with loud thumping and stereo blaring from it. This ordinance declares these things a nuisance and gives law enforcement something they can do about it.

Councilman Covert stated it needs more definition of loud and unnecessary noise as there are too many what ifs and unknowns in it.

Councilman Dawson asked about how an officer can enforce this.

Mr. Inglese stated it would be a misdemeanor violation where the officer would have to observe it or gather video evidence from the complainant. In addition to deputies being able to enforce it, code enforcers would also be able to enforce it.

Councilman Flewelling stated he is inclined not to support this ordinance against motorcycles and mopeds/motor scooters because he knows how important it is that they are loud so they get noticed so that people don't invade their traffic space.

Councilwoman Howard stated it is already hard for the officers to enforce litter ordinances and loud yard blower ordinances. She is unsure how they can enforce this ordinance at 50 miles per hour going past them but that this is needed.

Mr. Inglese stated a large education and marketing campaign about this via warnings, telling military to spread the word and spreading the information around will help make this successful.

Councilman McElynn stated people should be able to enjoy their own property in peace. If a select few are doing something that would disturb that by loud vehicle noises then that needs to be addressed and enforced. The education and marketing for this ordinance is not something that will take a lot of time once the word is out and will be directed at the select few for enforcement. There will have to be evidence that it occurred in order to enforce it such as a video or tampering to create the extra noise.

**Status:** For information only.

### **ACTION ITEMS**

**Item:** **Approval / Resolution for Animal Service Officer Appointment** – Phil Foot, Assistant County Administrator, Public Safety

**Discussion:** Mr. Foot stated the Animal Service Officers are code enforcement officers and they have to be appointed by County Council in order to take action out in the field. Resolutions are brought forward whenever they have to bring in a new Animal Service Officer. There are four positions of Animal Service Officers that cover the entire County not just the unincorporated area. They are on call 24/7 and are called day and night. Jennifer Holstein is who they want to get appointed as the new Animal Service Officer.

**Motion:** It was moved by Councilman Flewelling, seconded by Councilwoman Howard for Council to appoint Jennifer Holstein as the new Animal Service Officer. The vote: YAYS – Councilwoman Howard, Councilman Dawson, Councilman Glover, Councilman Lawson, Councilman Passiment, Councilman Sommerville, Councilman Rodman, Councilman Flewelling, Councilman McElynn and Councilman Covert. The motion passed.

**Recommendation:** To appoint Jennifer Holstein as the new Animal Service Officer.

**Item:** Approval / Resolution to amend Beaufort County Personnel Handbook, Appendix A.9-County Emergency Disaster Policy & Procedures – Phil Foot, Assistant County Administrator, Public Safety

**Discussion:** Mr. Foot stated everyone is going to 3 levels of OPCON. Looking at the OPCON levels in our Policy Handbook they needed to be updated with the new 3 levels.

Councilman Glover asked if evacuating would be part of OPCON 2.

Ms. Gregory stated that will be announced to everyone but evacuations would not occur until OPCON 1.

**Motion:** It was moved by Councilman Flewelling, seconded by Councilwoman Howard to approve the resolution to amend Beaufort County Personnel Handbook, Appendix A.9-County Emergency Disaster Policy & Procedures. The vote: YAYS – Councilwoman Howard, Councilman Dawson, Councilman Glover, Councilman Lawson, Councilman Passiment, Councilman Sommerville, Councilman Rodman, Councilman Flewelling, Councilman McElynn and Councilman Covert. The motion passed.

## **APPOINTMENTS AND REAPPOINTMENTS TO BOARDS AND COMMISIONS**

**Item:** Appointments – Stu Rodman, Ashley Feaster and Michael Alsko to the Southern Carolina Alliance Board

**Motion:** It was moved by Councilwoman Howard, seconded by Councilman Rodman to appoint Stewart Rodman, Ashley Feaster and Paul Sommerville to the Southern Carolina Alliance Board.

**Discussion:** Councilman McElynn stated it sounded like the community thinks there is too much of County Council on the Board and they want someone from the community.

Ms. Feaster stated they want more private sector involvement to gain their support.

**Motion to Amend:** It was moved by Councilman Flewelling, seconded by Councilman Glover to amend to appoint Stewart Rodman, Ashley Feaster and Michael Alsko to the Southern Carolina Alliance Board.

**Discussion:** Councilman Dawson stated they should allow the Economic Development Board's recommendation for these three individuals.

**Motion to Amend:** It was moved by Councilman Flewelling, seconded by Councilman Glover to amend to appoint Stewart Rodman, Ashley Feaster and Michael Alsko to the Southern Carolina Alliance Board. The vote: YAYS – Councilman Dawson, Councilman Glover, Councilman Passiment, Councilman Lawson, Councilman McElynn and Councilman Flewelling. NAYS – Councilman Sommerville, Councilman Rodman and Councilwoman Howard. Councilman Covert and Councilman Hervochoch did not vote. The motion passed.

**Discussion:** Councilman Rodman rescinded his name from the appointment list.

Councilman Dawson recommended Councilman Sommerville to take his place on the appointment list.

**Motion to Amend:** It was moved by Councilman Dawson, seconded by Councilman Flewelling to amend to appoint Paul Sommerville, Ashley Feaster and Michael Alsko to the Southern Carolina Alliance Board. The vote: YAYS – Councilwoman Howard, Councilman Dawson, Councilman Glover, Councilman Lawson, Councilman Passiment, Councilman Sommerville, Councilman Rodman, Councilman Flewelling, Councilman McElynn and Councilman Covert. Councilman Hervochoch did not vote. The motion passed.

**Main Motion as Amended:** It was moved by Councilman Dawson, seconded by Councilman Flewelling to appoint Paul Sommerville, Ashley Feaster and Michael Alsko to the Southern Carolina Alliance Board. The vote: YAYS – Councilwoman Howard, Councilman Dawson, Councilman Glover, Councilman Lawson, Councilman Passiment, Councilman Sommerville, Councilman Rodman, Councilman Flewelling, Councilman McElynn and Councilman Covert. Councilman Hervochoch did not vote. The motion passed.

**Item: Reappointments – Richard Hamilton and Susan Zellman to the Lowcountry Regional Transport Authority**

**Discussion:** It was moved by Councilwoman Howard, seconded by Councilman Flewelling to reappoint Richard Hamilton and Susan Zellman to the Lowcountry Regional Transport Authority. The vote: YAYS - Councilwoman Howard, Councilman Dawson, Councilman Glover, Councilman Lawson, Councilman Passiment, Councilman Sommerville, Councilman Rodman, Councilman Flewelling, Councilman McElynn and Councilman Covert. Councilman Hervochoch did not vote. The motion passed.

**ADJOURNMENT**

The meeting adjourned at 5:12 P.M.

Ratified by Committee:

**MINUTES  
GOVERNMENTAL COMMITTEE**

**September 23, 2019**

Council Chambers, Administration Building  
100 Ribaut Road, Beaufort, South Carolina 29902

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

**ATTENDANCE**

Present: Mayor's Round Table: Hardeeville City Manager, Mike Czymbor; Port Royal Town Manager, Van Willis; Port Royal Mayor, Samuel Murray; Town of Bluffton Manager, Marc Orlando; Mayor of Bluffton, Lisa Sulka; Beaufort County Councilman, Paul Sommerville; Yemassee Town Clerk, Matthew Garnes; Hilton Head Assistant Town Manager, Josh Gruber; Beaufort Mayor, Billy Keyserling; Hardeeville Mayor, Harry Williams.

Governmental Committee: Paul Sommerville, Mark Lawson, Brian Flewelling, Alice Howard,

Absent: Lawrence McElynn

Ex-officio: Chris Hervochon, York Glover, and Joe Passiment (Non-committee members of Council serve as *ex-officio* members and are entitled to vote.)

Media: Joe Croley, Low country Inside Track

**CALL TO ORDER** 4:00 pm

Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act

**APPROVAL OF AGENDA**

**Motion:** It was moved by Mayor Keyserling, seconded by Mayor Sulka to approve the agenda as presented. The vote: YAYS – Mike Czymbor, Van Willis, Mayor Samuel Murray, Mark Orlando, Mayor Sulka, Councilman Sommerville, Matthew Garnes, Josh Gruber, Mayor Keyserling and Mayor Williams. The motion passed.

**CITIZEN COMMENTS**

*[Some of these issues have previously been discussed, but will remain on agenda as a placeholder]*

## **MAYORS ROUNDTABLE**

### **A. L.O.S.T**

Mayor Keyserling: It is not too soon to begin to make a plan and put together a case. What our approach is and if we all have the same approach. Often no one is in charge until it is too late. I feel we need to start a subcommittee so they can get together and discuss the budget and show in our budget so people will understand. If we know what the issues are we can develop a plan so we can address them.

Mayor Williams: My suggestion is that if you have a tax referendum coming out in November, I wouldn't announce another for next year.

Mayor Keyserling: No we don't want to announce something that may not happen but I feel we need a subcommittee to explore and make a proposal to all the municipalities and council. To wait is a mistake.

Councilman Sommerville: State Statute states that to authorize L.O.S.T the municipalities and county have to take formal action to the citizens on how the money is going to be used because you do have options.

Mayor Keyserling: Yes, we need to have a subcommittee so we can think about what our options are. We are not formally announcing anything. I feel that if we decide to do this at a later date we need to be prepared to have answers for the public.

**Motion:** It was moved by Mayor Keyserling, seconded by Mayor Sulka to appoint a subcommittee comprised of one (1) representative from each municipalities and one (1) representative from County Council to plan for the possible eventuality of a L.O.S.T being on the 2020 ballot as a referendum. The vote: YAYS – Mike Czymbor, Van Willis, Mayor Samuel Murray, Mark Orlando, Mayor Sulka, Councilman Sommerville, Matthew Garnes, Josh Gruber, Mayor Keyserling and Mayor Williams. The motion passed.

### **B. 2018 Transportation Sales Tax Update**

Mayor Sulka: Would like a report of all the projects and the status of each one.

Mayor Keyserling: Quarterly status report on were each project is in terms of construction, engineering, and budget.

### **C. Impact Fees**

Mayor Keyserling: Thought we were waiting on the County study before discussing.

Eric Greenway: Majority of the study is complete. We are trying to coordinate with Consultant, County Council, and School Board for a work session to discuss final results. It will be a public meeting.

#### **D. Cultural and Heritage Tourism**

Mayor Keyserling: A number of studies were done through the University. Golf is the strongest draw to tourism and people were not receiving the quality experience as anticipated. The short version will be submitted to the County and then a longer version. We can do better with Heritage Tourism. We are missing opportunities and the best way to seize opportunity is to work together.

#### **E. Economic Development**

Mayor Keyserling: We are all working pretty well together with the corporation that we stood up. In the last 12-18 months we have accomplished more in capital investments and job creation in the last 5-10 years.

#### **F. Shared Services- *Capital Projects, EMS, Fire Districts***

Van Willis: We share fire services with the City of Beaufort and it has been a very successful endeavor for us. It has help us realize the cost saving and I think it is something worth considering.

Michael Czymbor: We work with Bluffton and we have talked about a shared Fire Station because we both have similar areas.

#### **G. Housing Trust Fund- *Attainable, Affordable, Initial Homebuyer***

Councilman Sommerville: This is moving along nicely. Some or all municipalities and County will be passing that ordinance.

Eric Greenway: Providing a more thorough update at SOLOCO

#### **H. Garbage/Recycling Tipping Fees**

Councilman Sommerville: We are up against Waste Management. Transfer Station and other alternatives are being discussed. Inter County cooperation could be involved.

Marc Orlando: Can we get a brief from the County on what the issue is so we can respond to it?

#### **I. Road and Ditch Maintenance**

Councilman Sommerville: The Attorney General's opinion is that the Counties are now responsible, depends on how you interpret it, for all the maintenance of roads in the municipalities. We all owe it to our respective tax base to do the right thing, whatever that may be. Our alternatives are a declaratory judgement from the courts or a bilateral negotiation between County and Municipalities. If Municipalities wanted to do that. I don't know what our options are beyond that.

Mayor Sulka: An Attorney General, not The Attorney General, an opinion of one. I believe it is in the Counties hands if we are going to work together. If you are still going sue us I don't want to work together. We should look at the big picture. What are the cost? What do other Counties do? If we transfer those over to the municipalities, does that go with impact fees that are charged. So much that if you are giving the municipalities the burden of maintaining, where is the income you get to maintain? If the town is where you get it then I expect we would get that income as well. Why was the question asked? Was it money? Was money spent on something else that should have been spent on roads?

Van Willis: Discussion regarding ditch maintenance. There was an assessment attached to every municipalities storm water fee that addressed every county owned infrastructure within municipalities. An accounting of how that money was spent would be a good starting point to see if it is doing what it is supposed to be doing. I guess that would probably address part of this. I always like to remind people that just because you live in a municipality doesn't mean you don't pay county taxes. We are equal sharing paying tax people. We don't get any special maintenance because we live in manic platies. We probably have the least amount of skin in this regarding county owned road because our roads are either town or state owned roads. But we will be impacted on the storm water piece.

Mayor Sulka: Can we break those up and see the budget in each.

Councilman Sommerville: I suspect that we will eventually end up in negotiation between municipalities. I think researching what other counties are doing in regards to their municipalities would be a good starting point and we aren't going to be suing each other.

Marc Orlando: I would like maintenance defined. Is it road paving maintenance, ditch maintenance, signalization? There are several layers of right of way maintenance. As we talk it is important that we truly understand the scope of the issue.

Van Willis: The reality of it, I believe, is that we are all facing diminishing revenues. Coming from the Feds, State, County, or locals to do this maintenance or even capital projects. The DOT tell us all the time that they handle a certain percentage amount of roads relative to the others in the Country. Then may be deferring to the County relative to maintenance as things flow downhill. We are in the same boat we don't have any magic potion to come up with additional revenue.

Josh Gruber: There are certain roadways within the town that at one point in time, the subdivision or community had come to the town and asked the town to take over these roads. The town had declined to do that so that they went to the County and the County accepted them. Knowing that information and how that went about, I find its going to be a stretch to

say that the County is going to be able to use the decision against a municipalities and force something back on them. In 2022 the current sales tax that we have will be sun setting and we have yet to have a sales tax in this county that follows another sales tax and we should be looking forward to that point and saying what are the things that we are going to need at that point in time that were we all have to come together and make that happen and if we are still talking about some of these existing roads and who is going to be doing what and arguing over that it is going to be very hard to look forward about meeting those needs that we are going to have in the future.

### **J. Shared Purchasing**

Mayor Sulka: Should we have Administration get with Town Managers or who does the initiation? Nothing has been initiated. Unless any of the municipalities want to work with the County then there isn't anything to talk about until that happens. We all need to be partners in different ways. If everyone buys in on that we are all on the same team, then that is something that the County Administration and Town Managers can work on.

Michael Czymbor: purchasing consortium, joining together with vendors, state vendors, for purchasing items.

### **K. Beaufort County Sports Facilities- *Parks and Recreation Impact Fees***

Councilman Sommerville: A lot of the money that goes into the sports facilities across the county come from park and recreation impact fees. Some municipalities are paying these impact fees some are not.

Bill Prokop: Northern Beaufort there is an opportunity for sporting leagues that want to come in and have their weekend events. It's a combination of both economic developments to bring those people in to utilize the hotels but also utilizing the facilities. It's a combination of the municipalities, the county, and the school. USCB brings in 700 runners twice a year for track meets. Could they be used in different areas or another facility without having to build a new facility? One of the huge problems that we hear from parents is if their child wants to play softball they have to go to Bluffton. It is the travel. Some don't have transportation. This needs to be looked at beyond impact fees.

Councilman Sommerville: Do you think we need to bring a representative from the school district in on these meetings?

Mayor Sulka: I think it's a regional approach and we are so connected to Hardeeville. Maybe we could bring in Dr. Rodriguez. Let get an inventory of the fields, even the private fields and see what we can do to enhance. Then we can talk about maintenance. Any new fields we need to consider turf. I think that there are parcels that the town owns, the city owns and the county owns that we can utilize.

Mayor Keyserling: I would add to that community organizations in Northern Beaufort County. You have a community that is active and available and then you have another community that doesn't have access or has to pay for them. We have an issues of assets.

Mayor Sulka: It wouldn't be bad to have a study of all the fields and have someone look at it. It would be nice to have a breakdown of what we have available.

Phil Foot: We have already had consultants come in. What I would like to offer up right now, if you would give us a chance to work with the parks and recreation director, Shannon Loper, work on some master plans and give you a bird's eye view of what we have so far, what our impact fees are. We are sitting in a facility that was built on impact fees. Let us put together a presentation of what facilities we have and their programs.

Councilman Sommerville: Do you think it would be premature to bring someone from TCL in?

Phil Foot: No, I don't think so. We have had conversations with TCL and USCB they are looking for field use and fields that are at their level. Maybe we can bring them into our conversation and maybe they can bring some funding in with them.

#### **L. Municipal Hate Crime Resolution**

All have passed, except for City of Beaufort and Yemassee and are in drafting.

### **DISCUSSION**

#### **Loud Vehicle Noise Ordinance.** – Chris Inglese, Deputy Beaufort County Attorney

There were a couple of issues when we left off. The definition of loud and unseemly noise and second issue was enforcement. Loud and unseemly noise shall mean, loud, obnoxious, unnecessary or excessive noise which disturbs the peaceful enjoyment of private or public property. Enforcement of standards established is that an enforcement officer may be required to exercise judgement in determining if a particular noise is sufficiently loud or otherwise so offensive that it would unreasonably disturb other persons in the vicinity. The police department or other enforcing agency may make a subjective determination of loud or unseemly noise at the time of complaint or enforcement. There are exceptions, for example, emergency response vehicles, law enforcement vehicles, EMS vehicles, Fire District response vehicles shall be exempt. Motor vehicles used in any permitted events involving motor vehicles including but not limited to parades or car shows during the permitted times for the events.

Status: Waiting on additional input from municipalities before moving to council.

**ADJOURNMENT:** 5:16pm



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## BEAUFORT COUNTY COUNCIL

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### Agenda Item Summary

**Item Title:**

Reappointment to the Alcohol and Drug Abuse Board

**Council Committee:**

Community Services

**Meeting Date:**

February 3, 2020

**Committee Presenter (Name and Title):**

**Issues for Consideration:**

Worth Lippert ( Alcohol & Drug )

**Points to Consider:**

**Funding & Liability Factors:**

None.

**Council Options:**

Approve, Modify or Reject

**Recommendation:**

Approve

October 15, 2019

Mr. Stewart H. Rodman  
Beaufort County Council  
P.O. Drawer 1228  
Beaufort, SC 29901-1228

Re: Reappointment

Dear Mr. Stewart Rodman:

I hereby respectfully request that I be considered for reappointment to serve as a member of the Beaufort County Alcohol and Drug Abuse Board of Trustees, effective February 2020.

Sincerely,



Worth Liipfert



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## BEAUFORT COUNTY COUNCIL

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### Agenda Item Summary

#### Item Title:

Reappointments to the DSN Board

#### Council Committee:

Community Services

#### Meeting Date:

February 3, 2020

#### Committee Presenter (Name and Title):

#### Issues for Consideration:

1. David Green ( DSN)
2. Frankie Middleton (DSN)

#### Points to Consider:

#### Funding & Liability Factors:

None.

#### Council Options:

Approve, Modify or Reject

#### Recommendation:

Approve



**Beaufort County Disabilities and Special Needs Department**  
**100 Clear Water Way**  
**Beaufort, SC 29906**  
**Telephone: (843) 255-6300 Fax: (843) 255-9417**

October 25, 2019

Mr. D. Paul Sommerville, Chairman  
Beaufort County Council  
P. O. Drawer 1228  
Beaufort, SC 29901-1228

Re: Reappointment to: Disabilities and Special Needs Advisory Board

Dear Mr. Sommerville:

I hereby respectfully request that I be considered for reappointment to serve as a member of the Disabilities and Special Needs Advisory Board, effective February 2020.

Sincerely,

A handwritten signature in black ink that reads "David Green". The signature is fluid and cursive.

David Green



**Beaufort County Disabilities and Special Needs Department**  
**100 Clear Water Way**  
**Beaufort, SC 29906**  
**Telephone: (843) 255-6300 Fax: (843) 255-9417**

October 25, 2019

Mr. D. Paul Sommerville, Chairman  
Beaufort County Council  
P. O. Drawer 1228  
Beaufort, SC 29901-1228

Re: Reappointment to: Disabilities and Special Needs Advisory Board

Dear Mr. Sommerville:

I hereby respectfully request that I be considered for reappointment to serve as a member of the Disabilities and Special Needs Advisory Board, effective February 2020.

Sincerely,

Frankie Middleton



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## BEAUFORT COUNTY COUNCIL

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### Agenda Item Summary

**Item Title:**

Reappointment to the Library Board

**Council Committee:**

Community Services

**Meeting Date:**

February 3, 2020

**Committee Presenter (Name and Title):****Issues for Consideration:**

James Morral ( Library )

**Points to Consider:****Funding & Liability Factors:**

None.

**Council Options:**

Approve, Modify or Reject

**Recommendation:**

Approve

October 9, 2019

Mr. Stewart H. Rodman, Chairman  
Beaufort County Council  
P.O. Drawer 1228  
Beaufort, SC 29901-1228

Re: Reappointment

Dear Mr. Stewart H. Rodman:

I hereby respectfully request that I be considered for reappointment to serve as a member of the **Library Board**, effective **February 2020**.

Sincerely,

A handwritten signature in blue ink, appearing to read "James Morrall", is written over a horizontal line. The signature is stylized and cursive.

**James Morrall**



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## BEAUFORT COUNTY COUNCIL

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### Agenda Item Summary

**Item Title:**

Reappointments to the Lowcountry Council of Governments

**Council Committee:**

Community Services

**Meeting Date:**

February 3, 2020

**Committee Presenter (Name and Title):****Issues for Consideration:**

1. Joseph McDomich ( Lowcountry Council of Gov.)
2. Herbert Glaze (Lowcountry Council of Gov. )

**Points to Consider:****Funding & Liability Factors:**

None.

**Council Options:**

Approve, Modify or Reject

**Recommendation:**

Approve



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## BEAUFORT COUNTY COUNCIL

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### Agenda Item Summary

**Item Title:**

Reappointments to the Sheldon Township Fire District Board

**Council Committee:**

Community Services

**Meeting Date:**

February 3, 2020

**Committee Presenter (Name and Title):****Issues for Consideration:**

1. Gregory Gilbert ( Sheldon Fire)
2. Rudolph Glover ( Sheldon Fire )
3. Robert Smalls ( Sheldon Fire )
4. George Williams ( Sheldon Fire )

**Points to Consider:****Funding & Liability Factors:**

None.

**Council Options:**

Approve, Modify or Reject

**Recommendation:**

Approve

# Sheldon Township Fire District

Post Office Box 129  
Sheldon, South Carolina 29941  
Office (843) 846-9221  
Fax (843) 846-8011  
Emergency 911

*Walter "Buddy" Jones*  
Chief

August 15, 2019

Mr. D. Paul Sommerville, Chairman  
Beaufort County Council  
P.O. Box 1228  
Beaufort, SC 29901-1228

Re: Reappointment

Dear Mr. Sommerville:

I hereby respectfully request that I be considered for reappointment to serve as a member of the Sheldon Fire District Board, effective February 2020.

Sincerely,



Greggory Gilbert  
Board Member

GG/jw

# Sheldon Township Fire District

Post Office Box 129  
Sheldon, South Carolina 29941  
Office (843) 846-9221  
Fax (843) 846-8011  
Emergency 911

*Walter "Buddy" Jones*  
Chief

August 15, 2019

Mr. D. Paul Sommerville, Chairman  
Beaufort County Council  
P.O. Box 1228  
Beaufort, SC 29901-1228

Re: Reappointment

Dear Mr. Sommerville:

I hereby respectfully request that I be considered for reappointment to serve as a member of the Sheldon Fire District Board, effective February 2020.

Sincerely,

Rudolph Glover  
Board Member

  
RG/jw

# Sheldon Township Fire District

Post Office Box 129  
Sheldon, South Carolina 29941  
Office (843) 846-9221  
Fax (843) 846-8011  
Emergency 911

*Walter "Buddy" Jones*  
Chief

August 15, 2019

Mr. D. Paul Sommerville, Chairman  
Beaufort County Council  
P.O. Box 1228  
Beaufort, SC 29901-1228

Re: Reappointment

Dear Mr. Sommerville:

I hereby respectfully request that I be considered for reappointment to serve as a member of the Sheldon Fire District Board, effective February 2020.

Sincerely,

  
Robert Smalls  
Board Member

RS/jw

# Sheldon Township Fire District

Post Office Box 129  
Sheldon, South Carolina 29941  
Office (843) 846-9221  
Fax (843) 846-8011  
Emergency 911

*Walter "Buddy" Jones*  
Chief

August 15, 2019

Mr. D. Paul Sommerville, Chairman  
Beaufort County Council  
P.O. Box 1228  
Beaufort, SC 29901-1228

Re: Reappointment

Dear Mr. Sommerville:

I hereby respectfully request that I be considered for reappointment to serve as a member of the Sheldon Fire District Board, effective February 2020.

Sincerely,



George Williams  
Board Member

GW/jw



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## BEAUFORT COUNTY COUNCIL

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### Agenda Item Summary

**Item Title:**

Reappointment to the Lady's Island-St. Helena Fire District Board

**Council Committee:**

Community Services

**Meeting Date:**

February 3, 2020

**Committee Presenter (Name and Title):**

**Issues for Consideration:**

Roosevelt McCollough ( Lady's Island )

**Points to Consider:**

**Funding & Liability Factors:**

None.

**Council Options:**

Approve, Modify or Reject

**Recommendation:**

Approve

## Bruce Kline

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**From:** Sommerville, Paul [psommerville@bcgov.net]  
**Sent:** Tuesday, July 16, 2019 2:59 PM  
**To:** Kline, Bruce  
**Subject:** Re: Reappointment Request

Thanks. We will be happy to take care of it for you

Sent from my iPhone

On Jul 16, 2019, at 2:56 PM, Bruce Kline <[chiefkline@lishfd.org](mailto:chiefkline@lishfd.org)<<mailto:chiefkline@lishfd.org>>> wrote:

<image001.jpg>

Councilman Sommerville and Glover,

Please see attached Reappointment request for Roosevelt McCollough, representing St. Helena Island. Mr. McCollough has served the Commission for several years and seeking reappointment.

I will be sending this request to Chairman Rodman today.

Thank you for your support of our Fire District.

Bruce A. Kline  
Fire Chief  
146 Lady's Island Drive  
Beaufort, SC 29907  
Telephone (843)525-7692  
e-mail [chiefkline@lishfd.org](mailto:chiefkline@lishfd.org)<<mailto:chiefkline@lishfd.org>>

<Letter of Reappointment.pdf>



LADY'S ISLAND - ST. HELENA FIRE DISTRICT

146 LADY'S ISLAND DRIVE  
BEAUFORT, SOUTH CAROLINA 29907  
PHONE: 843-525-7692



BRUCE KLINE, CHIEF

GORDON BOWERS, CHAIRMAN

July 7<sup>th</sup> 2019

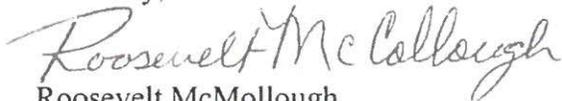
Mr. Stewart Rodman, Chairman  
Beaufort County Council  
P.O. Drawer 1228  
Beaufort, SC 29901-1228

Re: Reappointment to the Lady's Island-St. Helena Fire District

Dear Chairman Rodman,

I hereby respectfully request that I be considered for reappointment to serve as a member of the Lady's Island-St. Helena Fire District Commission.

Sincerely,

  
Roosevelt McMollough



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## BEAUFORT COUNTY COUNCIL

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### Agenda Item Summary

**Item Title:**

Appointment of Scott Dennis to Lady's Island Fire District

**Council Committee:**

Community Services

**Meeting Date:**

February 3, 2020

**Committee Presenter (Name and Title):**

**Issues for Consideration:**

Appointment of Scott Dennis

**Points to Consider:**

**Funding & Liability Factors:**

none

**Council Options:**

Approve, Modify, Reject

**Recommendation:**



COUNTY COUNCIL OF BEAUFORT COUNTY  
County Boards, Agencies, Commissions, Authorities and Committees

County Council of Beaufort County selects citizens for service on Council appointed Boards, Agencies, Commissions, Authorities and Committees from a roster of individuals who have either volunteered or have been recommended for appointment. The Clerk to Council uses this form to keep an up-to-date roster of volunteers and to provide Council basic information about each volunteer.

**Top Three Priorities:** Please indicate by placing a "1", "2", or "3" alongside your choices.

**BOARDS AND COMMISSIONS**

- \_\_\_ Accommodations Tax (2% State)
- \_\_\_ Airports
- \_\_\_ Alcohol and Drug Abuse
- \_\_\_ Assessment Appeals
- \_\_\_ Beaufort County Transportation
- \_\_\_ Beaufort-Jasper Economic Opportunity
- \_\_\_ Beaufort-Jasper Water & Sewer
- \_\_\_ Beaufort Memorial Hospital
- \_\_\_ Bluffton Township Fire
- \_\_\_ Burton Fire
- \_\_\_ Coastal Zone Management Appellate (inactive)
- \_\_\_ Construction Adjustments and Appeals
- \_\_\_ Daufuskie Island Fire
- \_\_\_ Design Review
- \_\_\_ Disabilities and Special Needs
- \_\_\_ Economic Development Corporation
- \_\_\_ Forestry (inactive)
- \_\_\_ Historic Preservation Review
- \_\_\_ Keep Beaufort County Beautiful
- \_\_\_ Lady's Island / St. Helena Island Fire
- \_\_\_ Library
- \_\_\_ Lowcountry Council of Governments
- \_\_\_ Lowcountry Regional Transportation Authority
- \_\_\_ Parks and Recreation
- \_\_\_ Planning \*
- \_\_\_ Rural and Critical Lands Preservation
- \_\_\_ Sheldon Fire
- \_\_\_ Social Services (inactive)
- \_\_\_ Solid Waste and Recycling
- \_\_\_ Southern Beaufort County Corridor Beautification
- \_\_\_ Stormwater Management Utility
- \_\_\_ Zoning

DATE: 8/21/19 NAME: Scott Foster Dennis

BEAUFORT COUNTY VOTER REGISTRATION NUMBER: 071763905

OCCUPATION: Contractor

TELEPHONE: (Home) 522-1644 (Office) 321-0944 EMAIL: \_\_\_\_\_

HOME ADDRESS: 70 Lost Isl Rd. STATE: SC ZIP CODE: 29907

MAILING ADDRESS: SAME STATE: SC ZIP CODE: 11

COUNTY COUNCIL DISTRICT: 10 20 30 40 50 60 70 80 90 100 110

ETHNICITY:  Caucasian  African American  Other

Are you presently serving on a Board, Agency, Commission, Authority or Committee? Yes  No

If "yes", what is the name of the board and when does term expire? \_\_\_\_\_

\* Please return completed form and a brief resume' either Email or U.S. Mail:

o Email: [boardsandcommissions@bcgov.net](mailto:boardsandcommissions@bcgov.net)

o U.S. Mail: Clerk to Council, County Council of Beaufort County, P.O. Drawer 1228, Beaufort, SC 29901

• Applications without a brief resume' cannot be considered.

• Applications will be held **three (3) years** for consideration.

• All information contained on this application is subject to public disclosure.

**YOU MUST BE A BEAUFORT COUNTY REGISTERED VOTER TO APPLY**  
**YOU MUST ATTACH YOUR RESUME' WITH THIS APPLICATION TO BE CONSIDERED**

An incomplete application will be returned

\* Anyone submitting an application to serve on the Planning Commission must fill out the questionnaire on page 2.

Applicant's Signature: \_\_\_\_\_

Submit by Email



LADY'S ISLAND – ST. HELENA FIRE DISTRICT  
146 LADY'S ISLAND DRIVE  
BEAUFORT, SOUTH CAROLINA 29907  
PHONE: 843-525-7692



BRUCE KLINE, CHIEF

MELINDA ELLIS, CHAIRWOMAN

Stu Rodman, Chairman  
Beaufort County Council  
P.O. Drawer 1228  
Beaufort, SC 29902

November 7, 2019

Mr. Chairman,

After considerable review, the members of the Lady's Island – St. Helena Fire District Commission recommend Mr. Scott Dennis to fill the vacant position as a Lady's Island representative.

As a lifetime resident of Beaufort County, Mr. Dennis is a valued member of the Lady's Island community who will bring many years of experience and education to the commission. Clearly dedicated to the betterment of his community, Mr. Dennis actively supports local high school sports, annual Beaufort Water Festival and now wishes to specifically serve the citizens of this Fire District.

It is our believe that Mr. Dennis is the best candidate to fill the seat left vacant by the recent retirement of Commissioner Gordon Bowers and continue his legacy of great service.

At the November 7<sup>th</sup> meeting of the Fire Commission, Mr. Dennis was nominated and unanimously approved to be recommended to County Council to fill the open seat for the Lady's Island representative.

Respectfully,

A handwritten signature in cursive script that reads "Melinda Ellis".

Melinda Ellis  
Commission Chairwoman

# SCOTT F. DENNIS

70 Lost Island Road, Beaufort, SC 29907

843-321-0944

[sdennisfamily@embarqmail.com](mailto:sdennisfamily@embarqmail.com)

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As a lifetime resident of Beaufort, I am seeking to serve on the Fire Commission in order to help my community.

## EXPERIENCE

MAY 1996 - PRESENT

**TD COMMERCIAL BUILDERS, CO-OWNER (FORMALLY NBM BUILDERS)**

Responsible for overseeing the building and financing of custom homes and commercial projects.

1990 - 1994

**MIDDLETON HIGH SCHOOL, TEACHER AND COACH**

Responsible for teaching social studies and coaching football, wrestling, and baseball

## EDUCATION

AUGUST 1988 – MAY 1990

**MASTER'S IN TEACHING, THE CITADEL**

AUGUST 1984 – MAY 1988

**BACHELOR OF ARTS, POLITICAL SCIENCE**

Member of the Corp of Cadets and scholarship football player

## COMMUNITY SERVICE/COMMUNITY ACTIVITIES

- LIFETIME MEMBER OF ST. PETER'S CATHOLIC CHURCH
- SPONSOR OF MANY SPORTS TEAMS IN PALS, THE COMMUNITY, AND AT BEAUFORT HIGH SCHOOL
- CO-FOUNDER OF THE EXTRA MILE CLUB
- SPONSOR OF THE BEAUFORT WATER FESTIVAL

## Vaughn, Tithanie

---

**From:** Weitz, Kristina  
**Sent:** Thursday, November 14, 2019 2:13 PM  
**To:** Vaughn, Tithanie  
**Subject:** RE: Scott Dennis

Mr. Dennis' information is good and he's in district 3.

Kris

**From:** Vaughn, Tithanie <tithanie.vaughn@bcgov.net>  
**Sent:** Wednesday, November 13, 2019 13:10  
**To:** Weitz, Kristina <kweitz@bcgov.net>  
**Subject:** Scott Dennis

Good Morning ,

Can you check

Scott Foster Dennis  
70 Lost Island Road  
Beaufort, SC 29907

VR#071763905

Thank you ,

Tithanie Vaughn  
Senior Administrative Assistant to Clerk to Council  
Beaufort County Government, SC  
843-255-2182 (Office)





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## BEAUFORT COUNTY COUNCIL

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### Agenda Item Summary

#### Item Title:

Loud and obnoxious vehicle noise ordinance

#### Council Committee:

Community Services Committee

#### Meeting Date:

February 3, 2020

#### Committee Presenter (Name and Title):

Chris Inglese, Deputy County Administrator

#### Issues for Consideration:

How to appropriately prevent loud vehicle noises that may be a public nuisance or disruption of the peace.

#### Points to Consider:

Comments from MCAS have been incorporated. No comments from municipalities received.

#### Funding & Liability Factors:

n/a

#### Council Options:

1) Approve. 2) Amend. 3) Take no action.

#### Recommendation:

No recommendation from staff.

**ORDINANCE 2020/ \_\_\_\_**

**AN ORDINANCE DECLARING LOUD AND UNNECESSARY VEHICULAR NOISE A PUBLIC NUISANCE AND PROVIDING THAT VIOLATIONS ARE A MISDEMEANOR.**

**WHEREAS**, Beaufort County Council finds and declares that loud, obnoxious, unnecessary or excessive vehicular noise is a serious hazard to the public health, welfare, peace and safety of Beaufort County residents and visitors; and

**WHEREAS**, residents and visitors of Beaufort County have a right to the peaceful enjoyment of their property and without exposure to loud, obnoxious, unnecessary, or excessive vehicular noises; and

**WHEREAS**, loud, obnoxious, unnecessary or excessive vehicular noises adversely impact residents' quality of life and are thus a public nuisance; and

**WHEREAS**, County Council is in receipt of citizens' concerns about the increased proliferation of "muscle" cars, modified mufflers, excessively loud speaker systems, and other loud, obnoxious, unnecessary or excessive vehicular noises in the unincorporated areas of Beaufort County; and

**WHEREAS**, it is in the best interest of Beaufort County residents and visitors to declare loud, obnoxious, unnecessary or excessive vehicular noises a public nuisance and provide for penalties for violations in the interest of protecting citizens public health, welfare, peace and safety as well as protecting the quality of life in Beaufort County.

**NOW, THEREFORE, BE IT ORDAINED** by Beaufort County Council, duly assembled, does hereby amend the Beaufort County Code of Ordinances Chapter 70 Traffic and Vehicles by inserting the below Article VI Loud and Unnecessary Noises Declared a Public Nuisance:

**Article VI.- Loud and Unnecessary Vehicular Noises Declared a Public Nuisance.**

Sec. 101. - Loud and unseemly noise.

- (a) Beaufort County Council finds that loud, obnoxious, unnecessary or excessive vehicular noise is a serious hazard to the public health, welfare, peace and safety of Beaufort County residents and visitors. Therefore, Beaufort County Council declares loud, obnoxious, unnecessary or excessive vehicular noise a public nuisance.
- (b) It shall be unlawful for any person to drive, propel or otherwise operate a motorized vehicle in a manner which emits loud and unseemly noise, which willfully disturbs any residence, neighborhood or business in Beaufort County. The prohibition of this subsection shall include operating a motorized vehicle by rapid throttle advancing (revving) of an internal combustion engine resulting in increased noise from the engine.

(c) It shall be unlawful for any person to play, operate or cause to be played or operated any vehicular sound system in such a manner as to be audible, **in a loud, obnoxious, unnecessary or excessive way**, from any public street or right-of-way.

(d) For the purpose of this Article VI, vehicle noise includes noise from cars, trucks, mopeds, motorcycles, vans, buses, motor scooters, motorized skateboards, and other electric or combustible type engine vehicles. Loud, obnoxious, unnecessary or excessive noise prohibited herein includes, but may not be limited to, noise from engines, mufflers, other mechanical parts, or sounds system associated with a vehicle.

(e) Loud and unseemly noise shall mean, loud, obnoxious, unnecessary or excessive noise which disturbs the peaceful enjoyment of private or public property. Loud and unseemly noise includes but is not limited to any one (1) of the following:

1. Misuse of acceleration or braking power that exceeds tire traction limits, sometimes known as "burn-outs", "burning rubber", "laying down rubber" or "peeling rubber".
2. Excessive acceleration or deceleration while in motion where there is no emergency need.
3. Rapid acceleration by means of quick up shifting of transmission gears with either a clutch or manual transmission or automatic transmission.
4. Rapid deceleration by means of quick downshifting of transmission gears with either a clutch or manual transmission or an automatic transmission.
5. Racing or revving of engines by manipulation of the accelerator, gas pedal, or carburetor in applying fuel to the engine in a greater amount than is necessary whether the vehicle is either in motion or standing still.
6. Operation of the vehicle by intentionally applying unnecessarily excessive acceleration from a stationary position, or unnecessary, deliberate or intentional bursts of acceleration while moving in a nonemergency situation.
7. Operating a motor vehicle (excluding emergency response vehicles as provided below) that exceeds a measured noise level of more than 92 decibels on the decibel meter when measured 20 inches from the exhaust pipe at a 45 degree angle while the vehicle is operating at idle.
8. Operating a motor vehicle of any size and regardless of the year of manufacture in violation of S.C. Code §§ 56-5-5020 and 56-5-5030.
9. Operation of a motor vehicle stereo system or sound system with excessive volume that substantially contrasts with the surrounding ambient noise(s) in a manner so as to disrupt the quiet, peaceful enjoyment of private or public property.

Sec. 102. - Exceptions.

- (a) This Article VI shall not be construed or interpreted in any way so as to interfere with or discourage the “Sound of Freedom” emanating from airplanes associated with the Marine Corps Air Station, Beaufort.
- (b) The normal sound of motorcycles and mopeds are not a violation of this Article VI unless something additional is contributing to the loud, obnoxious, unnecessary or excessive nature of the noise. For example, a driver excessively, repeatedly, or unnecessarily throttles the engine beyond what is necessary for the purpose of propulsion or the motorcycles parts have been modified to exaggerate the normal sounds of the motorcycle or moped.
- (c) Nothing herein should be construed to prohibit the use of a vehicular horn for the purpose of notifying those nearby of the presence of another vehicle or a potential hazard.
- (d) All equipment owned or operated by Federal, State, or local government including emergency response vehicles, law enforcement vehicles, EMS vehicles and Fire District response vehicles shall be exempt from this Article VI.
- (e) Motor vehicles used in any permitted events involving motor vehicles including but not limited to parades or car shows, during the permitted times of the events.

Sec. 103. - Enforcement and penalties.

- (a) Beaufort County Sheriff’s Office shall be charged with the responsibility of enforcing this Article. All violations of this Article VI shall be heard by the Beaufort County Magistrate Court. Nothing herein shall be construed to prevent Beaufort County Code Enforcement officers, duly commissioned by County Council, from enforcing the provisions of this Article VI.
- (b) Any person who violates the provision of this chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine not exceeding the maximum allowed within the jurisdiction of the Beaufort County Magistrate Court, or imprisonment not exceeding 30 days, or both.
- (d) *Enforcement factors.* In the enforcement of standards established in this section an enforcement officer may be required to exercise judgment in determining if a particular noise is sufficiently loud or otherwise so offensive that it would unreasonably disturb other persons in the vicinity. The police department or other enforcing agency may make a subjective determination of loud or unseemly noise at the time of the complaint or enforcement. When making such determinations the enforcement officer shall consider the following factors:
  - (1) The intensity (sound pressure level) of the noise.
  - (2) Whether the nature of the noise is usual or unusual.
  - (3) Whether the origin of the noise is natural or man-made.
  - (4) The volume and intensity of the background noise, if any.

- (5) The proximity of the noise to residential sleeping facilities
- (6) The nature and zoning of the area within which the noise emanates.
- (7) The time of the day or night along with day of week and time of year the noise occurs.
- (8) The duration of the noise.
- (9) Whether the noise is recurrent, intermittent or constant.
- (10) Any other articulable factor that demonstrates a disturbance of quiet and peaceful enjoyment of public or private property.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2019.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: \_\_\_\_\_

Stewart H. Rodman, Chairman

ATTEST:

\_\_\_\_\_  
Sarah W. Brock, Clerk to Council.

Chronology

- Third and final reading occurred
- Public hearing occurred
- Second reading occurred
- First reading approval occurred
- Governmental Committee discussion and recommendation to



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## BEAUFORT COUNTY COUNCIL

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### Agenda Item Summary

**Item Title:**

Amendment to Beaufort County Code of Ordinances, Section 74-64. Adoption of Building Codes

**Council Committee:**

Community Services

**Meeting Date:**

February 3, 2020

**Committee Presenter (Name and Title):**

Charles Atkinson, Building Codes Director

**Issues for Consideration:**

Amendment to Beaufort County Code of Ordinances, Section 74-64 is requested to more clearly reflect the specific versions of mandatory codes that are currently enforced in Beaufort County.

**Points to Consider:**

Requested amendment will better reflect the specific version of state-mandated codes that are enforced in Beaufort County.

**Funding & Liability Factors:**

None.

**Council Options:**

Approve, Reject, Modify.

**Recommendation:**

Approve.

**ORDINANCE 2020/\_\_\_\_\_**

**AN ORDINANCE AMENDING THE BEAUFORT COUNTY CODE OF ORDINANCES, CHAPTER 74—BUILDING AND BUILDING REGULATIONS, SECTION 74-64, ADOPTION OF BUILDING CODES, SUBPARAGRAPH (1) (AMENDS CODE OF ORDINANCES TO ~~ADOPT~~ ADOPT THE 2018 ~~EDITION~~ EDITION OF THE INTERNATIONAL RESIDENTIAL CODE).**

**WHEREAS**, Beaufort County (“County”) adopts the most current building codes as established by the South Carolina Building Code Council pursuant to Ordinance 2018/38; and

**WHEREAS**, currently Beaufort County applies the 2018 International Building Code pursuant to the established effect dates by the South Carolina Building Code Council of said code; and

**NOW, THEREFORE, BE IT ORDAINED** that Beaufort County Council does hereby amend Section 74-64 of the Beaufort County Code of Ordinances that are highlighted in **RED** shall be added text and lined through shall be deleted text.

**Sec. 74-64. – Adoption of building codes.**

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

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

~~(2) The International Mechanical Code, the International Energy Conservation Code, the International Plumbing Code, the International Fuel Gas Code, the International Fire Code, and the International Residential Code as published by the International Code Council, Inc. and the National Electrical Code as published by the National Fire Protection Association, the International Existing Building Code, along with amendment(s) as adopted by the South Carolina Building Code Council, shall be considered part of the requirements of this Code and shall serve as the minimum standard for the construction, alteration, use, demolition and removal of buildings or other structures, or any appurtenances connected or attached thereto with effective dates established by the South Carolina Building Code Council. A copy of each of the above codes and amendments as adopted by the South Carolina Building Code Council is hereby made a part of this chapter as fully and completely as if the same were set out herein verbatim.~~

**2018 International Building Code with SC modifications, Including Chapter 1**

**2018 International Residential Code with SC modifications, Including Chapter 1**

**2018 International Fire Code with SC modifications**

**2018 International Plumbing Code with SC modification**

**2018 International Mechanical Code with SC modifications**

**2018 International Fuel Gas Code with SC modifications**

2009 South Carolina Energy Conservation Code with SC modification

2017 National Electrical Code (NFPA 70) with SC modifications

2018 International Existing Building Code

DONE this \_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: \_\_\_\_\_  
Stewart H. Rodman, Chairman

ATTEST:

\_\_\_\_\_  
Sarah W. Brock, Clerk to Council

First Reading:

Second Reading:

Public Hearing:

Third and Final Reading:



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## BEAUFORT COUNTY COUNCIL

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### Agenda Item Summary

#### Item Title:

Resolution by Council supporting certifications and assurances to the SC Department of of Transportation on behalf of the Disabilities and Special Needs (DSN) Department

#### Council Committee:

Community Services Committee

#### Meeting Date:

February 03, 2020

#### Committee Presenter (Name and Title):

Bill Love, DSN Executive Director and/or Beth Cody, DSN Fiscal Operations Manager

#### Issues for Consideration:

The Beaufort County DSN Department has applied to SCDOT for a \$50,000 grant from the Section 5310 Program - Elderly Individuals and Individuals with Disabilities - to assist with local transportation needs for its Day Program services. The DSN Department must submit to SCDOT specific certifications and assurances necessary to release funding along with an accompanying resolution from County Council.

#### Points to Consider:

The Beaufort County DSN Department has worked with SCDOT since 2013 for the coordination of transportation for adults with disabilities. The collaboration between the County and private entities such as Owl, Inc. is an effort to use multi-modal strategies as promoted by the Lowcountry Council of Governments Metropolitan Planning Organization.

#### Funding & Liability Factors:

County Council approved DSN's contract for transportation with Owl, Inc. totaling \$283,140 on May 28, 2019. DSN budgeted \$285,000 (line item 24420011-51230). This estimated budget includes \$225,000 of Medicaid funds from the SC Department of Disabilities and Special Needs, \$50,000 from SCDOT, and \$10,000 of General funds as the local match required by the grant.

#### Council Options:

Approve or disapprove the resolution.

#### Recommendation:

Approve the resolution allowing disbursement of funds to the Beaufort County DSN Department.

## RESOLUTION 2020 /

### **A RESOLUTION SUPPORTING CERTIFICATIONS AND ASSURANCES TO THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION (SCDOT) ON BEHALF OF THE BEAUFORT COUNTY DISABILITIES AND SPECIAL NEEDS (DSN) DEPARTMENT FOR RELEASE OF TRANSPORTATION GRANT FUNDING IN THE AMOUNT OF \$50,000**

**WHEREAS**, the DSN Department has worked with SCDOT since 2013 for the coordination of transportation for adults with disabilities; and

**WHEREAS**, the DSN Department has applied to SCDOT for a \$50,000 grant from the Section 5310 Program - Elderly Individuals and Individuals with Disabilities - to assist with local transportation needs for its fiscal year 2020 Day Program services; and

**WHEREAS**, the DSN Department must submit to SCDOT specific certifications and assurances required to release funding along with an accompanying resolution from Beaufort County Council; and

**WHEREAS**, Beaufort County Council approved the DSN Department's contract for transportation services with Owl, Inc. totaling \$283,140 on May 28, 2019, which included a budgeted amount of \$285,000 including \$225,000 of Medicaid funds from the SC Department of Disabilities and Special Needs, \$50,000 from SCDOT, and \$10,000 of General Funds as the local match required by the grant application terms; and

**WHEREAS**, the collaboration between Beaufort County government and private entities such as Owl, Inc. is an effort to use multi-modal strategies as promoted by the Lowcountry Council of Governments Metropolitan Planning Organization; and

**WHEREAS**, Beaufort County Council is aware of the provisions of Federal Transit Administration (FTA) program fund requirements for each application it makes to the State of South Carolina for federal and/or state funding and wishes to authorize the Beaufort County Administrator to file application with the SCDOT on behalf of the DSN Department for federal and/or state funding to assist in providing community and/or human services transportation services; and

**WHEREAS**, if this application is approved, Beaufort County Council wishes to resolve that the DSN Department will provide the required match for the capital, operations and administrative charges, the necessary insurance coverage as required under the agreement, and all necessary local match for operating losses; and

**NOW, THEREFORE, BE IT RESOLVED**, Beaufort County Council agrees to comply with all applicable FTA and SCDOT program statutes and regulations, directives, certifications and assurances to carry out the project as described in the application attached herewith.

Council authorizes the Beaufort County Administrator to file application with the SCDOT on behalf of the DSN Department for federal and/or state funding to assist in providing community and/or human services transportation services, and to provide applicable certifications and assurances, and sign agreements required for the funding.

Council resolves that the DSN Department will provide the required match for the capital, operations and administrative charges, the necessary insurance coverage as required under the agreement, and all necessary local match for operating losses.

Council resolves that the County will comply with all Federal Transportation Administration and SCDOT Program statutes and regulations directives, certifications and assurances to carry out the transportation program described in the application for funding.

ADOPTED this 10<sup>th</sup> day of February, 2020

COUNTY COUNCIL OF BEAUFORT COUNTY

By: \_\_\_\_\_  
Stewart H. Rodman, Chairman

ATTEST:

\_\_\_\_\_  
Sarah Brock, Clerk to Council

**Exhibit A**  
Beaufort County Disabilities and Special Needs Department Application to the South Carolina Department of Transportation for \$50,000

PLEASE MAKE SURE YOU ARE USING INTERNET EXPLORER AS YOUR BROWSER

If you have already submitted this information via the Purchasing Contract Review Form, please do NOT submit it here via t

**Legal Review Process Instructions**



**OFFICE OF THE COUNTY ATTORNEY**

Post Office Drawer 1228 ž Beaufort, SC 29901  
102 Industrial Village Road, Building #1  
843.255.2055 (O) ž 843.255.9414 (F)

**LEGAL REVIEW REQUEST FORM**

Form Number: 2019 - 0132L

Originally submitted on: 12/17/2019 10:59:37 AM

Select Type:

Document Title: Resolution supporting SCDOT certificates and assurances for \$50,000 grant

Department:

Requester's Name: Beth Cody

Ph: 843-255-6298

Em: bcody@bcgov.net

Date Needed by: 12/20/2019

Is this item being presented to Council or Committee?  Yes  No Meeting date: 1/13/2020  
*(If Yes, please provide meeting date)*

Description of Document or Any Concerns:

Is the County receiving a reimbursement or any compensation?  Yes  No

Description of the Reimbursement or Compensation:

If applicable, please provide the total value amount of the contract:

- Amount BELOW \$50,000.00
- Amount \$50,000 to \$99,999
- Amount \$100,000 and above

Has the item been approved by Council Committee?  Yes  No  N/A

Has the item been approved by full Council?  Yes  No  N/A

Attachments:

 DSN SCDOT Grant Resolution 1-13-20.doc 31 KB	 Agenda Item Summary Form for Council 01-13-2020.pdf 457.03 KB	 Legal Review form for application.pdf 1.68 MB
2019-12-17T11:03:33	2019-12-17T11:05:08	2019-12-17T11:04:28
 FTA Fiscal Year 2019 Certifications and Assurances.pdf 241.83 KB	 SFY 2019-2020 Required Documents for Certs and Assurances 11-20-19.pdf 6.08 MB	 No file attached
2019-12-17T11:05:40	2019-12-17T11:06:59	

**LEGAL DEPARTMENT USE ONLY- INITIAL REVIEW**

Attachments:

 DSN SCDOT Grant Resolution 1-13-20 redline 12-18-19.doc 33 KB	 No file attached	 No file attached
2019-12-18T15:43:59		

- Approved**
- On Hold
- Send to Finance
- Disapproved
- Additional Documents Requested

Comments:

Note and use the attached revised resolution for Council action.

Kurt Taylor  
 \_\_\_\_\_  
 3:44:34 PM  
 \_\_\_\_\_  
 Legal Staff

12/18/2019  
 \_\_\_\_\_  
 Date / Time

SFY2019-2020  
(FFY2019)  
LEGAL & AUTHORIZING SIGNATURES  
*Updated March 15, 2019*

**Office of Public Transit**  
**Signature of Authorization Form**  
**REQUIRED OF ALL APPLICANTS**

Agency Name: County Council of Beaufort County - Disabilities and Special Needs Department	Telephone: 843-255-6298 Web Address: <a href="http://www.beaufortcountysc.gov/dsn/">www.beaufortcountysc.gov/dsn/</a>
Primary Mailing Address/City/State/Zip: 100 Clear Water Way, Beaufort, SC 29906	Secondary Address/City/State/Zip:
Federal ID Number: <b>57-6000311</b>	DUNS: <b>141608690</b>

**Contractual Agreements**

Shown below are original signatures of individuals authorized to sign contractual agreements for this agency.

Type Name: Ashley M. Jacobs  
Title: County Administrator  
Email: ashley.jacobs@bcgov.net  
Phone: 843-255-2023

\_\_\_\_\_  
Original Signature and Date

Type Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Email: \_\_\_\_\_  
Phone: \_\_\_\_\_

\_\_\_\_\_  
Original Signature and Date

Type Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Email: \_\_\_\_\_  
Phone: \_\_\_\_\_

\_\_\_\_\_  
Original Signature and Date

Type Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Email: \_\_\_\_\_  
Phone: \_\_\_\_\_

\_\_\_\_\_  
Original Signature and Date

SFY2019-2020  
(FFY2019)  
**LEGAL & AUTHORIZING SIGNATURES**  
*Updated March 15, 2019*

**Authorization to Access Electronic System**

Shown below are original signatures of individuals authorized to access the Office of Public Transit electronic system(s) to initiate and approve documents for this agency.

**Preparers:**

Type Name: Beth Cody

Title: Fiscal Operations Manager

Email: bcody@bcgov.net

Phone: 843-255-6298

\_\_\_\_\_  
Original Signature and Date

Type Name: \_\_\_\_\_

Title: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

\_\_\_\_\_  
Original Signature and Date

Type Name: \_\_\_\_\_

Title: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

\_\_\_\_\_  
Original Signature and Date

**Approvers:**

Type Name: Bill Love

Title: Executive Director

Email: wlove@bcgov.net

Phone: 843-255-6290

\_\_\_\_\_  
Original Signature and Date

Type Name: \_\_\_\_\_

Title: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

\_\_\_\_\_  
Original Signature and Date

SFY2019-2020  
(FFY2019)  
**LEGAL & AUTHORIZING SIGNATURES**  
Updated March 15, 2019

**(Required of all Subrecipients of funding administered by SCDOT OPT)**

**RESOLUTION BY COUNTY COUNCIL TO APPLY FOR FUNDING**

County Council of Beaufort County - Disabilities and Special Needs Department

\_\_\_\_\_  
(Agency Name)

is aware of the provisions of Federal Transit Administration (FTA) program fund requirements for each application it makes to the state of South Carolina for Federal and/or State funding and hereby Ashley M. Jacobs (\*Authorized Representative) of \_\_\_\_\_ (Agency) to file application with the South Carolina Department of Transportation (SCDOT) on behalf of \_\_\_\_\_ (Agency) for federal and/or state funding to assist in providing community and/or human services transportation services. If this application is approved:

County Council of Beaufort County - Disabilities and Special Needs Department

(1) The Board resolves that the \_\_\_\_\_ (Agency) will provide the required match for the capital, operations and administrative charges, the necessary insurance coverage as required under the agreement, and all necessary local match for operating losses; and

(2) The Board agrees to comply with all FTA and SCDOT Program statutes and regulations, directives, certifications and assurances to carry out the project as described in the application.

***\*Note that Authorized Representative and Witness MUST be 2 separate individuals (2 different names).***

APPROVED AND ADOPTED

This \_\_\_\_\_ day of, \_\_\_\_\_ 20\_\_\_\_\_.

\*

\_\_\_\_\_  
Signature of Attesting Witness

\_\_\_\_\_  
Signature of Authorized Party

\_\_\_\_\_  
Printed Name of Attesting Witness

\_\_\_\_\_  
Printed Name of Authorized Party

SFY2019-2020

FFY2019

Updated March 15, 2019

(Required of all Subrecipients of funding administered by SCDOT OPT)

**ATTORNEY'S CERTIFICATION**  
**FOR**  
**APPLICANT TO APPLY FOR FUNDING**

I have examined the (charter, articles of incorporation, enabling legislation, etc.) under which  
County Council of Beaufort County - Disabilities and Special Needs  
Department \_\_\_\_\_ (Agency) is legally eligible to apply for funding under  
Federal Transit Administration statutes and regulations, directives, certifications and  
assurances. It is my opinion County Council of Beaufort County - Disabilities and Special  
Needs Department \_\_\_\_\_ (Agency) can legally enter  
into contracts with the State of South Carolina for the purpose of carrying out the proposed  
program(s) and meets the eligibility requirements of funded grant programs.

\_\_\_\_\_  
*Signature of Attorney*

\_\_\_\_\_  
*Printed Name of Attorney*

\_\_\_\_\_  
*Date*

SFY2019-2020

FFY2019

Updated March 15, 2019

South Carolina SFY2019-2020

**FEDERAL FISCAL YEAR 2019 CERTIFICATIONS AND ASSURANCES FOR FEDERAL  
TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS**

**(Required of All 5310/5311/5339 or other FTA Fund Applicants / Subrecipients)**

Signature pages alternate to providing Certifications and Assurances in TrAMS.

Name of Applicant: County Council of Beaufort County - Disabilities and Special Needs Department

The Applicant certifies to the applicable provisions of categories 01–18. \_\_\_\_ (Initial)

Or,

The Applicant certifies to the applicable provisions of the categories it has selected:

Category	Certification
01	Certifications and Assurances Required of Every Applicant
02	Tax Liability and Felony Convictions
03	Lobbying
04	Private Sector Protections
05	Transit Asset Management Plan
06	Rolling Stock Buy America Reviews and Bus Testing
07	Urbanized Area Formula Grants Program
08	Formula Grants for Rural Areas
09	Fixed Guideway Capital Investment Grants and the Expedited Project Delivery for Capital Investment Grants Pilot Program
10	Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs
11	Enhanced Mobility of Seniors and Individuals with Disabilities Program
12	State of Good Repair Grants
13	Infrastructure Finance Programs
14	Alcohol and Controlled Substances Testing
15	Rail Safety Training and Oversight
16	Demand Responsive Service
17	Interest and Financing Costs
18	Construction Hiring Preferences

**SFY2019-2020**

**FFY2019**

Updated March 15, 2019

**FEDERAL FISCAL YEAR 2018 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE**

(Required of all Applicants for federal assistance to be awarded by FTA in FY 2019)

**AFFIRMATION OF APPLICANT**

Name of the Applicant: County Council of Beaufort County - Disabilities and Special Needs Department

BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, follow applicable federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in federal fiscal year 2019, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply to each Award for which it now seeks, or may later seek federal assistance to be awarded during federal fiscal year 2019.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. § 3801 *et seq.*, and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Name Ashley M. Jacobs, County Administrator  
Authorized Representative of Applicant

**AFFIRMATION OF APPLICANT'S ATTORNEY**

For (Name of Applicant): County Council of Beaufort County - Disabilities and Special Needs Department

As the undersigned Attorney for the above-named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA assisted Award.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Name \_\_\_\_\_  
Attorney for Applicant

*Each Applicant for federal assistance to be awarded by FTA must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its electronic signature in lieu of the Attorney's signature within TrAMS, provided the Applicant has on file and uploaded to TrAMS this hard-copy Affirmation, signed by the attorney and dated this federal fiscal year.*

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Updated March 15, 2019

**LOCAL MATCH IDENTIFICATION FOR FTA PROGRAM FUNDING**  
 County Council of Beaufort County - Disabilities and Special Needs Department

(Legal Name of Applicant)

5310

Program (e.g., 5311, 5339, SMTF, 5310)\*

Eligible Expense	Total Amount	Federal Share	SCDOT Share	Estimated Local Share
Administration	\$ _____	\$ _____ (80%)	\$ _____	\$ _____
Operations	\$ _____	\$ _____ (50%)	\$ _____	\$ _____
Capital (Non- ADA or CAA)	\$ 285,000	\$ 50,000 (80%)	\$ _____	\$ 285,000
Capital (ADA & CAA)	\$ _____	\$ _____ (85%)	\$ _____	\$ _____
Planning & Technical Assistance	\$ _____	\$ _____ (80%)	\$ _____	\$ _____
Mobility Management	\$ _____	\$ _____ (80%)	\$ _____	\$ _____
<b>TOTAL</b>	<b>\$ 285,000</b>	<b>\$ 50,000</b>	<b>\$ _____</b>	<b>\$ 235,000</b>
	Funding Request	Federal Share	Estimated SCDOT Share	Estimated Local Share

The estimated total Local Match will be available from the following sources\*:

Source of Local Share	Amount
<u>SC DDSN Medicaid funds</u>	\$ <u>225,000</u>
<u>County General Funds</u>	\$ <u>10,000</u>
_____	\$ _____
_____	\$ _____

\*Cash fares are not considered a source of local match.

**TOTAL \$ 235,000**

*\*complete a single local match form for each project award (e.g.: one for small urban 5310 and one for rural 5310)*

I, the undersigned representing (legal name of agency) County Council of Beaufort County - Disabilities and Special Needs Department do hereby certify to the South Carolina Department of Transportation that the required estimated local match for the requested Federal and/or State administered program, which has a period of performance of **July 1, 2019** – **June 30, 2020**, will be available by **July 1**. In kind match must be an allowable expense under the program and value documented for audit/compliance review.

Signature/Title of Authorized Representative

**Ashley M. Jacobs, County Administrator**

Printed Name/Title of Authorized Representative

Date

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UNITED STATES DEPARTMENT OF TRANSPORTATION  
FEDERAL TRANSIT ADMINISTRATION  
FFY2019  
MASTER AGREEMENT (22)

(Required of All 5310/5311/5339 or other FTA Fund Applicants / Subrecipients)

PREFACE

**Statutory Authorities**

This is the official Federal Transit Administration (FTA) Master Agreement that applies to each Underlying Agreement (Grant Agreement, Cooperative Agreement, Loan, Loan Guarantee, or Line of Credit) for a specific Award authorized by:

- Federal transit laws, 49 U.S.C. chapter 53, as amended, by the following:
  - The Fixing America's Surface Transportation (FAST) Act, Public Law No. 114-94, December 4, 2015,
  - The Moving Ahead for Progress in the 21st Century Act (MAP-21), Public Law No. 112-141, July 6, 2012, as amended by the "Surface Transportation and Veterans Health Care Choice Improvement Act of 2015," Public Law No. 114-41, July 31, 2015, and other authorizing legislation to be enacted, and
  - The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law No. 109-59, August 10, 2005, as amended by the SAFETEA-LU Technical Corrections Act of 2008, Public Law No 110-244, June 6, 2008.
- Continuing Resolutions or Other Appropriations Resolutions or Acts funding the Department of Transportation during Fiscal Year 2016.
- Title 23, United States Code (Highways).
- Other federal legislation FTA administers, as FTA so determines.

**Purpose of the Master Agreement**

This FTA Master Agreement contains the standard terms and conditions governing the administration of the Project that FTA has financed with Federal assistance (funds or funding) awarded through an Underlying Agreement with the Recipient, which can take the form of any:

1. FTA Grant Agreement, including an FTA Grant Agreement for a Tribal Transit Program Project,
2. FTA Cooperative Agreement, or
3. FTA Transportation Infrastructure Finance Innovation Act (TIFIA) Loan, Loan Guarantee, or Line of Credit.

The general terms and conditions contained in Federal Transit Administration's Master Agreement shall be followed subject to any additions, revisions or modifications required by FTA, SCDOT and/or State of South Carolina. Any violation of a requirement in the Master Agreement applicable to the Subrecipient or this project may result in penalties to the violating party. Requirements that do not apply to Subrecipients or this project will not be enforced.

**Acknowledgement of FTA Master Agreement:**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
*Authorized Representative of Applicant*

Title: \_\_\_\_\_

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**FFY2019 FTA Master Agreement (22) language is contained in a separate document**

**FFY2019 FTA Certifications and Assurance language is contained in a separate document**

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CERTIFICATION  
OF  
RESTRICTIONS ON LOBBYING  
APPLIES TO ALL APPLICANTS

I, Ashley M. Jacobs, County Administrator

*(Name and title of authorized official)*

hereby certify to the South Carolina Department of Transportation, on behalf of

County Council of Beaufort County - Disabilities and Special Needs Department

*(Agency Name)* that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of a Federal department or agency, a Member of the U.S. Congress, an officer or employee of the U.S. Congress, or an employee of a Member of the U.S. Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification thereof.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for making lobbying contacts to an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form—LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions (as amended by "Government wide Guidance for New Restrictions on Lobbying," 61 Fed. Reg. 1413 (11/19/96). Note: Language in paragraph (2) herein has been modified in accordance with Section 10 of the Lobbying Disclosure Act of 1995 (P.L. 104-65, to be codified at Title 2 USC section 1601: et seq.)).

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Title 31 USC Section 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

This certification is a material representation of fact upon which reliance is placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Title 31 USC Section 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

\_\_\_\_\_  
Signature/Title of Authorized Representative  
**Ashley M. Jacobs, County Administrator**  
\_\_\_\_\_  
Printed Name/Title of Authorized Representative

\_\_\_\_\_  
Date

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**CERTIFICATION REGARDING DEBARMENT, SUSPENSION,  
AND OTHER RESPONSIBILITY MATTERS—  
PRIMARY COVERED TRANSACTIONS  
APPLIES TO ALL APPLICANTS**

The Applicant/Subrecipient under this FTA project County Council of Beaufort County - Disabilities and Special Needs Department  
(Name of Agency)

certifies to the best of its knowledge and belief, that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
- (b) Have not, within a three-year period preceding this proposal, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and have not, within a three year period preceding this application/proposal, had one or more public transactions (Federal, State or local) terminated for cause or default;
- (d) Have not, within a three year period preceding this application/proposal, had one or more public transactions (Federal, State or local) terminated for cause or default.

Subrecipient will review the U.S. GSA "System for Award Management," <https://www.sam.gov>, if required by U.S. DOT regulations, 2 C.F.R. part 1200, and

(a) It will include, and require each Third Party Participant to include, a similar provision in each lower tier covered transaction, ensuring that each lower tier Third Party Participant:

- 1. Will comply with Federal debarment and suspension requirements, and
- 2. Reviews the "System for Award Management (SAM)" at <https://www.sam.gov>, if necessary to comply with U.S. DOT regulations, 2 C.F.R. part 1200

(If the applicant/subrecipient is unable to certify to any of the statements in this certification, such Grantee shall attach an explanation to this certification).

THE APPLICANT/SUBRECIPIENT, County Council of Beaufort County - Disabilities and Special Needs Department  
(Name of Agency)

CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENTS SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF TITLE 49 CFR PART 29 AND FTA CIRCULAR 2015.1 ARE APPLICABLE THERETO.

\_\_\_\_\_  
Signature/Title of Authorized Representative  
**Ashley M. Jacobs, County Administrator**  
\_\_\_\_\_  
Printed Name/Title of Authorized Representative

\_\_\_\_\_  
Date

SFY2019-2020  
(FFY2019)  
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**CERTIFICATION REGARDING DEBARMENT, SUSPENSION,  
INELIGIBILITY AND VOLUNTARY EXCLUSION –  
LOWER-TIER COVERED TRANSACTIONS  
APPLIES TO ALL APPLICANTS**

The Applicant/Subrecipient under this FTA project County Council of Beaufort County - Disabilities and Special Needs Department  
(Name of Agency)

certifies to the best of its knowledge and belief, that it and its prospective lower-tier participants:

- (a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency;
- (b) if the prospective lower-tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this certification.
- (c) that subrecipient will review the “System for Award Management (SAM)” at <https://www.sam.gov>, to ensure that lower-tier participants are not debarred or suspended, if necessary to comply with U.S. DOT regulations, 2 C.F.R. part 1200

THE APPLICANT/SUBRECIPIENT,

**County Council of Beaufort County - Disabilities and Special Needs Department**  
(Name of Agency)

CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENTS SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF TITLE 49 CFR PART 29 AND FTA CIRCULAR 2015.1 ARE APPLICABLE THERETO.

\_\_\_\_\_  
Signature/Title of Authorized Representative

Ashley M. Jacobs, County Administrator

\_\_\_\_\_  
Printed Name/Title of Authorized Representative

\_\_\_\_\_  
Date

SFY2019-2020  
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**PROGRAM SIGNATURE DOCUMENTS**

**TITLE VI PROGRAM REPORT**

**APPLIES TO ALL APPLICANTS**

**Reporting Period: July 1, 2018 – Present**

**Legal Name of Applicant:** \_\_\_\_\_  
County Council of Beaufort County - Disabilities and Special Needs Department

I certify that to the best of my knowledge that no complaints or lawsuits alleging discrimination have been filed against the applicant during the reporting period.

**OR**

The following Title VI complaints or lawsuits alleging discrimination have been filed with the applicant during the reporting period:

Complainant Name/Address/Telephone Number	Date	Description	Contacted SCDOT Title VI Office? (Y/N) and Date	Status/Outcome

*(Attach an additional page if required.)*

**I certify that to the best of my knowledge that the statement above is true and correct for the requested reporting period.**

Signature/Title of Authorized Representative \_\_\_\_\_ Date \_\_\_\_\_

**Ashley M. Jacobs, County Administrator**

Printed Name/Title of Authorized Representative \_\_\_\_\_

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(FFY2019)

Updated March 15, 2019

**STATEMENT  
REGARDING THE MAXIMUM UTILIZATION OF  
DISADVANTAGED BUSINESS ENTERPRISES (DBEs)  
APPLIES TO ALL APPLICANTS**

To the extent authorized by applicable Federal law and regulation, the applicant agrees to facilitate, and assures that each Third Party Participant will facilitate participation by small business concerns owned and controlled by socially and economically disadvantaged individuals, also referred to as "Disadvantaged Business Enterprises" (DBEs), in the Project.

THE APPLICANT expresses its commitment to use SCDOT Certified DBEs in all aspects of contracting to the maximum extent feasible. The goals will be set and incorporated into your grant agreement.

THE APPLICANT or its contractors shall take all necessary and reasonable steps in accordance with 49 CFR Part 26 to ensure that certified DBEs have the maximum opportunity to compete for and perform contracts.

THE APPLICANT will make every effort to locate certified DBEs and purchase materials and services for use in the applicant's grant. THE APPLICANT shall document the steps it intends to take and has taken to obtain DBE participation.

THE APPLICANT is advised that should they find responsible and responsive certified DBEs from which they can purchase these materials or services it will then ensure and affirm that the DBE firm is eligible to receive payment through this grant agreement. SCDOT will make available names of DBEs, that they have certified, that have the capability to furnish these materials (published as the [SCDOT Unified DBE or SBE Directory](#)).

All bidders, proposers and contractors will receive notice of THE APPLICANT'S commitment to the DBE through mail-outs and pre-bid notifications. DBE participation will be a factor in awarding contracts and will be monitored during the performance of the contract.

The APPLICANT is responsible for submitting DBE quarterly reports to SCDOT as required for all applicable Federal programs administered and awarded by SCDOT. Supporting documentation for DBE quarterly reports shall be retained by the applicant for a period of three (3) years following closeout of the contract.

Failure to carry out the requirements set forth in 49 CFR Part 26 shall constitute a breach of contract and, after the notification to FTA and the SCDOT Office of Public Transit, may result in termination of the grant agreement by SCDOT or such remedy as SCDOT deems appropriate.

\_\_\_\_\_  
Signature/Title of Authorized Representative  
Ashley M. Jacobs, County Administrator

\_\_\_\_\_  
Printed Name/Title of Authorized Representative

\_\_\_\_\_  
Date

**DBE GOOD FAITH EFFORTS CERTIFICATION**  
**APPLIES TO ALL APPLICANTS**

This is to certify that in all purchase and contract selections the Applicant is committed to and shall make good faith efforts to purchase from and award contracts to Disadvantaged Business Enterprises (DBEs).

**DBE good faith efforts will include the following items that are indicated by check mark(s) or narrative:**

- Write a letter to Certified DBEs in the service area to inform them of purchase or contract opportunities;
- Document telephone calls, emails and correspondence with or on behalf of DBEs;
- Advertise purchase and contract opportunities on local TV Community Cable Network;
- Request purchase/contract price quotes/bids from DBEs;
- Monitor newspapers for new businesses that are DBE eligible;
- Encourage interested eligible firms to become SCDOT certified. Interested firms should contact the SCDOT Office of Business Development and Special Programs (DBE Program Development Unit);
- Consult [SCDOT Unified DBE or SBE Directory](#). A DBE company will be listed in the DBE Directory for each work type or area of specialization that it performs. You may obtain a copy of this Directory at
- Other efforts: Describe: \_\_\_\_\_

Documentation of all good faith efforts shall be retained by the applicant for a period of five (5) years.

I certify that, to the best of my knowledge, the above information describes the DBE good faith efforts of:

County Council of Beaufort County - Disabilities and Special Needs Department  
Agency Name

\_\_\_\_\_  
Signature/Title of Authorized Representative  
Ashley M. Jacobs, County Administrator  
\_\_\_\_\_  
Printed Name/Title of Authorized Representative

\_\_\_\_\_  
Date

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**APPLIES TO ALL APPLICANTS**

**Other Provisions**

**ETHICS ACT**

By submitting an application, the Applicant certifies that they have and will comply with, and have not, and will not, induce a person to violate Title 8, Chapter 13 of the South Carolina Code of Laws, as amended (ethics act). The following statutes require special attention: Section 8-13-700, regarding use of official position for financial gain; Section 8-13-705, regarding gifts to influence action of public official; Section 8-13-720, regarding offering money for advice or assistance of public official; Sections 8-13-755 and 8-13-760, regarding restrictions on employment by former public official; Section 8-13-775, prohibiting public official with economic interests from acting on contracts; Section 8-13-790, regarding recovery of kickbacks; Section 8-13-1150, regarding statements to be filed by consultants; and Section 8-13-1342, regarding restrictions on contributions by contractor to candidate who participated in awarding of contract. The state may rescind any contract and recover all amounts expended as a result of any action taken in violation of this provision. If contractor participates, directly or indirectly, in the evaluation or award of public contracts, including without limitation, change orders or task orders regarding a public contract, contractor shall, if required by law to file such a statement, provide the statement required by Section 8-13-1150 to the procurement officer at the same time the law requires the statement to be filed. [02-2A075-2]

**QUALIFICATION OF APPLICANT**

To be eligible for award of a contract, a prospective recipient of State funds must be responsible. In evaluating an Applicant's responsibility, the State Standards of Responsibility [R.19-445.2125] and information from any other source may be considered. An Applicant must, upon request of the State, furnish satisfactory evidence of its ability to meet all contractual requirements. Unreasonable failure to supply information promptly in connection with a responsibility inquiry may be grounds for determining that an Agency is ineligible to receive an award. S.C. Code Section 11-35-1810.

**QUALIFICATIONS – REQUIRED INFORMATION**

In order to evaluate an Applicant's responsibility, the Applicant may, at the request of SCDOT, submit the following information or documentation for itself and any subcontractor, if the value of subcontractor's portion of the work exceeds 10% of the Operating expenses:

- (a) Include a brief history of the Applicant's experience in providing work of similar size and scope.
- (b) Applicant's most current financial statement, financial statements for your last two fiscal years, and information reflecting your current financial position. If you have audited financial statements meeting these requirements, you must provide those statements. [Reference Statement of Concepts No. 5 (FASB, December, 1984)]
- (c) List of failed projects, suspensions, debarments, and significant litigation.

**CERTIFICATION REGARDING DEBARMENT AND OTHER RESPONSIBILITY MATTERS**

(a)(1) By submitting an Application, Applicant certifies, to the best of its knowledge and belief, that-

(i) Applicant and/or any of its Principals-

(A) Are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any state or federal agency;

(B) Have not, within a three-year period preceding this offer, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, state, or local) contract or subcontract; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property; and

(C) Are not presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in paragraph (a)(1)(i)(B) of this provision.

(ii) Applicant has not, within a three-year period preceding this offer, had one or more contracts terminated for default by any public (Federal, state, or local) entity.

(2) "Principals," for the purposes of this certification, means officers; directors; owners; partners; and, persons having primary management or supervisory responsibilities within a business entity (e.g., general manager; plant manager; head of a subsidiary, division, or business segment, and similar positions).

(b) Applicant/Subrecipient shall provide immediate written notice to SCDOT if, at any time prior to contract award, Applicant/Subrecipient learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

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(c) If Applicant/Subrecipient is unable to certify the representations stated in paragraphs (a) (1), Applicant/Subrecipient must submit a written explanation regarding its inability to make the certification. The certification will be considered in connection with a review of the Applicant/Subrecipient's responsibility. Failure of the Applicant/Subrecipient to furnish additional information as requested by the State may render the Applicant/Subrecipient non-responsible.

(d) Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render, in good faith, the certification required by paragraph (a) of this provision. The knowledge and information of an Applicant/Subrecipient is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

(e) The certification in paragraph (a) of this provision is a material representation of fact upon which reliance was placed when making award. If it is later determined that the Applicant/Subrecipient knowingly or in bad faith rendered an erroneous certification, in addition to other remedies available to the State, SCDOT may terminate the contract resulting from this solicitation for default.

**SUBCONTRACTOR – IDENTIFICATION**

If you intend to subcontract with another business for any portion of the work/project and that portion exceeds 10% of your Operating expenses, your application must identify that business and the portion of work which they are to perform. Identify potential subcontractors by providing the business' name, address, phone, taxpayer identification number, and point of contact. In determining your responsibility, the state may evaluate your proposed subcontractors.

**DRUG AND ALCOHOL TESTING.** Applicants or subrecipients that receive only Section 5310 program assistance are not subject to FTA's drug and alcohol testing rules, but must comply with the Federal Motor Carrier Safety Administration (FMCSA) rule for all employees who hold commercial driver's licenses (49 CFR part 382).

Section 5310 recipients and subrecipients that also receive funding under one of the covered FTA programs (Section 5307, 5309, or 5311) should include any employees funded under Section 5310 projects in their testing program.

An FTA compliant testing program, as required by the receipt of FTA operating or capital funding (5307, 5309, 5311), may be used for Section 5310 employees; there is no need to have separate testing programs. Employees of a subrecipient of Section 5310 funds from a state or designated recipient of another FTA program (e.g., 5307 or 5311) should also be included in the designated recipient's testing program.

**DRUG-FREE WORKPLACE**

The Drug-Free Workplace Act of 1988, as well as Section 44-107-30, S.C. Code of Laws (1976), as amended, requires all grantees receiving grants from any federal or state agency to certify they will maintain a drug-free workplace.

**BUDGET ADJUSTMENTS**

(1) Method of Adjustment. Any adjustment in the contract price shall be consistent with the awarded Contract Scope/Project; Is dependent upon the availability of SCDOT-Administered SMTF; and shall be arrived at through whichever one of the following ways is the most valid approximation of the actual cost to the Subrecipient:

- (a) by agreement on a fixed budget adjustment before commencement of the pertinent performance or as soon thereafter as practicable;
- (b) by unit costs specified in the Contract or subsequently agreed upon;
- (c) by the costs attributable to the event or situation covered by the project scope or modification or subsequently agreed upon; or
- (d) in such other manner as the parties may mutually agree;

(2) Submission of Financial or Cost Data. Upon request of SCDOT, the Subrecipient shall provide reasonably available factual information to substantiate that the budget adjustment is reasonable and consistent with the provisions of Section 11-35-1830.

County Council of Beaufort County - Disabilities and Special Needs Department

Agency Name

\_\_\_\_\_  
Signature/Title of Authorized Representative

Ashley M. Jacobs, County Administrator

\_\_\_\_\_  
Printed Name/Title of Authorized Representative

\_\_\_\_\_  
Date

**SFY2019-2020**  
**(FFY2019)**  
*Updated March 15, 2019*

***End of Program Signature Documents***

**RESOLUTION 2020 /**

**A RESOLUTION SUPPORTING CERTIFICATIONS AND ASSURANCES TO THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION (SCDOT) ON BEHALF OF THE BEAUFORT COUNTY DISABILITIES AND SPECIAL NEEDS (DSN) DEPARTMENT FOR RELEASE OF TRANSPORTATION GRANT FUNDING IN THE AMOUNT OF \$50,000**

**WHEREAS**, the DSN Department has worked with SCDOT since 2013 for the coordination of transportation for adults with disabilities; and

**WHEREAS**, the DSN Department has applied to SCDOT for a \$50,000 grant from the Section 5310 Program - Elderly Individuals and Individuals with Disabilities - to assist with local transportation needs for its fiscal year 2020 Day Program services; and

**WHEREAS**, the DSN Department must submit to SCDOT specific certifications and assurances required to release funding along with an accompanying resolution from Beaufort County Council; and

**WHEREAS**, Beaufort County Council approved the DSN Department's contract for transportation services with Owl, Inc. totaling \$283,140 on May 28, 2019, which included a budgeted amount of \$285,000 including \$225,000 of Medicaid funds from the SC Department of Disabilities and Special Needs, \$50,000 from SCDOT, and \$10,000 of General Funds as the local match required by the grant application terms; and

**WHEREAS**, the collaboration between Beaufort County government and private entities such as Owl, Inc. is an effort to use multi-modal strategies as promoted by the Lowcountry Council of Governments Metropolitan Planning Organization; and

**WHEREAS**, Beaufort County Council is aware of the provisions of Federal Transit Administration (FTA) program fund requirements for each application it makes to the State of South Carolina for federal and/or state funding and wishes to authorize the Beaufort County Administrator to file application with the SCDOT on behalf of the DSN Department for federal and/or state funding to assist in providing community and/or human services transportation services; and

**WHEREAS**, if this application is approved, Beaufort County Council wishes to resolve that the DSN Department will provide the required match for the capital, operations and administrative charges, the necessary insurance coverage as required under the agreement, and all necessary local match for operating losses; and

**NOW, THEREFORE, BE IT RESOLVED**, Beaufort County Council agrees to comply with all applicable FTA and SCDOT program statutes and regulations, directives, certifications and assurances to carry out the project as described in the application attached herewith.

Council authorizes the Beaufort County Administrator to file application with the SCDOT on behalf of the DSN Department for federal and/or state funding to assist in providing community and/or human services transportation services, and to provide applicable certifications and assurances, and sign agreements required for the funding.

Council resolves that the DSN Department will provide the required match for the capital, operations and administrative charges, the necessary insurance coverage as required under the agreement, and all necessary local match for operating losses.

Council resolves that the County will comply with all Federal Transportation Administration and SCDOT Program statutes and regulations directives, certifications and assurances to carry out the transportation program described in the application for funding.

ADOPTED this 10<sup>th</sup> day of February, 2020

COUNTY COUNCIL OF BEAUFORT COUNTY

By: \_\_\_\_\_  
Stewart H. Rodman, Chairman

ATTEST:

\_\_\_\_\_  
Sarah Brock, Clerk to Council

**Exhibit A**  
Beaufort County Disabilities and Special Needs Department Application to the South Carolina Department of Transportation for \$50,000



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## BEAUFORT COUNTY COUNCIL

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### Agenda Item Summary

#### Item Title:

Updated Fee Schedule for Emergency Medical Services (EMS)

#### Council Committee:

Community Services Committee

#### Meeting Date:

February 3, 2020

#### Committee Presenter (Name and Title):

Philip Foot (Asst. County Administrator for Public Safety), Donna Ownby (EMS Director), and Marci Taylor (EMS Admin Specialist)

#### Issues for Consideration:

EMS User Fee Schedule was last reviewed in 2005.

#### Points to Consider:

Costs associated with providing citizens the highest quality EMS service, mileage rates, fuel, medications, and disposable supplies.

#### Funding & Liability Factors:

All fees collected are returned to the General Fund (GF) for county operations.

#### Council Options:

Approve an updated fee schedule or maintain fee schedule.

#### Recommendation:

Staff recommend adjustments to the fee schedule.

**ORDINANCE NO. 2020 / --**

**AN ORDINANCE TO AMEND THE BEAUFORT COUNTY ORDINANCE NUMBER 1975-2 AND BEAUFORT COUNTY COUNCIL OCTOBER 24, 2005 UPDATE APPROVAL SO AS TO PROVIDE AN UPDATED FEE SCHEDULE FOR EMERGENCY MEDICAL SERVICES (EMS) AMBULANCE SERVICES**

**WHEREAS**, Beaufort County currently provides for a fee schedule for the cost of Emergency Medical Services (EMS) ambulance service; and

**WHEREAS**, Beaufort County Council originally adopted a fee schedule in 1975 and subsequently updated the schedule in 2005; and

**WHEREAS**, Beaufort County believes the taxpayers of Beaufort County fund the basic operation to maintain a highly advance Emergency Medical Services (EMS) ambulance system for all citizens and visitors county-wide with ad valorem taxes; and

**WHEREAS**, Beaufort County desires to maintain the most advance Emergency Medical Service (EMS) for the citizens of Beaufort County by collecting updated user fees to off-set costs of maintaining such service.

**NOW, THEREFORE, BE IT ORDAINED** by Beaufort County Council that the following amendments be included within the Beaufort County Code of Ordinances as follows:

Beaufort County Emergency Medical Services (EMS) ambulance fee schedule:

<u>Level of Service</u>	<u>Current fee</u>	<u>Proposed fee</u>
ALS E A0427	\$725.00	NO CHANGE
BLS E A0429	\$255.00	\$535.00
ALS 2 A0433	\$1,070.00	NO CHANGE
SPECIALTY CARE TRANSPORT	\$355.00	\$1085.00
ALS TREATMENT NO TRANSPORT	\$100.00	\$150.00
BLS TREATMENT NO TRANSPORT	\$0.0	\$75.00
MILEAGE	\$7.25	\$17.25
ALS DISPOSABLE SUPPLIES	\$0.0	\$100.00
BLS DISPOSABLE SUPPLIES	\$0.0	\$50.00
IV SUPPLIES	\$0.0	\$50.00
OXYGEN SUPPLIES	\$0.0	\$50.00

Adopted this 5<sup>th</sup> day of MONTH, 2020.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: \_\_\_\_\_

Stu Rodman, Chairman

ATTEST:

\_\_\_\_\_

Sarah W. Brock, Clerk to Council



## BEAUFORT COUNTY COUNCIL

### Agenda Item Summary

**Item Title:**

Purchase of EPA-Registered Public Health Insecticide to Treat Underground Stormwater Systems

**Council Committee:**

Community Services

**Meeting Date:**

March 2, 2020

**Committee Presenter (Name and Title):**

Dave Thomas, CPPO, Purchasing Director, Gregg J. Hunt, Mosquito Control Director

**Issues for Consideration:**

The Purchasing Department received a request from the Mosquito Control Director to purchase an EPA-registered public health insecticide (Altosid XR ingots) at a non-competitive price from Target Specialty Products. Mosquito Control will use this product to treat 26,400 catch basins throughout the county starting in April 2020. Mosquitoes potentially associated with West Nile virus use the underground stormwater systems as breeding sites. The timely treatments will help reduce the risk of this mosquito-borne disease among humans, horses, and birds.

**Points to Consider:**

1. The application of this product requires three (3) 2-person teams to operate utility vehicles from early April to mid June.
2. Wellmark International (DBA Central Life Sciences) is the sole manufacturer of above referenced mosquito control product brands and markets direct to all U.S. end use customers via Agency Agreement. The Agency and distribution agreement in place for 2020 require ALL authorized Central Life Sciences agents to price & bid subject agency products at one set price - 2020 manufacturer list price. See the attached letter.

**Funding & Liability Factors:**

10001400-52320, Mosquito Control – Public Health Products

Mosquito Control's Fiscal Year 2020 appropriation is \$1.84 million. Approximately \$790 thousand is obligated for personnel costs and \$500 thousand is expended/encumbered as of 1/24/2020. This results in an available balance of approximately \$550 thousand.

PRIOR YEAR COST: \$89,698.60 (Natarul XRT tablets)

**Council Options:**

Approve the recommended purchase. Disapprove the purchase.

**Recommendation:**

The Purchasing Department recommends that the Community Services Committee approve the purchase of Altosid XR ingots for \$96,608.16 from Target Specialty Products.



**COUNTY COUNCIL OF BEAUFORT COUNTY  
PURCHASING DEPARTMENT**

106 Industrial Village Road, Bldg. 2, Post Office Drawer 1228  
Beaufort, South Carolina 29901-1228

David L Thomas, Purchasing Director  
dthomas@bcgov.net 843.255.2353

**TO:** Councilman Lawrence McElynn, Chairman, Community Services Committee  
**FROM:** David L Thomas, CPPO, Purchasing Director  
**SUBJ:** Sole Source Purchase  
Request to Purchase Public Health Insecticide for Beaufort County Mosquito Control

**DATE:** 03/02/2020

**BACKGROUND:**

The Purchasing Department received a request from the Mosquito Control Director to purchase an EPA-registered public health insecticide (Altosid XR ingots) at a non-competitive price from Target Specialty Products. Mosquito Control will use this product to treat 26,400 catch basins throughout the County starting in April 2020. Mosquitoes potentially associated with West Nile virus use the underground stormwater systems as breeding sites. The timely treatments will help reduce the risk of this mosquito-borne disease among humans, horses, and birds.

**VENDOR INFORMATION:**

Target Specialty Products, Santa Fe Springs, CA  
120 cases (220 ingots per case) x \$752.40 per case (\$90,288+\$6,320.16tax+free ship)

**COST:**

\$96,608.16

**FUNDING:**

10001400-52320, Mosquito Control – Public Health Products

Mosquito Control's Fiscal Year 2020 appropriation is \$1.84 million. Approximately \$790 thousand is obligated for personnel costs and \$500 thousand is expended/encumbered as of 1/24/2020. This results in an available balance of approximately \$550 thousand.

PRIOR YEAR COST: \$89,698.60 (Natular XRT tablets)

Funding approved: Yes By: aholland Date: 01/24/2020

**FOR ACTION:** Community Services Committee meeting on March 2, 2020.

**RECOMMENDATION:**

The Purchasing Department recommends that the Community Services Committee approve the purchase of Altosid XR ingots for \$96,608.15 from Target Specialty Products.

Attachment:  InsecticideMosControl.pdf 996.35 KB  No file attached

cc: Ashley Jacobs, County Administrator

Approved: Yes Date: 01/26/2020

Check to override approval:  Overridden by:

Override Date:

Alicia Holland, Assistant County Administrator, Finance

Approved: Yes Date: 01/24/2020

Phil Foot, Assistant County Administrator, Public Safety

Approved: Yes Date: 01/24/2020

Check to override approval:  Overridden by:

Override Date: ready for admin:

Gregg Hunt, Director, Mosquito Control Department

Approved: Yes Date: 01/25/2020

Check to override approval:  Overridden by:

Override Date: ready for admin:

**After Initial Submission, Use the Save and Close Buttons**



COUNTY COUNCIL OF BEAUFORT COUNTY  
**PURCHASING DEPARTMENT**

106 Industrial Village Road, Bldg. 2 -- Post Office Drawer 1228  
Beaufort, South Carolina 29901-1228

TO: Councilman Lawrence P. McElynn, Chairman, Community Services Committee

FROM: Dave Thomas, CPPO, Purchasing Director

SUBJ: Request to Purchase Public Health Insecticide for Beaufort County Mosquito Control

DATE: March 2, 2020

**BACKGROUND:** The Purchasing Department received a request from the Mosquito Control Director to purchase an EPA-registered public health insecticide (Altosid XR ingots) at a non-competitive price from Target Specialty Products. Mosquito Control will use this product to treat 26,400 catch basins throughout the county starting in April 2020. Mosquitoes potentially associated with West Nile virus use the underground stormwater systems as breeding sites. The timely treatments will help reduce the risk of this mosquito-borne disease among humans, horses, and birds.

**VENDOR INFORMATION:**

**COST**

Target Specialty Products, Santa Fe Springs, CA  
120 cases (220 ingots per case) @ \$752.40 per case  
(\$90,288 + \$6,320.16 tax + free shipping)

\$96,608.16

**FUNDING:** 10001400-52320, Mosquito Control – Public Health Products  
Mosquito Control's Fiscal Year 2020 appropriation is \$1.84 million. Approximately \$790 thousand is obligated for personnel costs and \$500 thousand is expended/encumbered as of 1/24/2020. This results in an available balance of approximately \$550 thousand.

**PRIOR YEAR COST:** \$89,698.60 (Natular XRT tablets)

**FOR ACTION:** Community Services Committee meeting on March 2, 2020

**RECOMMENDATION:** The Purchasing Department recommends that the Community Services Committee approve the purchase of Altosid XR ingots for \$96,608.16 from Target Specialty Products.

**CC:** Ashley Jacobs, County Administrator  
Christopher Inglese, Deputy County Administrator  
Alicia Holland, Asst. Co. Administrator, Finance  
Philip Foot, Asst. Co. Administrator, Public Safety  
Gregg J. Hunt, Mosquito Control Director  
Attachments: Pricing Information and Beaufort County Map

Wellmark International DBA



1501 E. Woodfield Road, Suite 200W  
Schaumburg, IL 60173  
847 330 5300

January 1, 2020

**To: Altosid®, Zenivex® and Duplex® Purchasers**

Wellmark International (DBA Central Life Sciences) is the sole manufacturer of above referenced mosquito control product brands and markets direct to all U.S. end use customers via Agency Agreement. The Agency and distribution agreement in place for 2020 require ALL authorized Central Life Sciences agents to price & bid subject agency products at one set price - 2020 manufacturer list price.

During calendar year 2020, the following companies are authorized Central Life Sciences Agents allowed to advertise, promote, solicit and sell ALTOSID®, ZENIVEX® and DUPLEX® products.

- Clarke
- Target Specialty Products
- Univar
- Van Diest Supply Company

All inquires and/or purchases of ALTOSID®, ZENIVEX® or DUPLEX® products can be made through the above cited companies.

Regards,

A handwritten signature in black ink, appearing to read 'John Neberz', written in a cursive style.

John Neberz  
Business Manager  
847-330-5385  
JNeberz@Central.com

JN/smc enclosure



**EXHIBIT B**

**WELLMARK INTERNATIONAL AGENCY AGREEMENT**

**SALES PRICE; TERRITORY**

**2020 ALTOSID® (End Use) Agency Agreement Price List**

Effective January 1, 2020

PRODUCT #	ALTOSID® PRODUCT DESCRIPTION	MAXIMUM PALLET CONFIGURATION	CASE/BAG PRICE
100508842	XR Briquets cork shape 220/case	48 cases	\$752.40
100508846	XR Briquet (Slim) Ingot NY Label 220/case	48 cases	\$752.40
100508841	XR Briquet (Slim) Ingot 220/case	48 cases	\$752.40
37060F	30 Day Briquets 400/case	162 cases	\$476.00
37230F	SR-20 2x2.5 gallon/case	33 cases	\$4,704.80
37240E	A.L.L. SR-5 4x1 gallon/case	27 cases	\$1,057.80
37730D	Pellets 2/22 lb/case	36 cases	\$1,124.20
100526053	Pellets 2,000 lb Tote	one	\$46,000.00
38540	WSP Pellets 7.0-gram pouch (50 X 16) case	40 cases	\$688.00
100531822	P35 40lb bag	35 bags	\$703.60
100531823	P35 2,000lb Tote	one	\$34,120.00
37330	XR-G 40lb bag	50 bags	\$358.00
38880	XR-G 1,000lb bag	1 bag	\$ 8,860.00
100541067	XR-G ULTRA 40lb bag	50 bags	\$ 460.00
100541068	XR-G ULTRA 1,000lb bag	1 bag	\$11,500.00
100518214	SBG II 40lb bag	50 bags	\$128.40
100518222	SBG II 1,000lb bag	1 bag	\$3,210.00

1. All orders and product inquiries: Customer Service 1-800-528-8058; Fax 1-800-426-7473
2. Freight prepaid and allowed on all direct ship orders to end-use customers when (\$7,500 and greater)
3. Freight prepaid and allowed on all consignment stock transfer orders to approved agent warehouse locations when (\$3,000 and Greater)
4. Central Life Sciences billing to Agent payment terms – Net 45 days

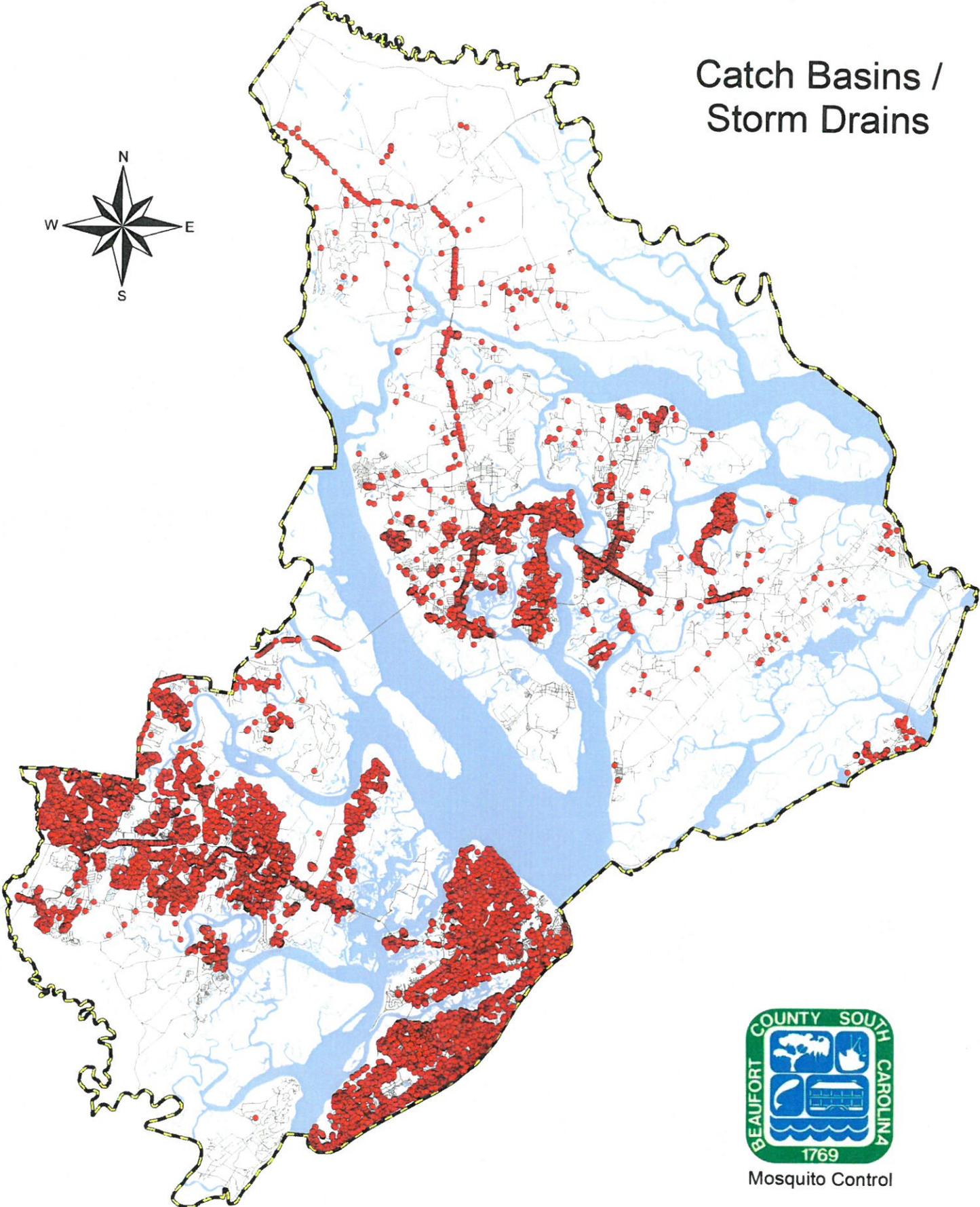
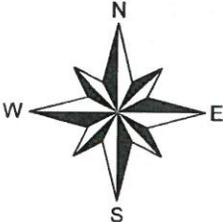
U.S. Price List: WELLMARK INTERNATIONAL RESERVES THE RIGHT TO CHANGE ABOVE PRICES AT ANY TIME WITHOUT NOTICE.  
 Territory: The United States of America – 50 States.  
 Terms: Agent billings to end-use customers – Net 30 days (Agent invoice terms on all sales to purchasers unless all suppliers are required to offer specific alternate terms).

Invoice Commentary: ALL AGENT INVOICING TO PURCHASERS MUST INCLUDE THE FOLLOWING STATEMENT;  
*"Altosid" sold herein is under Agency Agreement and is for the Account of Wellmark. Agent is authorized to invoice and collect under The terms of Agency contract. Only upon written direction from Wellmark or Agent, are the amounts due under this invoice payable to Wellmark".*

1501 E. Woodfield Road, Suite 200 West Schaumburg, IL 60173 847.330.530072



# Catch Basins / Storm Drains



Mosquito Control



## BEAUFORT COUNTY COUNCIL

### Agenda Item Summary

#### Item Title:

Request Authority for the County Administrator to Negotiate a Contract for Construction Services for Building a Single-Family Home for the Beaufort County Disabilities and Special Needs (DSN) Department Reference IFB 112019, and to take title to the home after construction is complete

#### Council Committee:

Community Services Committee

#### Meeting Date:

February 3, 2020

#### Committee Presenter (Name and Title):

Dave Thomas, CPPO, Purchasing Director

#### Issues for Consideration:

The Purchasing Department received a request from the DSN Department to advertise for bid construction services to build a single-family home on the County's lot at 1 Bostick Circle, Battery Point Subdivision, Beaufort, SC. The County held a mandatory pre-bid meeting on October 10, 2019, at 3:00 pm in our Finance Conference Room. Six contractors attended. On November 20, 2019, the County received the following four bid responses:

Vendor Name	Cost
1. Patterson Construction, Inc. Beaufort, SC	\$287,777.77* Withdrew Bid due to scheduling issues.
2. Beau Allen America, LLC, Beaufort, SC	\$337,700.00
3. Kenneth Scott Builders, Inc., Okatie, SC	\$353,263.00
4. Construction Management Services, LLC, Bluffton, SC	\$373,933.00

#### Points to Consider:

This home will adhere to all ADA standards and include a staff office, four bedrooms, two full bathrooms, and one half-bathroom to accommodate four full-time residents. One County vehicle will be assigned on-site to support the residents. The Battery Point Architectural Review Committee granted final approval for the application to build at 1 Bostick Circle in October 2019. Staff reviewed the bids and determined that Beau Allen America, LLC is the lowest responsive/responsible bidder. The contractor will have 270 days to complete the home from the Notice to Proceed date.

#### Funding & Liability Factors:

Fund Balance account# 24500021 - 54410 Disabilities and Special Needs-Building Acquisition. The fund balance as of 1/24/2020 is \$800,000.

#### Council Options:

Approve or disapprove the Contract Award.

#### Recommendation:

The Purchasing Department recommends that the Community Services Committee recommend approval to County Council to allowing the County Administrator to negotiate a contract with Beau Allen America, LLC for construction services for building a single-family home for the County's Disabilities and Special Needs Residential Program Reference IFB 112019, and to take title to the home after construction is complete. The total construction cost is \$337,700 plus a 10% contingency of \$33,770.



**COUNTY COUNCIL OF BEAUFORT COUNTY  
PURCHASING DEPARTMENT**

106 Industrial Village Road, Bldg. 2, Post Office Drawer 1228  
Beaufort, South Carolina 29901-1228

David L Thomas, Purchasing Director  
dthomas@bcgov.net 843.255.2353

**TO:** Councilman Lawrence McElynn, Chairman, Community Services Committee

**FROM:** David L Thomas, CPPO, Purchasing Director

**SUBJ:** Negotiate a Contract

Request Authority for the County Administrator to Negotiate a Contract for Construction Services for Building a Single-Family Home for the Beaufort County Disabilities and Special Needs (DSN) Department

**DATE:** 02/03/2020

**BACKGROUND:**

The Purchasing Department received a request from the DSN Department to advertise for bid construction services to build a single-family home on the County's lot at 1 Bostick Circle, Battery Point Subdivision, Beaufort, SC. The County held a mandatory pre-bid meeting on October 10, 2019, at 3:00 pm in our Finance Conference Room. Six contractors attended. On November 20, 2019, the County received the following four bid responses below.

Staff reviewed the bids and determined that Beau Allen America is the lowest responsive/responsible bidder. This home will adhere to all ADA standards and include a staff office, four bedrooms, two full bathrooms, and one half-bathroom to accommodate four full-time residents. One County vehicle will be assigned on-site to support the residents. The Battery Point Architectural Review Committee granted final approval for the application to build at 1 Bostick Circle in October 2019.

**VENDOR INFORMATION:**

1. Patterson Construction, Inc., Beaufot, SC\*  
\*Withdraw bid on January 14, 2020, due to scheduling issues.

2. Beau Allen America, LLC, Beaufort, SC

3. Kenneth Scott Builders, Inc., Okatie, SC

4. Construction Management Services, LLC, Bluffton, SC

**COST:**

\$287,777.77\*

\$337,700.00

\$353,263.00

\$373,933.00

**FUNDING:** Account 24500021-54410, Disabilities and Special Needs-Building Acquisition. The available fund balance as of 1/24/2020 is \$800,000.

Funding approved: Yes By: aholland Date: 01/24/2020

**FOR ACTION:** Community Services Committee meeting occurring February 3, 2020.

**RECOMMENDATION:**

The Purchasing Department recommends that the Community Services Committee recommend approval to County Council allowing the County Administrator to negotiate a contract with Beau Allen America, LLC, for construction services for building a single-family home for DSN Residential Program (reference IFB 112019) and to take title to the home after construction is complete. The total construction cost is \$327,700 plus a 10% contingency of \$33,770

Attachment:  NewAgendaPacketforDSNBosticCircleHomeCommunitySERCommittee020320.pdf 7.58 MB  No file attached

cc: Ashley Jacobs, County Administrator

Approved: Yes Date: 01/24/2020

Check to override approval:  Overridden by:

Override Date:

Alicia Holland, Assistant County Administrator, Finance

Approved: Yes Date: 01/24/2020

Monica Spells, Assistant County Administrator, Civic Engager

Approved: Yes Date: 01/24/2020

Check to override approval:  Overridden by:

Override Date: ready for admin:

William Love, Director, Disabilities and Special Needs Division

Approved: Yes Date: 01/24/2020

Check to override approval:  Overridden by:

Override Date: ready for admin:

**After Initial Submission, Use the Save and Close Buttons**



COUNTY COUNCIL OF BEAUFORT COUNTY  
**PURCHASING DEPARTMENT**  
102 Industrial Village Road, Bldg 2—Post Office Drawer 1228  
Beaufort, South Carolina 29901-1228

**TO:** Councilman Lawrence McElynn, Chairman, Community Services Committee

**FROM:** Dave Thomas, CPPO, Purchasing Director

**SUBJ:** **Request Authority for the County Administrator to Negotiate a Contract for Construction Services for Building a Single-Family Home for the Beaufort County Disabilities and Special Needs (DSN) Department**

**DATE:** December 30, 2019

**BACKGROUND:** The Purchasing Department received a request from the DSN Department to advertise for bid construction services to build a single-family home on the County's lot at 1 Bostic Circle, Battery Point Subdivision, Beaufort, SC. The County held a mandatory pre-bid meeting on October 10, 2019, at 3:00 pm in our Finance Conference Room. Six contractors attended. On November 20, 2019, the County received the following four bid responses:

**CONTRACTOR INFORMATION**

**BID PRICE**

1. Patterson Construction, Inc. Beaufort, SC	\$287,777.77*
2. Beau Allen America, LLC, Beaufort, SC	\$337,700.00
3. Kenneth Scott Builders, Inc., Okatie, SC	\$353,263.00
4. Construction Management Services, LLC, Bluffton, SC	\$373,933.00

\*Withdrew Bid on January 14, 2020 due to scheduling issues.

Staff reviewed the bids and determined that Beau Allen America is the lowest responsive/responsible bidder. This home will adhere to all ADA standards and include a staff office, four bedrooms, two full bathrooms, and one half-bathroom to accommodate four full-time residents. One County vehicle will be assigned on-site to support the residents. The Battery Point Architectural Review Committee granted final approval for the application to build at 1 Bostick Circle in October 2019.

**FUNDING:** Fund Balance account# 24500021 - 54410 Disabilities and Special Needs-Building Acquisition. The fund balance as of 1/24/2020 is \$800,000.

**FOR ACTION:** Community Services Committee meeting occurring February 3, 2020.

**RECOMMENDATION:** The Purchasing Department recommends that the Community Services Committee recommend approval to County Council to allowing the County Administrator to negotiate a contract with Beau Allen America, LLC for construction services for building a single-family home for the County's Disabilities and Special Needs Residential Program Reference IFB 112019, and to take title to the home after construction is complete. The total construction cost is \$337,700 plus a 10% contingency of \$33,770.

**CC:** Ashley Jacobs, County Administrator  
Christopher S. Inglese, Deputy County Administrator  
Alicia Holland, Assistant County Administrator, Finance  
Monica Spells, Assistant County Administrator, Civic Engagement and Outreach  
Bill Love, Disabilities and Special Needs Executive Director

Attachments: Home Plans, Pricing Information, Bid Compliance

**PRELIMINARY BID TABULATION**  
PURCHASING DEPARTMENT



<b>Project Name:</b>	DSN New Home Bostic Circle
<b>Project Number:</b>	IFB 112019
<b>Project Budget:</b>	
<b>DUE Date:</b>	11.20.2019
<b>Time:</b>	3:00
<b>Location:</b>	BIV #2 Conference Room
<b>Bid Administrator:</b>	Dave Thomas
<b>Bid Recorder:</b>	Marlene Myers

The following bids were received for the above referenced project:

BIDDER	BID FORM	BID BOND	ALL ADDENDA	SCH OF VALUES	SUB LISTING	SMBE DOCS	Grand Total Price
Beau Allen America	✓	✓	✓	✓	✓	✓	\$ 337,700.00
Kenneth Scott Builders	✓	✓	✓	✓	✓	✓	\$ 353,263.00
Construction Management Services	✓	✓	✓	✓	✓	✓	\$ 373,933.00
Patterson Inc	✓	✓	✓	✓	✓	✓	\$ 287,777.77

*Beaufort County posts PRELIMINARY bid tabulation information within 2 business days of the advertised bid opening. Information on the PRELIMINARY bid tabulation is posted as it was read during the bid opening. Beaufort County makes no guarantees as to the accuracy of any information on the PRELIMINARY tabulation. The bid results indicated here do not necessarily represent the final compliance review by Beaufort County and are subject to change. After the review, the final award will be made by Beaufort County Council and a certified bid tab will be posted online.*

  
Bid Administrator Signature

\_\_\_\_\_  
Bid Recorder

NO.	DESCRIPTION	DATE	BY
1			
2			
3			
4			
5			
6			
7			
8			

**PLAN REVISIONS**

THE GEORGIA AND DEAS PRESENTED IN THESE DRAWINGS ARE THE COPYRIGHTED PROPERTY OF ANDREWS ENGINEERING, INC. AND THE USE OR REPRODUCTION OF THESE PLANS OR THEIR CONTENTS IS STRICTLY PROHIBITED WITHOUT PRIOR WRITTEN CONSENT.




# Andrews Engineering & Surveying

2712 BIRD STREET SUITE A  
BEAUFORT, SC 29522  
P: 843.739.2222  
F: 843.739.2223

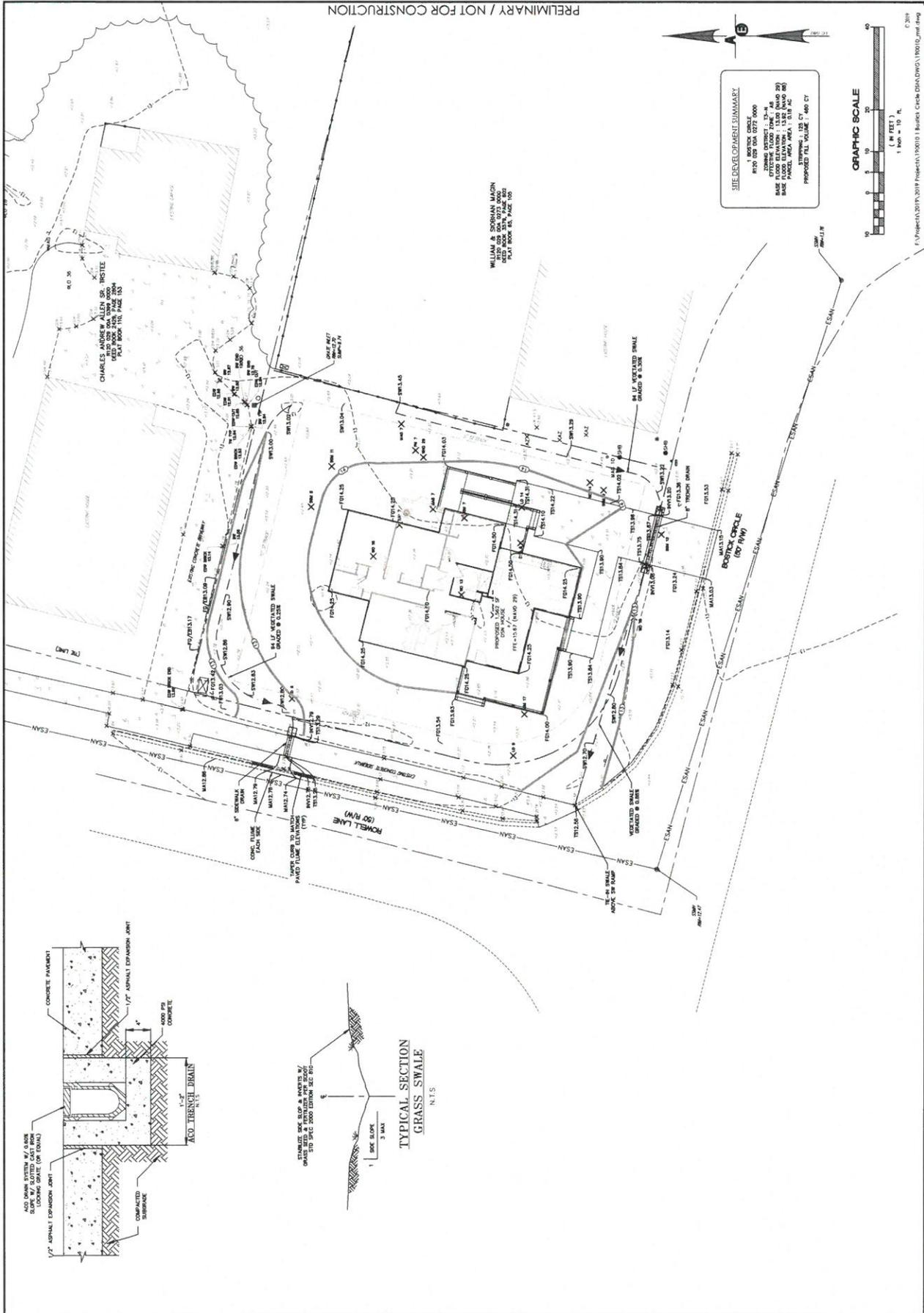
Preliminary Site Plan  
for  
1 Bostwick Circle  
DSN  
City of Beaufort  
Beaufort County, SC

Overall Site Plan

Date: Drawn: 03/11/19  
Last Revised: 03/01/19  
Drawn By: K. Durr  
Engineer: A. Kesterson

SHEET #:  
**7**

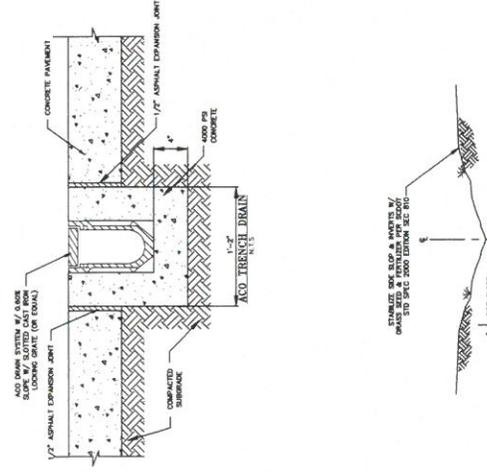
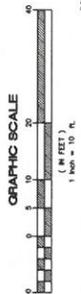
JOB: 190010



PRELIMINARY / NOT FOR CONSTRUCTION

**SITE DEVELOPMENT SUMMARY**

1 BOSTWICK CIRCLE  
1720 SQ. FT. (0.04 AC)  
1 BOSTWICK CIRCLE  
1720 SQ. FT. (0.04 AC)  
TOTAL SITE AREA: 1720 SQ. FT. (0.04 AC)  
TOTAL FLOOR AREA: 1720 SQ. FT. (0.04 AC)  
TOTAL VOLUME: 1720 CU. FT. (0.04 AC)  
TOTAL GRASS AREA: 1720 SQ. FT. (0.04 AC)  
TOTAL PAVED AREA: 1720 SQ. FT. (0.04 AC)  
TOTAL SWALE VOLUME: 1720 CU. FT. (0.04 AC)



TYPICAL SECTION GRASS SWALE  
N.T.S.

© 2019  
I:\Projects\2019\2019 Projects\190010 - Bostwick Circle DSN.dwg (190010) - 190010.dwg



## Small and Minority Business Participation Bid Compliance Review of Good Faith Efforts

Construction Services for Building a Single-Family Home  
 for the Beaufort County Disabilities and Special Needs (DSN) Department  
 (IFB #110619/112019)

Prime Bidder/Proposer		Beau Allen	CM Services	K. Scott Builders	Patterson
1.	Included Completed Good Faith Efforts Checklist Form	1	1	1	1
2.	Included Copy of Written Notice to SMBE	1	0	1	1
3.	Provided Proof of Sending Written Notice to SMBE	1	0	1	1
4.	Sent Bid Notice to SMBE 10 Days in Advance	1	0	1	1
5.	Signed Non-Discrimination Statement Form (Exhibit 1)	1	1	1	1
6.	Included Completed Outreach Documentation Log (Exhibit 2)	1	1	1	1
7.	Included Completed Proposed Utilization Plan (Exhibit 3)	1	1	1	1
<b>Total</b>		<b>7</b>	<b>4</b>	<b>7</b>	<b>7</b>

Total of 7 Possible Points

Scoring:

0 = No | 1 = Yes

**THIS IS NOT AN ORDER**

\*ONE VENDOR ORIGINAL & ONE VENDOR COPY TO BE

\*VENDOR ORIGINAL

\*VENDOR COPY

Dates Advertised: September 26, 2019

SUBMITTED BY EACH BIDDER

Page 1 of 28 Pages



**INVITATION  
FOR BID  
(IFB)**

FORMAL SEALED BID (X)      REQUEST FOR QUOTE ( )  
We require bids to be electronically submitted through our Vendor Registry Program. Please go to [www.beaufortcountysc.gov](http://www.beaufortcountysc.gov) and sign up to submit your bid. If you do not have access to a computer, you may hand deliver your bid.  
HAND DELIVERED AND/OR  
EXPRESS MAIL BIDS TO:      Purchasing Department  
Beaufort Industrial Village  
106 Industrial Village Rd., Bldg. 2  
Beaufort, SC 29906-4291  
(FAX BID NOT ACCEPTED)

\*BIDS WILL BE RECEIVED UNTIL 3:00 P.M. ON:  
**November 6, 2019**

**IFB 110619 / 112019**

LOCAL TIME-THEN PUBLICLY OPENED IF SEALED BID

**BID TITLE: Construction Services for Building a Single-Family Home for the Beaufort County Disabilities and Special Needs (DSN) Department**

**PREBID CONFERENCE: A mandatory pre-bid conference will be held on October 10, 2019 at 3:00 pm in the Finance Conference room located at Beaufort Industrial Village, 106 Industrial Village Road, Bldg. 2, Beaufort, SC 29906. This is a mandatory meeting, all interested bidders must attend.**

David L. Thomas, CPPO  
Purchasing Director

Mailing Date

E-MAIL QUESTIONS TO:  
Dave Thomas  
dthomas@bcgov.net  
At least calendar 10 before bid opening.  
E-mail questions are preferred.

VENDOR NAME **BEAU ALLEN AMERICA, LLC**

REASON FOR NO BID

VENDOR MAILING ADDRESS **2015 BOUNDARY ST. #226**

Amend Number(s) Received: 1

CITY-STATE-ZIP-CODE  
**BEAUFORT, SC 29902**

S.C. TAX NO.  
**117419604**

Telephone Number **(843)986-4986**

FEDERAL I.D. OR SOCIAL SECURITY NO.  
**35-2607021**

Toll-Free Number **NONE**

Fax Number **NONE**

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm or any corporation, firm, or person submitting a bid for the same materials, supplies, or equipment, and is in all respects fair and without collusion or fraud. I agree to abide by all conditions of this bid and certify that I am authorized to sign this bid for the bidder.

AUTHORIZED SIGNATURE (MANUAL)

AUTHORIZED SIGNATURE (TYPE/TITLE)

**DAVID A. SUMMERALL - PRESIDENT**

Bid Security is attached (if required) in the amount of:  
5% of Bid if over \$30,000.00.

IF A SUMMARY OF BIDS IS DESIRED, ENCLOSE A SELF-ADDRESSED STAMPED

**BID ACCEPTANCE AND DELIVERY** (Prices bid must be firm for a minimum of 90 days). In compliance with the Invitation, and subject to all conditions thereof, the above signed offers and agrees, if this bid is accepted within 180 days from date of opening, to furnish any or all items quoted on at prices as set forth after the item and to make delivery within 270 days after receipt of order with transportation cost included and prepaid. Unless otherwise stated and accepted herein, I agree to complete this proposed contract in less than two hundred seventy (270) days after issue date of purchase order. The Beaufort County School District or any other Beaufort County Department at their option, shall be eligible for use of any contract awarded pursuant to this solicitation.

## DISCOUNTS

Discount will be allowed as follows: Thirty (30) calendar days 0 per cent.

**IMPORTANT**  
IF YOU CONSIDER THESE SPECIFICATIONS AS RESTRICTIVE,  
SEE GENERAL PROVISIONS, PARAGRAPH #20, DISCREPANCIES.

**\* Bids received after the time specified for opening cannot be considered.**

**Scope of Services:** Beaufort County Facility Management intends to have constructed a 1600sf single family home in the Battery Point subdivision in the city of Beaufort S.C. In accordance with drawings provided in the Bid package. Drawings include Site Development drawings, Landscape drawings, Structural drawings, and Architectural drawings.

Bidders shall be responsible for design and layout of Plumbing and HVAC systems as well as Fire Sprinkler and Alarm systems. A landscape irrigation system is required and will be designed and installed by the successful contractor.

Beaufort County has secured building approval from the Battery Point HOA however; the successful contractor shall be responsible for all other approvals for the project including the building permit, fire sprinkler and alarm approvals and will be subject to the community guidelines for construction in the Battery Point sub-division.

The home will be a wood framed single story masonry supported structure and will include a monitored fire alarm system and automatic fire sprinkler system meeting the requirements of Section 903.3.1.3 or Section P2904 of the International Residential Building Code.  
The occupancy class is R-3/ CTH II

Water tap required; 1" min. with 1.5" water line to riser. The Bidder is responsible for coordination with BJWSA to verify service cost and availability and include any fees in the bid.

The home will be ADA compliant and include:

- Wheelchair Ramp
- Roll-in shower
- Grab bars
- 44" clear hall way
- ADA compliant counters and sinks
- Levered door hardware
- Entry door thresholds
- Exit lights will be required at entry doors -Emergency lights (must generate 8 Watts/ 6 Volts)
- Rough-in for up to four (4) security cameras (cameras by Beaufort County)
- Cable rough-in and termination to each bedroom, home office, and living room
- Windows shall be impact rated
- Operable shutters on all windows facing the street (front and side)
- Gas Renni water heater capable of maintaining temperature between 100 and 120 degrees
- CO2 Detectors

Additional requirements are stipulated in Attachment "B" Spec Sheet

**BID SCHEDULE**

PRICES INDICATED HEREIN REFLECT STRICT COMPLIANCE WITH TERMS, CONDITIONS, PROVISIONS AND SPECIFICATIONS OF THIS INVITATION FOR BID, OR WITH EXCEPTION DETAILED IN AN ENCLOSURE APPENDED HERETO.

ITEM.	U/M	COMMODITY OR SERVICES		TOTAL PRICE
1	EA	<b>Beaufort County Disabilities and Special Needs Turn-Key Price for building a home on Bostic Circle:</b>		
2	EA	<b>Reference Scope of Services</b>		<b><u>\$ 337,700.00</u></b>
3	EA	<b>Vendors must attach a schedule of values with their bid response.</b>  <b>Number of days to complete the work <u>270</u>.</b> <b>(From the contract award date)</b>		

**BID SURETY IS REQUIRED ON BIDS OVER \$30,000.00 IN THE FORM OF A BIDDER'S BOND, CASHIER'S CHECK OR CERTIFIED CHECK IN AN AMOUNT OF 5% OF THE BID AMOUNT, PAYABLE TO THE BEAUFORT COUNTY TREASURER.**

**\*Bidders must attach a Schedule of values detailing your bid pricing.**

I, the undersigned, certify that this bid does not violate any Federal or State Antitrust Laws.  
Bidders Federal Social Security Identification (E.I.) No. 35-2607021

(Company Name)

Beau Allen America, LLC

(Mailing Address)

2015 Boundary St. #226

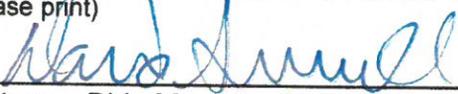
(Street Address)

Beaufort, SC 29902

(CITY/STATE/ZIP)

BY David A. Summerall TITLE President

(Please print)



(Signature – Bids Must Be Signed)

TELEPHONE 843-986-4986

DATE 11/19/2019

FAX #: NONE

EMAIL ADDRESS: david@summerallcc.com

## Good Faith Efforts Checklist

*This form and supporting documents are due with the bid package, if not self-performing 100% of the work.*

- Include copies of the written notice to SMBs notifying them of bid opportunities. Notices only need to be sent to those subcontractors and suppliers offering the services which the bidder intends to subcontract and purchase. Notices can be e-mailed or faxed. If emailed, the notice may be sent to all applicable subcontractors with one email. If faxed, include a copy of the fax transmittal confirmation slip. The notice should contain the following:
- Bidder's name and contact information
  - Project name and number
  - Scope of work/bid packages available for subcontracting
  - Information on availability of plans and specifications
  - Bidder's insurance, bonding, and financial requirements
- Include Exhibits 1, 2 and 3, with all requested supporting documentation, where applicable. These exhibits are available on the Beaufort County website ([www.beaufortcountysc.gov](http://www.beaufortcountysc.gov)) under the Purchasing Department page.

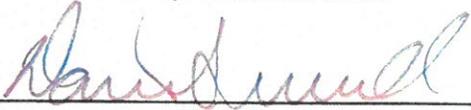
The undersigned acknowledges making a good faith effort to comply with the above areas checked.

**BEAU ALLEN AMERICA, LLC**

\_\_\_\_\_  
Name of Company

**DAVID A. SUMMERALL**

\_\_\_\_\_  
Owner or Authorized Representative Name

  
\_\_\_\_\_  
Signature

**PRESIDENT**

\_\_\_\_\_  
Title

**11/19/2019**  
\_\_\_\_\_  
Date

# Exhibit 1 Non-Discrimination Statement

*This form is due with the bid package.*

The bidder certifies the following:

- No person shall be excluded from participation in, denied the benefit of, or otherwise discriminated against on the basis of race, color, national origin, age, sex/gender, disability, religion, language, or income in connection with any bid submitted to Beaufort County or the performance of any contract resulting thereof;
- That it is and shall be the policy of the bidder to provide equal opportunity to all businesses or persons seeking to contract or otherwise interested in contracting with the bidder for Beaufort County contracts, including those businesses owned and controlled by socio-economic and racial minorities;
- In connection herewith, we acknowledge and warrant that this bidder has been made aware of, understands, and agrees to take affirmative action to provide such companies with the maximum practicable opportunities to do business with this bidder;
- That this promise of non-discrimination as made and set forth herein shall be continuing in nature and shall remain in full force and effect without interruption throughout the life of the referenced contract with Beaufort County;
- That the promises of non-discrimination as made and set forth herein shall be and are hereby deemed to be made a part of and included by reference into any contract or portion thereof which this bidder may hereafter obtain and;
- That the failure of this bidder to satisfactorily discharge any of the promises of non-discrimination as made and set forth herein shall constitute a material breach of contract entitling Beaufort County to declare the contract in default and to exercise any and all applicable right and remedies including, but not limited to cancellation of the contract, termination of the contract, suspension and debarment from future contracting opportunities, and withholding and/or forfeiture of compensation due and owing on a contract.

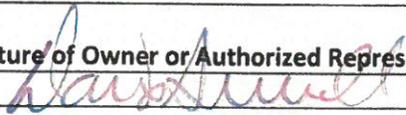
**Name of Company**

Beau Allen America, LLC

**Owner or Authorized Representative Name**

David A. Summerall

**Signature of Owner or Authorized Representative**



**Title**

President

**Date**

11/19/2019



**EXHIBIT 3  
Proposed Utilization Plan**

**Bidder Name:** BEAU ALLEN AMERICA, LLC  
**Bid No.:** 112019  
**Bid Date:** 11.20.19  
**Project Name:** Construction Services for Building a Single-Family Home for the Beaufort County Disabilities and Special Needs (DSN) Department

**LIST INFORMATION FOR THE SMBs YOU INTEND TO UTILIZE FOR THE REFERENCED PROJECT:**

Name of SMB Firm	City	State	Tel # with Area Code	Point of Contact	Trade/Commodity	Contract/PO Amount
None						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -
						\$ -

Total Anticipated SMB Participation Dollar Value \$ -

The undersigned proposes to enter into a formal agreement with the SMBs identified for work and value listed conditioned upon execution of a contract with Beaufort County for the referenced project.

Representative Name: DAVID A SUMMERALL  
 Signature: *David Summerall*  
 Title: PRESIDENT  
 Date: 11/19/2019

PROOF

**From:** David Summerall

**Sent:** Monday, October 14, 2019 3:07 PM

**To:** canebranchsiteconstruction@gmail.com; marysue.warner@gmail.com;  
grassmasters\_sc@yahoo.com; rwwiring@yahoo.com; dbozeman@southernroofing.com;  
janet@clementselectrical.com; glorypaintingco@gmail.com; pflanders@mac.com

**Subject:** Invitation to Bid IFB 110619 - Construction Services for Building a Single-Family Home for the Beaufort County Disabilities and Special Needs(DSN) Department

To whom it may concern,

Beau Allen America, LLC will be bidding IFB 110619 - Construction Services for Building a Single-Family Home for the Beaufort County Disabilities and Special Needs (DSN) Department. All current plans and specifications are attached. Please respond to this with your intent to bid so that we may keep you posted with addendums as they come out. We will accept bids from sub-contractors through close of business on 11/01/2019. Please make sure to review the project documents to assure that you carry the required insurance. Please email me with any questions that you might have. We are accepting bids on all trades.

Thanks

**David A. Summerall**

**843-986-4986**

**David A. Summerall**

**843-986-4986**

**LOCAL VENDOR PREFERENCE – PARTICIPATION AFFIDAVIT**

**SECTION 2.537.1**

A competitive procurement made by Beaufort County shall be made from responsive and responsible resident vendors in the County for procurement, if such bid does not exceed the lowest qualified bid from a non-county vendor by more than five (5%) percent or Ten Thousand (\$10,000.00) Dollars, whichever is less, of the lowest non-county bidder. The resident vendor has the discretion to match the bid submitted by the non-county vendor and receive the contract award.

A vendor shall be deemed to be a "local vendor" if such vendor is an individual, partnership, association or corporation that is authorized to transact business within the state, maintains an office in Beaufort County, has a business license of Beaufort County or one of the municipalities within Beaufort County, and maintains a representative inventory of commodities within Beaufort County or one of the municipalities on which the bid is submitted and has paid all taxes duly assessed.

If no bids are received from a Beaufort County Local Vendor a vendor shall be deemed to be a "local vendor" if such vendor is an individual, partnership, association or corporation that is authorized to transact business within the state, maintains an office in Jasper, Hampton, and Colleton Counties (local preference only applies if Jasper, Hampton and Colleton Counties offer reciprocity to Beaufort County). A competitive procurement made by the county shall be made from responsive and responsible resident vendors in the respective counties for procurement, if such bid does not exceed the lowest qualified bid from a non-local vendor by more than five (5%) percent or \$10,000.00, whichever is less, local vendor has the discretion to match the bid submitted by the non-local vendor and receive the contract award.

If the procurement is to be made pursuant to state or federal guidelines which prohibit or restrict a local or state preference, there shall be no local or state preference unless a more restricted variation is allowed under the guidelines. Local/state preference shall not be applied to the procurement of construction services.

The undersigned hereby attests that the criteria of the "RESIDENT VENDOR PREFERENCE, SECTION 2.537.1" are met for the purposes of bid document IFB 112019, dated 9/26/2019.

Company Name: BEAU ALLEN AMERICA, LLC Principal Name: DAVID A. SUMMERALL

Company Address: 2015 BOUNDARY ST. #226  
BEAUFORT, SC 29902

Secretary of State Designation: (Corporation, Individual, Partnership, other) LLC

Beaufort County Business License/Classification: 19090

Tax Obligation Current: NONE

Signature of Principal/Date: David Summerall 11/19/2019

Witness/Date: Alison Cook 11/29/2019

## Value Engineering Alternates

Following items are recommended as value engineering alternates:

	<u>Description</u>	<u>Advantage \$</u>	<u>*Price Difference</u>
1.	<u>NONE</u>	_____	_____ \$ _____
2.	_____	_____	_____ \$ _____
3.	_____	_____	_____ \$ _____
4.	_____	_____	_____ \$ _____
4.	_____	_____	_____ \$ _____
5.	_____	_____	_____ \$ _____
6.	_____	_____	_____ \$ _____
7.	_____	_____	_____ \$ _____
8.	_____	_____	_____ \$ _____

\* Indicate if "add" or "deduct"

**DEVIATIONS FROM TERMS, CONDITIONS, PROVISIONS, SPECIFICATIONS,  
AND ENCLOSED CONTRACT**

**If you do not have any deviations, write "NONE."**

IFB #: 110619

<u>PAGE #</u>	<u>ITEM #</u>	<u>DESCRIPTION</u>	<u>EXPLAIN</u>	<u>DIFFERENCES</u>
<u>BELOW</u>		<b>NONE</b>		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
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_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

I agree to abide by all the terms, conditions, provisions, and specifications of this bid; except those as listed above.

**BEAU ALLEN AMERICA, LLC**

Company

*Handwritten Signature*  
Authorized Signature

11/19/2019  
Date



## REFERENCES

Each bidder shall furnish all information requested below. Bids shall be received from qualified contractors.

Years in business: 1

Please list at least five (5) customer references.

<u>Company</u>	<u>Address</u>	<u>Contact</u>	<u>Phone Number</u>
<u>Pifel</u>	<u>116 Fort Marion Rd</u>	<u>Bruce</u>	<u>240-695-7897</u>
<u>Hamilton Vill.VOA</u>	<u>15 Sunset Blvd</u>	<u>Kevin Conroy</u>	<u>843-441-5771</u>
<u>Bundy, Inc</u>	<u>1204 Boundary St</u>	<u>Todd Keyserling</u>	<u>864-363-4141</u>
<u>Due North Dev.</u>	<u>167 Little Capers Rd</u>	<u>Fred White</u>	<u>843-297-0690</u>
<u>Secession Golf</u>	<u>100 Islands causeway</u>	<u>Chijp Rutland</u>	<u>843-441-7572</u>

<b>Trade</b>	<b>Company Name</b>		<b>Value of Bid (\$)</b>
Site work	Malphrus Utilities	Ridgeland, SC	\$16,500.00
Concrete + Foundation	Tom Bueche	Seabrook, SC	\$22,000.00
Framing + Siding	C.E. Lowther & Son	Ridgeland, SC	\$18,000.00
Roofing	Donjuan	Beaufort, SC	\$6,400.00
Plumbing	TAP Plumbing	Hardeeville, SC	\$18,000.00
Electrical	Kintz Electric	Beaufort, SC	\$11,200.00
Insulation + Sheetrock	Ecofoam	Hardeeville, SC	\$10,500.00
Paint	Longstar Association	Beaufort, SC	\$11,400.00
Flooring	Creative Interiors	Beaufort, SC	Allowance
Countertops	Granite Solutions Plus	Hilton head Island, SC	\$4,900.00
Tile	Sea Island Tile and Marble	Beaufort, SC	\$3,000.00
Fire Alarm	H2 Systems	Beaufort, SC	\$5,800.00
Sprinkler	Sentry	Hilton Head, SC	\$10,500.00
Landscaping + Irrigation	Salt Marsh	Beaufort, SC	\$13,000.00

# SCHEDULE OF VALUES

AIA DOCUMENT G703

PAGE 2 OF 2 PAGES

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 0

APPLICATION DATE: 1/10/2019

PERIOD TO: NA

CONTRACTORS PROJECT NO: 37

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G % (G ÷ C)	H BALANCE TO FINISH (C - G)	I RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD				
1	General Requirements	\$ 34,225.00	-	\$ -	-	0.00%	\$ 34,225.00	\$ -
2	Earthwork	\$ 18,750.00	-	\$ -	-	0.00%	\$ 18,750.00	\$ -
3	Foundation	\$ 30,019.00	-	\$ -	-	0.00%	\$ 30,019.00	\$ -
4	Framing	\$ 42,775.00	-	\$ -	-	0.00%	\$ 42,775.00	\$ -
5	Roofing	\$ 6,420.00	-	\$ -	-	0.00%	\$ 6,420.00	\$ -
6	Windows & Doors	\$ 22,878.00	-	\$ -	-	0.00%	\$ 22,878.00	\$ -
7	Exterior Cladding & Trim	\$ 32,701.00	-	\$ -	-	0.00%	\$ 32,701.00	\$ -
8	HVAC	\$ 8,018.00	-	\$ -	-	0.00%	\$ 8,018.00	\$ -
9	Plumbing	\$ 12,400.00	-	\$ -	-	0.00%	\$ 12,400.00	\$ -
10	Sprinkler	\$ 10,500.00	-	\$ -	-	0.00%	\$ 10,500.00	\$ -
11	Electrical	\$ 17,800.00	-	\$ -	-	0.00%	\$ 17,800.00	\$ -
12	Insulation	\$ 3,466.00	-	\$ -	-	0.00%	\$ 3,466.00	\$ -
13	Sheetrock	\$ 7,110.00	-	\$ -	-	0.00%	\$ 7,110.00	\$ -
14	Paint	\$ 11,400.00	-	\$ -	-	0.00%	\$ 11,400.00	\$ -
15	Finish Floor	\$ 12,939.00	-	\$ -	-	0.00%	\$ 12,939.00	\$ -
16	Cabinets & Countertops	\$ 10,170.00	-	\$ -	-	0.00%	\$ 10,170.00	\$ -
17	Interior Trim	\$ 7,200.00	-	\$ -	-	0.00%	\$ 7,200.00	\$ -
18	Appliances	\$ 4,200.00	-	\$ -	-	0.00%	\$ 4,200.00	\$ -
19	Sidewalks & Pads	\$ 13,529.00	-	\$ -	-	0.00%	\$ 13,529.00	\$ -
20	Landscaping	\$ 30,000.00	-	\$ -	-	0.00%	\$ 30,000.00	\$ -
21	Profit	\$ -	-	\$ -	-	0.00%	\$ -	\$ -
<b>GRAND TOTALS</b>		\$ 337,700.00	\$ -	\$ -	\$ -	0.00%	\$ 337,700.00	\$ -

Users may obtain validation of this document by requesting of the license a completed AIA Document D401 - Certification of Document's Authenticity

Selective Insurance Company of America  
40 Wantage Avenue  
Branchville, New Jersey 07890  
973-948-3000

B 1222621

## BID BOND

### KNOW ALL MEN BY THESE PRESENTS:

That **Beau Allen America LLC**

**2015 Boundary St, Suite 226 Beaufort, SC 29902**

(hereinafter called the Principal)

as Principal, and the **SELECTIVE INSURANCE COMPANY OF AMERICA**, a corporation created and existing under the laws of the State of New Jersey, with its principal office in Branchville, New Jersey (hereinafter called the Surety), as Surety,

are held and firmly bound unto **Beaufort County**

**P.O. Drawer 1228, County Courthouse Beaufort, SC 29901-1228**

(hereinafter called the Obligee)

in the full and just sum of **5 % Percent of the Total Bid Amount**

( **5%**  ), good and lawful money of the United States of America, to the payments of which sum of money well and truly to be made, the said Principal and Surety bind themselves, their and each of their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Signed, sealed and dated this **4th** day of **November** A.D. **2019**.

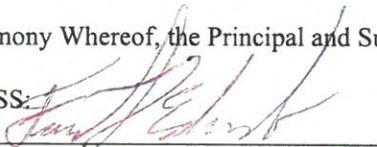
**THE CONDITION OF THIS OBLIGATION IS SUCH**, That, if the Obligee shall make any award within 60 days to the Principal for

**New single family home with ADA bath and sprinkler system**

according to the terms of the proposal or bid made by the Principal therefor, and the Principal shall duly make and enter into a contract with the Obligee in accordance with the terms of said proposal or bid and award and shall give bond for the faithful performance thereof with Surety or Sureties approved by the Obligee; or if the Principal shall, in case of failure so to do, pay to the Obligee the damages which the Obligee may suffer by reason of such failure, not exceeding the penalty of this bond, then this obligation shall be null and void; otherwise it shall be and remain in full force and effect.

In Testimony Whereof, the Principal and Surety have caused these presents to be duly signed and sealed.

WITNESS:

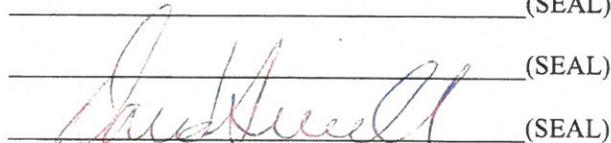


(If individual or Firm)

**Beau Allen America LLC**

*No Seal*

(SEAL)



(SEAL)

(SEAL)

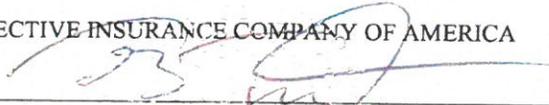
Principal

ATTEST:

(If Corporation)

**SELECTIVE INSURANCE COMPANY OF AMERICA**

By:



Attorney-in-Fact  
Thomas Tayloe

ACKNOWLEDGMENT OF PRINCIPAL  
(Individual or Partnership)

STATE OF Sc  
COUNTY OF Beaufort } ss:

On this 4th day of November, 2019, before me personally appeared the above named David Summrell

to me known and known to me to be the same person who executed the above instrument and dully acknowledged the execution of the same.



Laura D Roddey  
Notary Public Beaufort County

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_ } ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me personally appeared \_\_\_\_\_

to me known, who, being by me duly sworn, did depose and say that he/she resides in \_\_\_\_\_

that he/she is the \_\_\_\_\_ of \_\_\_\_\_ the corporation described in and which executed the foregoing instrument; that he/she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was affixed by order of the Board of Directors of said corporation and that he/she signed his/her name thereto by like order.

Notary Public \_\_\_\_\_ County

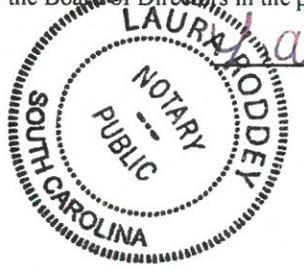
ACKNOWLEDGMENT OF SURETY

STATE OF Sc  
COUNTY OF Beaufort } ss:

On this 4th day of November, 2019, before me personally appeared Thomas Tayloe

to me known, who, being by me duly sworn, did depose and say that he/she resides in 55 Thomas Sumter St. Beaufort, Sc 29907 that he/she is the Attorney-in-Fact of the Selective Insurance Company of America

the corporation described in and which executed the foregoing instrument; that he/she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he/she signed his/her name thereto by like order; and deponent further says that he/she is acquainted with Thomas Tayloe and knows him/her to be the Attorney-in-Fact subscribed to the within instrument is in the genuine handwriting of the said Thomas Tayloe and was subscribed thereto by like order of the Board of Directors in the presence of deponent.



Laura D Roddey  
Notary Public BEAUFORT County



Selective Insurance Company of America  
 40 Wantage Avenue  
 Branchville, New Jersey 07890 BondNo.B 1222621  
 973-948-3000

**POWER OF ATTORNEY**

**SELECTIVE INSURANCE COMPANY OF AMERICA**, a New Jersey corporation having its principal office at 40 Wantage Avenue, in Branchville, State of New Jersey ("SICA"), pursuant to Article VII, Section 1 of its By-Laws, which state in pertinent part:

The Chairman of the Board, President, Chief Executive Officer, any Executive Vice President, any Senior Vice President or any Corporate Secretary may, from time to time, appoint attorneys in fact, and agents to act for and on behalf of the Corporation and they may give such appointee such authority, as his/her certificate of authority may prescribe, to sign with the Corporation's name and seal with the Corporation's seal, bonds, recognizances, contracts of indemnity and other writings obligatory in the nature of a bond, recognizance or conditional undertaking, and any of said Officers may, at any time, remove any such appointee and revoke the power and authority given him/her.

does hereby appoint **Thomas Tayloe**

, its true and lawful attorney(s)-in-fact, full authority to execute on SICA's behalf fidelity and surety bonds or undertakings and other documents of a similar character issued by SICA in the course of its business, and to bind SICA thereby as fully as if such instruments had been duly executed by SICA's regularly elected officers at its principal office, in amounts or penalties not exceeding the sum of: **Three Hundred Sixty Thousand Dollars (\$360,000.00)**

Signed this 4th day of November, 2019

SELECTIVE INSURANCE COMPANY OF AMERICA

By:   
 Brian C. Sarisky  
 Its SVP, Strategic Business Units, Commercial Lines

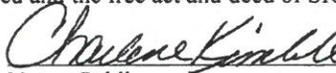


CERTIFIED COPY

STATE OF NEW JERSEY :  
 :ss. Branchville  
 COUNTY OF SUSSEX :

On this 4th day of November, 2019 before me, the undersigned officer, personally appeared Brian C. Sarisky, who acknowledged himself to be the Sr. Vice President of SICA, and that he, as such Sr. Vice President, being duly sworn, did do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation, in fact as Sr. Vice President and that the same was his free act and deed and the free act and deed of SICA.

**Charlene Kimble**  
 Notary Public of New Jersey  
 My Commission Expires 6/2/2021

  
 Notary Public



The power of attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of SICA at a meeting duly called and held on the 6th of February 1987, to wit:

"RESOLVED, the Board of Directors of Selective Insurance Company of America authorizes and approves the use of a facsimile corporate seal, facsimile signatures of corporate officers and notarial acknowledgements thereof on powers of attorney for the execution of bonds, recognizances, contracts of indemnity and other writing obligatory in the nature of a bond, recognizance or conditional undertaking."

**CERTIFICATION**

I do hereby certify as SICA's Corporate Secretary that the foregoing extract of SICA's By-Laws and Resolutions in full force and effect and this Power of Attorney issued pursuant to and in accordance with the By-Laws is valid.

Signed this 4th day of November, 2019

  
 Michael H. Lanza, SICA Corporate Secretary



Important Notice: If the bond number embedded within the Notary Seal does not match the number in the upper right-hand corner of this Power of Attorney, contact us at 973-948-3000.



Selective Insurance Company of America Bond No. B 1222621  
 40 Wantage Avenue  
 Branchville, New Jersey 07890  
 973-948-3000

**STATEMENT OF FINANCIAL CONDITION**

Public

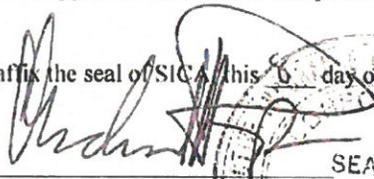
I hereby certify that the following information is contained in the Annual Statement of Selective Insurance Company of America ("SICA") to the New Jersey Department of Banking and Insurance as of December 31, 2018:

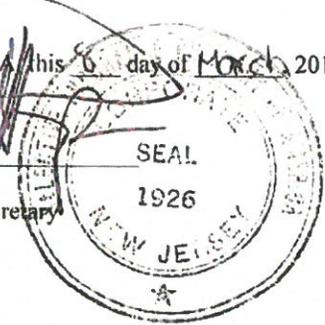
<u>ADMITTED ASSETS (in thousands)</u>		<u>LIABILITIES AND SURPLUS (in thousands)</u>	
Bonds	\$1,645,203	Reserve for losses and loss expenses	\$1,067,538
Preferred stocks at convention value	15,958	Reserve for unearned premiums	407,747
Common stocks at convention values	108,870	Provision for unauthorized reinsurance	613
Subsidiary common stock at convention values	0	Commissions payable and contingent commissions	28,217
Short-term investments	118,739	Other accrued expenses	27,209
Mortgage loans on real estate (including collateral loans)	32,517	Other liabilities	<u>375,544</u>
Other invested assets	104,132	Total liabilities	1,906,868
Interest and dividends due or accrued	13,554		
Premiums receivable	378,538	Surplus as regards policyholders	<u>632,803</u>
Other admitted assets	<u>122,160</u>		
Total admitted assets	<u>2,539,671</u>	Total liabilities and surplus as regards policyholders	<u>2,539,671</u>

I further certify that the following is a true and exact excerpt from Article VII, Section 1 of the By-Laws of SICA, which is still valid and existing.

The Chairman of the Board, President, Chief Executive Officer, any Executive Vice President, any Senior Vice President or any Corporate Secretary may, from time to time, appoint attorneys in fact, and agents to act for and on behalf of the Corporation and they may give such appointee such authority, as his/her certificate of authority may prescribe, to sign with the Corporation's name and seal with the Corporation's seal, bonds, recognizances, contracts of indemnity and other writings obligatory in the nature of a bond, recognizance or conditional undertaking, and any of said Officers may, at any time, remove any such appointee and revoke the power and authority given him/her.

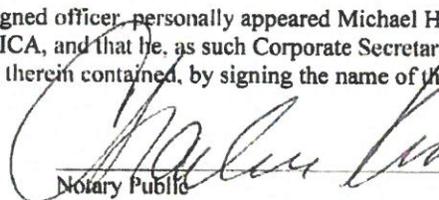
IN WITNESS WHEREOF, I hereunto subscribe my name and affix the seal of SICA this 6 day of March, 2019.

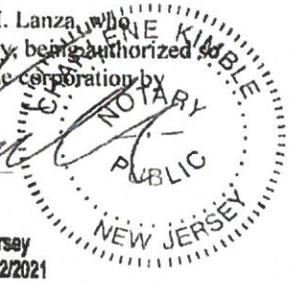
  
 Michael H. Lanza  
 SICA Corporate Secretary



STATE OF NEW JERSEY :  
 :ss. Branchville  
 COUNTY OF SUSSEX :

On this 8 day of March 2019, before me, the undersigned officer personally appeared Michael H. Lanza, who acknowledged himself to be the Corporate Secretary of SICA, and that he, as such Corporate Secretary, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Corporate Secretary.

  
 Notary Public  
 My Commission Expires Charlene Kimble  
 Notary Public of New Jersey  
 My Commission Expires 6/2/2021



Selective Insurance Company of America  
40 Wantage Avenue  
Branchville, New Jersey 07890  
973-948-3000

BondNumberB 1222621

**SURETY DISCLOSURE STATEMENT AND CERTIFICATION**

Selective Insurance Company of America, surety on the attached bond, hereby certifies the following:

- (1) The surety meets the applicable capital and surplus requirements of R.S.17:17-6 or R.S.17:17-7 as of the surety's most current annual filing with the New Jersey Department of Banking and Insurance.
- (2) The capital and surplus, as determined in accordance with the applicable laws of the State of New Jersey, of the surety issuing the attached bond are in the following amounts as of the calendar year ended December 31, 2018, which amounts have been certified by certified public accountants:

<u>Company</u>	<u>Capital</u>	<u>Surplus</u>	<u>CPA</u>
Selective Insurance Company of America	\$4,400,000	\$632,803,000	KPMG LLP 345 Park Avenue New York, NY 10154

- (3) With respect to the surety issuing the attached bond that has received from the United States Secretary of the Treasury a certificate of authority pursuant to 31 U.S.C. sec 9305, the underwriting limitation established therein and the date as of which the limitation was effective is as follows:

<u>Company</u>	<u>Underwriting Limitation</u>	<u>Effective Date</u>
Selective Insurance Company of America	\$63,280,000	July 1, 2019

- (4) The amount of the bond to which this statement and certification is attached is  
\$ 360,000.00 .

**CERTIFICATE**

(To be completed by an authorized certifying agent/officer for each surety on the bond)

I, Timothy A. Marchio, as Vice President, Bond SBU for Selective Insurance Company of America, a corporation domiciled in New Jersey, DO HEREBY CERTIFY that, to the best of my knowledge, the foregoing statements made by me are true, and ACKNOWLEDGE that, if any of those statements are false, this bond is VOIDABLE.

  
(Signature of certifying agent/officer)

Timothy A. Marchio  
(Printed name of certifying agent/officer)

Vice President, Bond SBU  
(Title of certifying agent/officer)

Dated: November 4th 2019  
(month, day, year)